

**CITY OF HACKENSACK
ORDINANCE #77**

SECTION 1 – PURPOSE

The purpose of ordinance, which is enacted pursuant to Minnesota Statutes, is to secure the quiet, orderly, and suitable use and enjoyment of public parks, and public access to lakes, in parks established by the city or the State of Minnesota, and to further the safety, health, comfort, and welfare of all persons in the use thereof.

SECTION 2 – DEFINITIONS

For the purpose of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPLICANT. Any person or organization seeking a permit to use or conduct an activity in the park.

COUNCIL. The governing body of the City of Hackensack.

DRUG. Any substance defined as a controlled substance by Minnesota Statutes or federal law or regulations.

HACKENSACK CITY PARK. A park in the city.

INTOXICATING LIQUORS. Any liquor, which is intoxicating pursuant to Minnesota law and includes ethyl alcohol, distilled, fermented, spirituous, vinous and malt beverages containing in excess of 3.2% of alcohol by weight.

MOTORIZED RECREATION VEHICLE. Any self-propelled, off-the-road, or all-terrain conveyance including but not limited to a snowmobile, mini bike, amphibious vehicle, motorcycle, go-cart, trail bike, or dune buggy.

PARK. Any land or water area, and all facilities thereon, established as a park by the city pursuant to Minnesota Statutes.

PERMIT. Any written license issued by or under the authority of the Council permitting a use, event, or activity in Hackensack City Park.

PERSON. Any individual, partnership, corporation, firm, company, association, society or group of any kind within a park.

3.2 MALT LIQUOR. A beverage containing not more than 3.2% alcohol by weight.

VEHICLE. Any wheeled conveyance, whether motor-powered, animal-drawn, or self-propelled. The terms shall include any trailer in town of any size, kind or description. Exception is made for wheelchairs, baby carriages, and other vehicles in the service of the city.

WEAPON. Any device from which shot or a projectile of any type can be discharged by the means of an explosive, gas, or compressed air or otherwise propelled, including but not limited to firearms, bows and arrows, slings and spring guns.

WILDLIFE. All living creatures, not human, wild by nature, endowed with sensation and power or voluntary motion, including quadrupeds, mammals, birds, fish, amphibians, reptiles, crustaceans, and mollusks.

SECTION 3 – GENERAL CONDUCT

It shall be unlawful for any person to:

(A) Violate those Minnesota Statutes 609.705 through 609.745 or any City ordinance concerning Public Misconduct or Nuisance in Hackensack City Park.

(B) To use or to have in his or her possession intoxicating liquor or 3.2 malt liquor containers larger than one quart. No kegs without special permit issued by Council, or their authorized representative.

(C) To be under the influence of intoxicating liquors or 3.2 malt liquor or to use, be in possessions of, or be under the influence of any illegal mood altering substance.

(D) Disturb, harass, or interfere with Hackensack City Park visitors or any park visitor's property.

(E) Deposit, scatter, drop, or abandon in Hackensack City Park any bottles, cans, broken glass, sewage, or other noxious material, except in receptacles provided for such purposes.

(F) Throw, discharge, or place in or upon any lake, stream, creek, pond, or other body of water in or adjacent to Hackensack City Park, or any tributary, stream, storm sewer, or drain flowing into such water, any substance, whether liquid, solid or gas.

(G) Start a fire in Hackensack City Park, except a small fire for culinary purposes in a designated area, or fail to fully extinguish such a fire.

(H) Drop, throw, or otherwise leave unattended in Hackensack City Park lighted matches, burning cigars, cigarettes, tobacco, paper or other combustible material.

(I) Sell, solicit, or carry on any business or commercial enterprise or service in Hackensack City Park unless authorized by the Council.

(J) Use loud speakers or other amplifying systems in Hackensack City Park, except with permission from the Council, or their authorized representative.

(K) Camp in the City Park without permission.

(L) Cause, create, or make any noise, which disturbs the peace, quiet, and tranquility of the City Park.

(M) Discharge any water or any other waste in the City Park except into designated dumping stations.

(N) Dig trenches or make any other excavations in the City Park except that the placement of tent stakes or anchors for temporary tents is permitted.

(O) Use a boat for sleeping quarters while tied to the City Park water frontage.

SECTION 4 – PROTECTION OF NATURAL RESOURCES AND WILDLIFE

It shall be unlawful for any person to:

(A) Injure, destroy, or remove any tree, flower, shrub, plant, rock, soil or mineral from Hackensack City Park.

(B) Kill, trap, hunt, pursue, or in any manner disturb or cause to be disturbed any species of wildlife within Hackensack City Park, except that fishing may be permitted in designated areas.

(C) Discharge within Park boundaries any weapon or into the park from beyond park boundaries.

(D) Possess any dangerous weapon as defined by Minnesota Statute 609.66 within the City Park.

(E) Release within a park any insect, fish, or other wildlife, or introduce within a park any plant, chemical, or other agent potentially harmful to the vegetation or wildlife of the park.

(F) Remove any animal, living or dead, from a park, and any animal so removed or taken contrary to the provisions of this chamber, or laws of the State of Minnesota, shall be considered contraband and subject to seizure and confiscation.

SECTION 5 – CAMPING

Overnight camping may be allowed by written permission from the City Clerk for organized groups that are sponsored by bona fide non-profit corporations that are registered and in good standing with the State of Minnesota.

SECTION 6 – SWIMMING

It shall be unlawful for any person to wade or swim within the City Park except at beaches designated for that purpose, and then only between sunrise and sunset, or such hours as designated by the City. Park visitors shall swim or wade at their own risk.

SECTION 7 – BOATING

It shall be unlawful for any person to:

(A) Launch or land any boat, yacht, canoe, raft, or other watercraft upon any water, lagoon, lake, pond, or slough within a park except at locations designated for that purpose.

(B) Leave unattended any boat or other watercraft except in areas designated for that purpose.

(C) Operate any watercraft in a designated swimming area or other prohibited area.

(D) Operate any watercraft in a city park in violation of Minnesota Statutes of any other law, statutes, or ordinance dealing with water and watercraft safety.

SECTION 8 – FISHING

It shall be unlawful for any person to:

(A) Fish in a park in violation of any provision of Minnesota Statutes.

(B) Fish in a park area designated as a no fishing area.

(C) Fish in a park area designated as a swimming area.

SECTION 9 – MEETING, SPEECHES, DEMONSTRATIONS, AND PARADES

It shall be unlawful for any person to conduct public meetings, assemblies, entertainment, parades, or demonstrations within a park without first obtaining a permit from the City Council, or it's authorized representative, and then only in areas designated in the permit.

SECTION 10 – VEHICLES

It shall be unlawful for any person to:

(A) Operate any vehicle within a park except upon roadways, parking areas, or other designated locations.

(B) Operate a motorized vehicle in the park without a valid driver's license.

(C) Operate a vehicle in the park at a speed in excess of posted speed limits.

(D) Park or leave a vehicle standing within the park except in a designated parking area.

(E) Operate a vehicle within the park in violation of the traffic regulations of the State of Minnesota.

(F) Wash, polish, grease, change oil, or repair any vehicle within the park.

(G) Operate any non-licensed motorized vehicles such as dirt bikes or mini bikes within the boundaries of any city park.

(H) Operate any motor vehicle on roads that are posted, chained, or gated prohibiting vehicular traffic.

SECTION 11 – MOTORIZED RECREATIONAL VEHICLES

It shall be unlawful for any person to:

(A) Operate a motorized recreational vehicle within a park except in such areas and at such times as designated by the City Council or their authorized representative.

SECTION 12 – PARK OPERATION

(A) A person may be granted a permit for temporary use of a space within the park.

(B) No person shall remain within the park between the hours of 10:00 p.m. and 5:00 a.m. unless by city permit.

(C) Any permit granted pursuant to this ordinance may be revoked upon the violation of any ordinance, rule, or regulation of the City Council or of any other local ordinance, law, or state statute.

(D) It shall be unlawful for any person to use a facility or area for which a fee or charge has been established by the City Council without payment of such a fee or charge.

(E) The city shall not be liable for any loss, damage, or injury sustained by a park visitor.

(F) Any park or portion thereof may be declared closed to the public by the City Council or their authorized representative, at any time, and for any interval of time, or to certain uses, as the City Council or their authorized representative shall find it reasonably necessary.

SECTION 13 – ENFORCEMENT OF PENALTIES

(A) Minnesota Peace Officers may, in connection with their duties, diligently enforce the provisions of this ordinance.

(B) Designated park employees may, in connection with their duties imposed by law, diligently enforce the provisions of this ordinance and may eject from parks any persons acting in violation of this chapter.

(C) The City Council, or their authorize representative shall have the authority to revoke for good cause any permit issued.

(D) The City Council shall have the right to issue administrative rules and regulations that may be recommended as it deems necessary.

(E) Nothing in this ordinance shall prevent employees or agents of the park system from performing their assigned duties.

(F) No persons shall impersonate any employee of the park's system nor interfere with, harass, or hinder any employee in the discharge of his or her duties.


SECTION 14 – PENALTY

Unless otherwise specified by Minnesota Statutes, a person guilty of violating any provisions of this ordinance shall be guilty of a misdemeanor. A misdemeanor is punished by a fine of not more than \$1,000.00 or by imprisonment for a period not to exceed 90 days, or both.

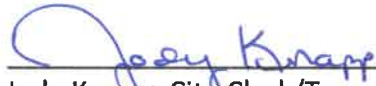
SECTION 15 – EFFECTIVE DATE

This ordinance shall be in full force and effect from and after passage and publication

Passed and approved this 9th day of January, 2012.



Larry Ciha, Mayor

ATTEST: 

Jody Knapp, City Clerk/Treasurer

Published ^{Feb 1, 2012} ~~January 18, 2012~~