

# **AN ORDINANCE REGULATING RECREATIONAL USE ON COUNTY ADMINISTERED LANDS WITHIN CROW WING COUNTY**

## **1.0 GENERAL PROVISIONS**

### **1.1 Authority**

This Ordinance is adopted pursuant to M.S. 398.34. The purpose of this ordinance is to provide for the use of parks, public water access sites, trails, camping and hunting in such a manner and by such means that will maximize their use and enjoyment by the public, while conserving the scenery, preserving the natural setting of our trees and forests, wildlife and historical objects found within each.

## **2.0 DEFINITIONS**

The following words or terms as used in this Ordinance have the meanings given them in this section unless a different meaning is clearly indicated by the context.

2.1 “Department” refers to the Land Services Department within Crow Wing County.

2.2 “Director” means the Land Services Director.

2.3 “Person” means any individual, partnership, corporation, association or other groups.

2.4 “Park”, “Trail”, or “Access” means any County Administered Lands that have been designated by the County Board as a County Park, Trail or Access, respectively.

2.5 “Vehicle” means every device in, upon, or by which any person or property is or may be transported excepting devices used exclusively upon stationary rails or tracks as defined in Minnesota Statutes 169.011 Subdivision 92

2.6 “Watercraft” means any vehicle used or designed for navigation on water.

2.7 “Motorized Vehicle” means any Highway Licensed Vehicle, Off-Road Vehicle, All-Terrain Vehicle, Off-Highway Motorcycle or any other wheeled or tracked device powered with a motor including both internal combustion and/or electric. This shall not include motorized wheelchairs.

2.8 “Non-motorized Vehicle” means any wheeled or tracked vehicle by which any person or property is or may be transported which is not propelled by a motor including internal combustion or electric. This shall not apply to wagons, strollers, wheelchairs or assisted transportation devices.

2.9 “Trail Treadway” means that part of the trail constructed for travel.

2.10 “Snowmobile” means a self-propelled vehicle designed for travel on snow or ice and steered by skis or runners.

2.11 “Campfire” means a fire set for cooking, warming, or ceremonial purposes.

2.12 “County administered” means all County managed properties including Tax-Forfeited and County Fee Properties.

2.13 “Portable Free Standing Stand” means a device, designed for the purpose of elevating a person while hunting, which is transported to its destination and is capable of supporting itself without being attached to a tree.

2.14 “Portable Tree Stand” means a device, designed for the purpose of elevating a person while hunting, which is lightweight in design and is transported by a person to its destination and attached to a tree.

2.15 “Dangerous Weapon” means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm as further defined in Minnesota Statute § 609.02 Subdivision 6.

- 2.16 “Livestock” means cattle, sheep, swine, horses, ponies, donkeys, mules, hinnies, goats, buffalo, llamas, or poultry as defined in Minnesota Statue 604A.12, subdivision 1c.
- 2.17 “Trail User Organization” means any group or organization with a trail permit approved by the County Board.

### **3.0 PARKS**

- 3.1 Parks shall be open year-round from sunrise to sunset.
- 3.2 No Camping is allowed at any County Park unless designated and posted open to camping.
- 3.3 No Campfires are allowing in County Parks except in designated areas.
- 3.4 No Hunting is allowed at any County Park.
- 3.5 Any park facility, or portions of a facility, may be closed at the Directors discretion.
- 3.6 It shall be unlawful for any person to possess a dangerous weapon, except firearms allowed under Minnesota Statutes 624.714 in a County Park. The six designated County Parks are as follows:
- Paul M. Thiede Fire Tower Park
  - Milford Mine Memorial Park
  - South Long Lake Park
  - Rollie Johnson Natural & Recreational Area (Big Island Park)
  - Rush Lake Island Park
  - Little Emily Lake Park
- 3.7 As defined in Minnesota Statutes Section § 609.668 Subdivision 1, It shall be unlawful for any person to use or have in their possession explosives of any kind, including but not limited to firecrackers and other kinds of fireworks, or incendiary devices within any park.
- 3.8 Swimming shall be allowed.
- 3.9 Pets will be permitted in parks and pets shall be attended and effectively restrained by a leash, and pets shall not be permitted to deprive or disrupt the enjoyment or use of any area by other persons.
- 3.10 Persons bringing animals into a park shall be responsible for picking up and properly disposing of animal waste.
- 3.11 Livestock are not permitted within any park.
- 3.12 Vehicles parked on Park property after posted closing hours, or in areas other than parking lots designed for parking may be impounded at the cost and expense of the owner.
- 3.13 Fishing is allowed at County Parks.

### **4.0 PUBLIC WATER ACCESS**

- 4.1 Accesses shall be open year-round.
- 4.2 Watercraft may be launched or landed only at accesses designated for such use.
- 4.3 No person shall leave, store or moor on or directly in front of any public access any watercraft after such person has left the lake area or cause such watercraft to remain on the access site overnight.
- 4.4 No person shall leave, store, abandon or otherwise cause to remain on any access, any fish house, shelter or dark house.
- 4.5 Swimming shall be allowed at Public Water Access Sites. However, it shall be unlawful for any person to impede a vehicle, trailer, or watercraft during the loading/unloading process at a public water access site while swimming.
- 4.6 Any public water access, may be closed at the Directors discretion.
- 4.7 Campfires are not allowed at Public Water Access Sites.

## **5.0 TRAILS**

- 5.1 Each trail shall be open according to its season of operation. Each Trail User Organization coordinates with the Department before opening and closing the trails they manage under permit with Crow Wing County.
- 5.2 Any trails, or portions of a trail, may be closed at the Directors discretion.
- 5.3 Campfires are allowed but State open burning laws and rules must be followed at all times, including, but not limited to, complying with burning ban restrictions issued by the State under extremely dry conditions.

## **6.0 ENVIRONMENTAL PROTECTION**

- 6.1 No person shall disturb, destroy, injure, damage, or remove any property within a park.
- 6.2 No person shall burn or dispose of garbage, refuse, litter or trash within a park, access or trail. If an appropriate receptacle has not been provided, the person who brought in the items must also pack it out for proper disposal.
- 6.3 The gathering of plants, whole or parts, including berries, pine/fir cones, nuts and seeds and other similar vegetative materials for commercial purposes is prohibited unless approved by the Director. Gathering for personal use shall be allowed, provided such activity does not result in destruction or serious depletion of the resource and provided such gathering is permissible under State Laws. Under no circumstance may Federal or State listed rare, threatened or endangered species be gathered.
- 6.4 Gathering of firewood is prohibited unless a permit is obtained from the Land Services Department.
- 6.5 In all cases the Minnesota Department of Natural Resources Hunting & Trapping Regulations must be followed.

## **7.0 CAMPING**

- 7.1 Overnight camping shall only be allowed in posted, designated areas within County Parks.
- 7.2 No camping is allowed within parks or within 300 feet of a public water access.
- 7.3 Primitive camping on County-administered tax forfeit land is allowed under the following guidelines: camps cannot be used for more than 14 consecutive days; person wishing to camp more than 14 days must relocate their camp onto a site more than a mile distant from the first camp; camps cannot be established within a one (1) mile of any public campground or site; campers must remove all trash and debris from the site; live trees may not be felled for making a camp, accessing a camp, or for use as firewood; no camping is allowed in a wildlife management area that is under cooperative management agreement between the County and State, or in any other area designated no camping by the County.

## **8.0 HUNTING AND TRAPPING**

- 8.1 No hunting or trapping will be allowed within County parks or accesses.
- 8.2 Hunting stands of any kind, shall be prohibited within parks or accesses, or within 300 feet of any trail.
- 8.3 No person may construct, occupy or use any hunting stand on County Managed Public Land except portable tree stands or portable free standing stands. Permanently constructed or non-portable stands of any type are not allowed on County Managed Public Land.

- 8.4 Portable tree stands or portable free standing stands shall not be placed earlier than one (1) week prior to the opening of Minnesota's big game hunting season and must be removed no later than one (1) day following the close of the season.
- 8.5 Portable tree stands or portable free standing stands not removed as required in Section 8.4 shall be considered abandoned personal property and dealt with pursuant to MN Statute 345.15 entitled, Counties, Unclaimed Property; Disposition; Duty of Sheriff.
- 8.6 No person may cause damage or injury to any tree by the placement or erection of portable tree stands or portable free standing stands or by any other manner while climbing or hunting from a portable tree or free standing stand except that small lateral branches less than 1" in diameter may be removed.
- 8.7 No person may cause damage to trees by creating clear lanes for shooting except that small lateral branches less than 1" in diameter may be removed.
- 8.8 Screw-in steps and/or anchor bolts for portable tree stands are allowed providing they are removed when the stand is removed.
- 8.9 In all cases the Minnesota Department of Natural Resources Hunting & Trapping Regulations must be followed.

## **9.0 PENALTIES**

- 9.1 Any person or persons who violates any of the provisions of this Ordinance shall be guilty of a Misdemeanor.
- 9.2 Any person or persons who violates any of the provisions of this Ordinance shall be liable for the cost of any restoration of any damage to property caused by said violation. The payment of these costs is in addition to any provision of Section 9.1.

## **10.0 SEVERABILITY**

- 10.1 If any provision of this Ordinance or the application thereof is held invalid, said invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and for this purpose, the provisions of the Ordinance are severable.

## **11.0 EFFECTIVE DATE**

- 11.1 This Ordinance shall be in effect from and after the date of its passage by the Crow Wing County Board of Commissioners and publication according to Minnesota Statutes.