



**New Brighton City Council
Work Session Agenda
New Brighton City Hall | Council Chambers
803 Old Hwy 8 NW, New Brighton , MN 55112
5:00 PM June 24, 2025**

To participate in this meeting, members of the public may:

- **Attend the meeting in person.**
- **Watch the meeting electronically.** Tune into CTV Channel 8023 (CenturyLink) or Channel 16 (Comcast). To observe the meeting as a livestream or a webcast, visit www.newbrightonmn.gov and click on "I Want To View a Public Meeting."
- **Join the meeting electronically.** Members of the public who need to interact with our public officials about agenda items, City Administration, and matters that are otherwise of public concern to the City Council but are unable to or not comfortable attending the meeting in person, may join the meeting electronically at: <https://newbrightonmn.gov/zoom> (no app needed), by scanning the QR Code on the right, or by using their Zoom app to join and entering: Meeting ID 898 6240 2361, Passcode 867530



I. Work Session Item

1. Discussion on Parks and Recreation Ordinance Revision



Agenda Section:	Work Session Item
Report Date:	06/16/2025
Meeting Date:	June 24, 2025

REQUEST FOR COUNCIL CONSIDERATION – EXECUTIVE SUMMARY

ITEM DESCRIPTION: Discussion on Parks and Recreation Ordinance Revision

Action Requested:

Public Hearing	Motion
Discussion: X	Informational

Form of Action:

Resolution	Ordinance
Contract/Agreement	N/A or Other: X

Votes Needed:

3 Votes	4 Votes
5 Votes	N/A: X

Summary Statement:

Chapter 24 (Old Chapter 19), which outlines the rules and policies for public park usage in New Brighton, has not undergone a comprehensive revision in over two decades. The current ordinance includes outdated references, uses overly technical or legalistic language, and does not address many modern park uses or enforcement realities.

To address this, staff drafted a full repeal and replacement of Chapter 24. This process was informed by:

- A move toward plain language to improve understanding and

	accessibility for residents. • A desire to align more closely with Ramsey County’s Parks Ordinance, fostering consistency and clarity across the region. • The need to include current recreational trends, such as e-bikes, drones, cannabis use, and inclusive language. • A goal of making the ordinance easier to interpret and enforce for both the public and City staff. Key Revisions Include: • Updated Definitions for modern terminology, including THC beverages, cannabis products, drones, and dangerous weapons. • Simplified language throughout, removing legal jargon and making the code more user-friendly. • Expanded sections on permits, prohibited acts, and enforcement. • Clear guidance on acceptable conduct related to alcohol, THC, commercial photography, sound amplification, and group events. • New sections cover emerging uses like fat tire biking, winter sports, e-scooters, and drones. • Reinforced accessibility and equity, emphasizing that City parks are open to all people regardless of identity or background.
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Recommendations:	Staff is seeking feedback from the City Council during this worksession. Once feedback is received and any revisions are made, the ordinance will return for formal consideration and adoption at a future meeting.
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Applicable Deadlines:	N/A
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Community Impact:	This ordinance revision has been reviewed by the Parks, Recreation, and Environmental Commission (PREC), the City Attorney, and the Public Safety Department. Their feedback helped shape a document that is clear, enforceable, and aligned with the needs of our community. The ordinance uses plain language to ensure accessibility and understanding, promotes inclusion, and aligns with regional best practices by referencing elements from the Ramsey County parks ordinance. These updates will make it easier for residents to engage with and enjoy our parks while protecting these vital public spaces for future generations.
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Legislative History:	2019: Initiation of recodification project; completion was delayed due to COVID-19 and Election management. 11/12/2024: Adoption and update of reorganized City Code 2025: PREC Reviewed proposed ordinance
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Strategic Priority:	Financial Sustainability	Staff Capabilities
	Economic Development	Community Engagement & Belonging
	City Assets	N/A: X

Fiscal Impact:	Financial Impact: Is there a financial consideration?		No: X	Yes \$
	Financing Sources:	Budgeted	Budget Modification	
	New Revenue	Use of Reserves	Other	

Attachments:	Ordinance Presentation, Ordinance Chapter 24 - Current, DRAFT -New Brighton Park and Rec Ordinance
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Discussion on Park Ordinance Revision

Jennifer Fink, Director of Parks and Recreation



Why Now?

- Last full revision of this chapter was over 20 years ago
- With the latest revision, the extensive changes were not a part of the scope. Recommendation from Clerk's office and Municode was a full chapter re-write.
- Language was outdated, hard to interpret
- New recreational trends needed to be addressed
- Opportunity to improve consistency and accessibility

Goals of the Update

- Use plain language for better community understanding
- Align with Ramsey County ordinance for regional consistency
- Clarify park hours, rules, and enforcement tools
- Reflect equity, safety, and modern usage

Key Highlights - Structure & Definitions

- Comprehensive and modern definitions added:
 - THC Beverages, Cannabis Products
 - E-bikes, Dangerous Weapons, Motor Vehicles

Clarified Use & Access

- Parks open from 5:00 a.m. to 11:00 p.m.
- Trail users allowed to complete travel after 11:00 p.m.
- Curfew language aligned with City Code
- Authority for closures or special use designated to Director

Permits & Special Use

- Clear permit requirements:
 - Exclusive area use
 - Amplified sound
 - Alcohol sales
 - Large equipment (bounce houses, dunk tanks)
 - Commercial use and photography addressed

Updated Conduct Rules

- Alcohol: wine & beer allowed; kegs by permit
- Cannabis: THC beverages and edibles permitted; sales require license
- Amplified sound capped at 80 dBA without a permit
- Fire use clarified: grills, smokers, fire rings
- Prohibition on harassment, damage, or disruptive behavior

Pets, Bikes, Skating, Winter Use

- Dogs must be leashed (6ft max), no animals in playgrounds or buildings
- Biking restricted to paved trails unless signed
- E-bikes and scooters allowed up to 20 mph
- New guidance for fat tire biking, snowshoeing, sledding

Water Recreation & Safety

- Boating, swimming, fishing allowed in designated areas
- Prohibited actions include netting, spearing, unattended boats
- Wake and safety distances enforced
- Ice houses must use boat launches and cannot be stored on park property

Outdated Language Removed

- Removed requirement for golfers to wear "socially acceptable" attire
- Deleted gendered language throughout, including restroom access
- Eliminated outdated and excessive rules like restrictions on fish cleaning, washing utensils at campsites, and bicycle lighting rules that mirrored state law
- No more references to “lewd, lascivious” conduct or loitering near bathrooms

Enforcement & Penalties

- Preference for voluntary compliance
- Staff or public safety can enforce and remove individuals
- Ordinance violations may result in citations or loss of park use

Community Impact & Review

- Ordinance promotes accessibility and inclusion for all park users
- Plain language approach improves resident understanding and voluntary compliance
- Aligned with regional best practices through review of Ramsey County ordinance
- Draft reviewed by:
 - Parks, Recreation & Environmental Commission (PREC)
 - City Attorney
 - Public Safety Department
- Input from all reviewing bodies helped shape the final draft

What's Next?

- Council provides feedback at this work session
- Staff will revise draft ordinance based on input
- Final ordinance will be scheduled for adoption at a future Council meeting
- Likely effective date in 2026

Questions?

Feedback welcome to refine and finalize the ordinance

ARTICLE I. IN GENERAL**Sec. 24-1. Purpose.**

Pursuant to Laws of Minnesota 1971, chapter 950, as amended, this chapter has been enacted to authorize the city council to adopt ordinances to govern the conduct of members of the public during their use and enjoyment of the city open space system so as to:

- (1) Further the safety, health, enjoyment, and welfare of all persons in the use of the system.
 - (2) Protect public property and resources for posterity.
- (Code 1966; Code 1988; Code 2001, § 19-1; Ord. No. 425, 7-25-1978)

Sec. 24-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Department means the city's parks and recreation department.

Director means the parks and recreation director of the city who is authorized by the city council to direct the parks and recreation department.

Law enforcement officer means any person duly deputized or commissioned by the city, the county, or the state for the purpose of enforcing the laws, ordinances, and regulations of their respective jurisdictions, and includes code compliance officials and fire marshals.

Open space site means any park, reserve, special use area, golf course, linear park, or any other area owned, improved, maintained, operated or otherwise controlled by the city for recreation and natural resource preservation purposes.

Open space waters means any public shoreline owned by or under the authority of the city including those waters lying within 300 feet and immediately abutting such shoreline.

Park system refers to the city's park system which includes the sites and facilities owned, maintained, and operated by or otherwise under the authority of the city pursuant to Laws of Minnesota 1971, chapter 950, as amended.

Person means any individual, firm, partnership, corporation and association of persons.
(Code 1988; Code 2001, § 19-1.1; Ord. No. 425, 7-25-1978; altered in 2024 recodification)

Sec. 24-3. Hours and access.

The terms of this section shall apply in the use of the park system.

- (1) The recreation and education opportunities of the system shall be available to the public regardless of race, ethnicity, language, age, gender, sexual orientation, ability, and other differences.

- (2) The system shall be open to the public between the hours of 5:00 a.m. and 11:00 p.m., prevailing time in the city.
- (3) No person shall remain, stop, use, or be present within the confines of any open space site between the hours of 11:00 p.m. and 5:00 a.m. Exceptions may be made at the discretion of the director in the case of emergency or when use permits have been authorized or for other reasons the director may determine necessary or desirable.
- (4) Open space sites are subject to curfew hours in force in the city.
- (5) Any section or part of any open space site may be declared closed to the public by the director at any time or for any interval of time, either temporarily or at regular and stated intervals, and either entirely or for certain uses as the director shall find necessary.

(Code 1988; Code 2001, § 19-2; Ord. No. 425, 7-25-1978; altered in 2024 recodification)

Sec. 24-4. Permits.

Permits for use of the park system shall be issued in accordance with this section.

- (1) Permits shall be required for the exclusive use of all or portions of specific areas, buildings, and other system facilities; for conducting special events such as those of a cultural, educational, political, religious, or recreational nature; and for specific exemption from any provision of this chapter. An application for a permit shall be filed with the director.
- (2) The permittee shall be bound by this article and any department regulations in force as though the same were inserted in the permit.
- (3) The permittee shall be liable for any loss, damage, or injury sustained by the system or by any person because of the negligence of the permittee.
- (4) The permittee shall not transfer or relinquish the permit to another person without the written permission of the director.
- (5) The director shall have the authority to revoke a permit upon evidence of good cause.
- (6) No person shall in any manner disturb, harass, or interfere with the permittee nor with any of the permittee's property or equipment.
- (7) Permits shall be issued to adults only and the adults shall be on the premises at all times during the duration of the permit.

(Code 1988; Code 2001, § 19-3; Ord. No. 425, 7-25-1978)

Sec. 24-5. Special activities.

The following conditions shall apply to special activities in any open space site:

- (1) *Swimming.*
 - a. No person shall bathe, wade, or swim in any open space waters or at any city beach except in areas specifically designated for such use.

- b. No person using open space waters shall swim outside of the marked area.
- c. No person shall bring into or use at any beach an inner tube, life raft, or other inflatable or buoyant object intended to support a person except U.S. Coast Guard-approved life jackets.
- d. No person shall possess, carry onto, or scatter on any beach, any glass bottle, broken glass, metal can, or other debris which could be a safety hazard.
- e. No person shall use a beach area for purposes of picnicking.
- f. No person having custody of an animal shall permit the animal to enter a beach area during the established swimming season.
- g. No person shall launch, dock, or operate any watercraft in a designated swimming area.

(2) *Bicycling.*

- a. No person shall ride or operate a bicycle in any open space site except on a designated bikeway or surface normally provided for vehicular traffic.
- b. No person shall ride or operate a bicycle in violation of M.S.A. ch. 169. A person riding a bicycle shall observe and obey all traffic and directional signs.
- c. No person shall ride or operate a bicycle in any open space site except in a prudent and careful manner and unless the person shall be capable of effective control and operation of the bicycle. Pedestrians and motorized vehicles shall have the right-of-way where a bikeway intersects pedestrian trails or roadways.
- d. No person shall ride or operate a bicycle in any open space site faster than is reasonable and safe with regard to the safety of the operator and other persons in the immediate area.
- e. No person shall ride or operate a bicycle in any open space site 30 minutes after sunset and 30 minutes before sunrise without appropriate front and rear lighting.
- f. All bicycle riders shall remain in single file and proceed in the extreme right hand lane of a drive or bikeway at all times except when passing another vehicle or bicyclist parked or traveling in the same direction.
- g. Wherever provided, bicycles shall be parked in locations set aside specifically for their storage.

(3) *Golf.*

- a. No person or group of persons or organization shall play golf or hold a tournament or use any golf course under the jurisdiction of the city without having procured a permit or green fee receipt from the director.
- b. No person shall drive, putt, or in any other manner play or practice golf except in areas specifically designated for such use.

- c. Valid permits or green fee receipts issued by the department shall be carried on the player or group representative and shall be exhibited upon demand of the director.
- d. Golfers shall be properly attired in accordance with socially acceptable standards.
- e. No person shall tamper with any irrigation system, tee marker, green flag, or maintenance equipment.
- f. No person shall sell any merchandise on any golf course except those concessionaires authorized by the director.
- g. Entrance to or exit from any golf course shall be only through designated access points.

(4) *Boating.*

- a. No person shall operate any watercraft on any open space waters contrary to or in violation of M.S.A. ch. 361.
- b. No person shall launch or land any boat, canoe, raft, or other watercraft on or from any shoreline under the jurisdiction of the city except at locations specifically designated for this purpose.
- c. No person shall operate, row, or paddle a boat, canoe, raft, or other watercraft on any open space waters unless able to handle the watercraft with safety to the operator, other occupants, or in such a manner as not to annoy or endanger the occupants of other boats.
- d. No person shall leave any watercraft unattended except in areas specifically designated for mooring, anchoring, or beaching.
- e. No person shall operate any watercraft within an area which has been designated as a swimming area.
- f. No person shall drop or throw away any watercraft garbage, litter, or other debris except into a properly designated container.
- g. All watercraft launched from a system facility or operating on open space waters shall have a Coast Guard-approved life preserver for each occupant.
- h. No person shall operate any watercraft in a careless or reckless manner.

(5) *Motorized recreation vehicle.*

- a. No person shall operate a motorized recreation vehicle within any open space site except in areas specifically designated for this use.
- b. No person shall operate a nonlicensed vehicle on a parkway or roadway within an open space site.

(6) *Equestrian.*

- a. No person shall ride or drive a horse in any open space site except on bridle paths, trails, and roadways specifically designated for this use.

- b. No person shall ride or drive a horse in any open space site between the times of 30 minutes after sunset and 30 minutes before sunrise unless the horse-drawn vehicle is adequately lighted.
- c. No person shall ride or drive any horse which cannot be held under such control that it may be easily turned or stopped.
- d. No person shall ride or drive a horse in a reckless or careless manner so as to create a nuisance or endanger the safety or property of the rider or other riders, pedestrians, or vehicles.
- e. No person shall mistreat, override, cruelly beat, mutilate, or torture a horse.
- f. No person shall permit any horse to stray unattended or graze in any open space site. All unbridled, unmounted, or unattended horses shall be securely hitched or corralled at locations specifically designated and provided for this purpose.
- g. No person shall ride or drive a horse so as to obstruct in any way the use of riding trails or bridle paths by other riders. Pedestrians and vehicles shall have the right-of-way where an equestrian trail intersects other established trails or roadways.
- h. No person shall ride or drive a horse at a pace faster than a walk or slow trot when passing a pedestrian.
- i. No person shall ride or drive a horse at a pace faster than a trot when passing another rider going in the opposite direction.
- j. No person shall ride or drive a horse at a pace faster than a slow gait when passing another rider going in the same direction.

(7) *Camping.*

- a. No person shall establish or maintain any camp or other temporary lodging or sleeping place in any open space site except by permit and then only in areas specifically designated for this use.
- b. No person shall camp for a period longer than that authorized by the permit.
- c. All garbage or refuse of any kind shall be thrown away only into properly designated containers provided for that purpose.
- d. No person shall install permanent camp facilities or physically alter the camp site.
- e. No person shall wash cooking or eating utensils or clean fish except at designated locations.
- f. No person shall cut or gather wood on any open space site for fuel other than that provided by the department and stored for this use.

- g. No person shall vacate a camp site until the site is completely razed and is thoroughly cleaned.

(Code 1988; Code 2001, § 19-4; Ord. No. 425, 7-25-1978; altered in 2024 recodification)

Sec. 24-6. General conduct.

No person shall take part in any of the actions identified in this section.

(1) *Defacement, destruction of property and resources.*

- a. No person shall tamper with, climb on, injure, deface, destroy, disturb, damage, or remove any part of any park building, structure, sign, light pole, drinking fountain, hydrant, table, grill, equipment, statue or other property found therein.
- b. No person shall deface, disturb, or remove in any manner any soil, artifact, fossil, rock, or other mineral resource.
- c. No person shall excavate any ditch, trench, tunnel, or hole in any open space site.

(2) *Preservation of vegetation.*

- a. No person shall injure, cut, destroy, mutilate, uproot, disturb, or remove any flower, tree, shrub, or any plant whether wild or cultivated, or any part thereof.
- b. No person shall plant or cause to be planted any wild, cultivated or exotic tree, shrub or plant except in specifically designated areas with the written permission of the director.
- c. No person shall fell or climb any tree, pick any flowers, fruit or vegetable (not self-grown) or trample any flowers, tree seedlings, flower beds, vegetable gardens or new turf seedlings.
- d. No person shall hitch any animal or fasten, anchor, or otherwise attach any wire, rope, cable, signs, posters, or other articles to any tree, shrub or plant.
- e. No person shall make any unauthorized use of any open space site which is detrimental to the turf and soil conditions.
- f. No person shall remove any device, apparatus, or material installed for the protection, support, or preservation of any tree, shrub or plant.

(3) *Animals and pets.*

- a. Pets must be on a leash no more than six feet long at all times, except within fenced dog park areas.
- b. Pets shall not be left unattended or allowed to disturb others.
- c. Pet feces must be picked up and disposed of by the owner.

(4) *Hunting, fishing or molesting wildlife.*

- a. No person shall kill, hunt, trap, pursue, injure, molest, or unnecessarily disturb or have in possession any species of wildlife including birds, waterfowl, fish, or other animals found within the confines of any open space site except that fishing may be permitted in designated areas subject to laws and regulations as established by the state.
- b. No person shall rob, disturb, or molest the nest, eggs, or young of any birds or other animals within the confines of any open space site.

(5) *Fires.*

- a. No person shall start or maintain a fire in any open space site except small recreational fires in fireplaces, fire rings, and grills provided for that purpose in areas specifically designated for this use. Private grills may be used in designated areas, provided that all ashes and residue shall be disposed of in containers provided for this purpose.
- b. Any person who starts or maintains a fire in an authorized area shall exercise continuous supervision from the time the fire is kindled until it is extinguished. No fire shall cause damage or constitute a threat to site vegetation and resources nor shall it cause discomfort to other open space users.
- c. At the discretion of the director, fires may be prohibited for limited periods at any location for any purpose when it is necessary for the continued protection of park property and resources.

(6) *Waste and litter.*

- a. No person shall throw, cast, drop, pour, spill or discharge, or permit to escape in or upon any land, pond, river, creek, stream, ditch, storm sewer, or drain flowing into or through any open space site, any substance, matter or thing whether solid, liquid, or gas which shall result in the pollution of the waters, interfere with the conservation management of the water resource, or endanger the health of the public.
- b. No person shall deposit, scatter, crop or abandon in any open space site, any paper, bottles, cans, sewage, waste, trash or other debris except in receptacles provided by the department for such purposes.
- c. No person shall deposit in a receptacle in any open space site any accumulation of waste or trash generated outside the boundaries of the site.
- d. No person shall drop, throw, or otherwise leave unattended in any open space site lighted matches, burning cigars, cigarettes, tobacco, paper, or other combustible material.

(7) *Firearms, weapons, and fireworks.*

- a. No person shall possess, fire, discharge, or set off any firearm, missile, fireworks, or explosives in any open space site. Permits for fireworks will only be issued upon proof of adequate insurance and compliance with state statutes.

- b. No person shall possess or carry in any open space site any air gun, bow and arrow, knife with a blade greater than three inches, slingshot, dart, or projectile thrower, or any other dangerous or illegal weapon. Nothing in this subdivision shall be construed to prevent the recreational use of firearms and bow and arrows on officially established field or target ranges.
 - c. Any unauthorized or illegal weapon within an open space site shall be subject to seizure by a law enforcement officer.
- (8) *Disturbing the peace.*
 - a. No person shall disturb the peace and good order in any open space site by either word or act.
 - b. No person shall use threatening, abusive, insulting, obscene, or indecent language or commit, perform or engage in any lewd, lascivious, obscene, or indecent act in any open space site.
 - c. No person shall engage in fighting, quarreling, wrangling, riotous clamor, or tumult in any open space site.
 - d. No person shall disturb, harass, or interfere with any open space user or the user's property.
 - e. No person shall solicit or ask anyone to commit, perform, or engage in any lewd, lascivious, obscene, or indecent act or behavior in any open space site.
- (9) *Audio devices.* No person shall operate or play any musical instrument, radio, television, record or tape player, loudspeaker, public address system or sound-amplifying equipment of any kind in any open space site in such a manner that the sound emanating from the equipment is audible beyond the immediate vicinity of the set or equipment and subsequently interferes with the use of the open space site by other users or disturbs the residents of adjacent property.
- (10) *Loitering.*
 - a. No person over the age of six shall enter any comfort station, restroom, washroom, or toilet facility set apart or designated for the opposite sex.
 - b. No person shall lurk or loiter in or around any toilet facility or other system structure except to use the facility for its intended purpose.
- (11) *Alcoholic and intoxicating beverages.*
 - a. No person shall transport, possess, offer for sale, consume or be under the influence of any beer, wine, liquor or other alcoholic or intoxicating beverage in any park or open space site except by special permit or in such areas and at such times as may be designated by the director.
 - b. Between the hours of 8:00 a.m. and 8:00 p.m., beer in a quantity of packages of less than a case may be possessed, transported to and from, and consumed during the course of picnicking within those grounds specifically designated and equipped for this use.

- c. Beer in quantities of a case or more may be possessed, transported, and consumed only in a specified area with special permission attached to a permit issued by the director in accordance with section 24-5.
 - d. Penalties for violation are provided in section 24-8 and may include a fine or expulsion from the park area, or both.
- (12) *Parades, entertainment, public meetings.* No processions, parades, pageants, ceremonies, exhibitions, celebrations, training exercises, speeches, entertainment, or other public gatherings shall be allowed to take place in any open space site or on any parkway except with written permission of the city council or the director.
- (13) *Games.* No person shall engage in any potentially dangerous games involving thrown or propelled objects except in areas specifically designated for this usage. Examples of these objects include footballs, baseballs, horseshoes, arrows, golf balls, model airplanes or similar items.
- (14) *Advertising.*
- a. No person shall distribute or disseminate any leaflets, pamphlets, circulars, handbills, advertisements, or other written or printed material except with the written permission of the director.
 - b. No person shall post, display, affix, or attach any sign, poster, placard, notice, banner or advertisement to any tree, building, shelter, fence, pole or other structure except with the written permission of the director.
 - c. No person shall use loudspeakers, sound-amplifying equipment, musical equipment, or cause any noise to be made for advertising purposes or for the purpose of attracting attention to any exhibition, performance, event, or other purpose except with the written permission of the director.
- (15) *Unlawful sales.* No person shall sell, offer for sale, hawk, peddle or lease any object, merchandise, or service or carry on any business or commercial enterprise except those concessions authorized or operated by the city.
- (16) *Soliciting alms.* No person shall beg or solicit alms, donations, or contributions.
- (17) *Photography.* No person shall take any photographs or motion or sound pictures for commercial purposes or for use in commercial advertising except with the written permission of the director.
- (18) *Utilities.*
- a. The location, construction, or erection of any sewer, gas pipe, water pipe, hydrant, lamp post, telephone, and electric power post, conduit, pump, lift station, and other utility feature proposed in any open space site shall be subject to approval by the city.
 - b. No person, firm, or corporation shall construct or relocate any of these utility installations or fixtures without the written permission of the director.

- c. After the work has been commenced and until the work is completed, every person, firm, or corporation who shall receive a contract or permit to do work shall isolate the construction area by security fencing, warning lights and signs, or other appropriate measures that will protect the public from exposure to danger and prevent unnecessary accidents.
- (19) *Lost and found articles.* Lost or mislaid articles, money, or personal property that is found in any open space site shall be delivered or turned over to the department. If the lawful owner does not claim the property within a period of 60 days, it shall be returned to the finder upon request.
- (20) *Law enforcement officers and employees.*
- a. No person shall willfully resist, refuse, or fail to comply with any order, direction or request lawfully given by a law enforcement officer or department employee acting under the authority of this article.
 - b. No person shall interfere with or in any manner hinder a department employee or law enforcement officer during the performance of their assigned duties. Further, no person shall interfere with or in any manner hinder a city official or an employee of a contractor engaged in construction, repair, or care of any open space site or while in the discharge of other duties conferred by this article.
- (21) *Posted regulations, directional signs and graphics.* No person shall disregard or fail to comply with any posted regulations, directional signs and graphics, barriers, or other control devices located in an open space site or on any parkway.
- (Code 1988; Code 2001, § 19-5; Ord. No. 425, 7-25-1978; Ord. No. 810, 3-27-2012; altered in 2024 recodification)

Sec. 24-7. Traffic rules.

(a) No person shall drive or operate a motor vehicle within any open space site except upon roadways, parking areas, parkways, or other areas designated for this use. A disabled vehicle may be moved off a paved area to allow for the continued flow of traffic but the vehicle must be repaired or removed within two hours unless other arrangements are made with the director.

(b) No person shall operate a motor vehicle within any open space site or on any parkway in violation of:

- (1) Posted regulations and directional signs of M.S.A. ch. 169;
- (2) County and municipal traffic ordinances; and
- (3) The orders or direction of law enforcement officers or department employees.

(c) No person shall drive or operate a vehicle on or along any roads, drives, or parking lots that have been restricted, closed, or posted with appropriate signs or barricades. The director shall have the authority to order roads, drives, or parking lots within any open space

site or any roadway closed during the process of construction, reconstruction, or repair or when in the director's opinion weather conditions render travel unsafe or unduly destructive.

(d) No person shall operate a motor vehicle in a careless or reckless manner or without due regard for the safety and rights of pedestrians and drivers and occupants of all other vehicles, so as to endanger the life, limb, or property of any other person while in lawful use of an open space site.

(e) No person shall park, stop, or leave a vehicle in any open space site or on any parkway or parking lot between the hours of 11:00 p.m. to 5:00 a.m. unless a permit is obtained from the director.

(f) No person shall operate a vehicle in any open space site or on any parkway at a speed in excess of 15 miles per hour or in excess of the posted speed limits.

(g) No person shall operate a vehicle in any open space site which emits excessive or irritating noise, noxious fumes, dense smoke, or other pollutants.

(h) No person shall wash, grease, or change oil on any vehicle in any open space site. A disabled vehicle shall quickly be made operational or removed from the open space site.

(i) No person shall park a vehicle adjacent to any curb painted yellow in any open space site.

(j) A vehicle illegally parked, disabled, or abandoned may be towed away and impounded at the owner's expense. The vehicle may be sold if unclaimed after 60 days to pay the towing and storage charges.

(k) No person shall drink, consume, or be in possession of an open bottle or container of an alcoholic or intoxicating beverage in any motor vehicle when the vehicle is in an open space site or on a parkway.

(l) Vehicles shall yield the right-of-way at all times to pedestrians.

(m) No person shall participate in a drag race or test of unreasonable acceleration in any open space site or on any parkway.

(Code 1988; Code 2001, § 19-6; Ord. No. 425, 7-25-1978; altered in 2024 recodification)

Sec. 24-8. Penalties for violation.

Violation of any provision of this article shall be deemed a misdemeanor. In addition, a person violating any portion of this article may be expelled, ejected, or ousted at such time from an open space site at the discretion of a law enforcement officer.

(Code 1988; Code 2001, § 19-7; Ord. No. 425, 7-25-1978)

Secs. 24-9—24-36. Reserved.

ARTICLE II. LONG LAKE

Sec. 24-37. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Slow-no wake means operation of a watercraft at the slowest possible speed necessary to maintain steerage and in no case greater than five miles per hour.

(Code 1988; Code 2001, § 19-30; Ord. No. 495A, 5-25-1982)

Sec. 24-38. Slow-no wake zones.

It shall be unlawful to operate a watercraft while exceeding a slow-no wake speed:

- (1) Within 100 feet of shore except as modified by authorized buoys unless launching or landing a skier by the most direct route to open water.
- (2) When the lake elevation exceeds 866.22 feet above mean sea level datum as measured at the Long Lake Road bridge.
- (3) From sunset Friday to sunrise on Monday, except during the hours of 12:00 noon through 6:00 p.m. on each Saturday and Sunday.
- (4) On all legal holidays from sunset on the evening preceding the observed holiday and terminating at sunrise on the day following the observed holiday, except during the hours of 12:00 noon through 6:00 p.m.

(Code 1988; Code 2001, § 19-31; Ord. No. 495A, 5-25-1982)

Sec. 24-39. Boat launching.

No person shall launch or beach a watercraft other than at designated areas or on private property with the owner's permission.

(Code 1988; Code 2001, § 19-32; Ord. No. 495A, 5-25-1982)

Sec. 24-40. Direction of travel.

Watercraft producing a wake shall be operated in a counterclockwise direction.

(Code 1988; Code 2001, § 19-33; Ord. No. 495A, 5-25-1982)

Sec. 24-41. Motorized vehicles on lake surface ice.

(a) *Speed limit.* No person shall operate a motorized vehicle in excess of 25 miles per hour.

(b) *Distance.* No person shall operate a motorized vehicle in excess of eight miles per hour within 150 feet of any person fishing, a fish house, pedestrian, skier, skater, skating rink, where such operation would endanger other persons or property.

(c) *Lights.* No person shall operate a motorized vehicle at any time unless headlights and taillights are illuminated.

(Code 1988; Code 2001, § 19-34; Ord. No. 495A, 5-25-1982)

Sec. 24-42. Closing of the lake.

(a) The parks and recreation director, director of public safety, or the city manager may close the lake to all recreational use by posting notice of the order upon determining the existence of conditions that constitute a danger to persons or property, provided that the lake shall not be closed for more than five days without the approval of both the city council and the commissioner of the state department of natural resources.

(b) In any case, the city council and the commissioner of the state department of natural resources should be notified as soon as practicable during this five-day period.

(Code 1988; Code 2001, § 19-35; Ord. No. 495A, 5-25-1982; altered in 2024 recodification)

Sec. 24-43. State laws adopted.

The provisions of state statutes and the state department of natural resources boat and water safety rules are hereby adopted and incorporated herein by reference and made a part of this article.

(Code 1988; Code 2001, § 19-36; Ord. No. 495A, 5-25-1982; Ord. No. 730, 6-14-2005)

State law reference—Water safety and watercraft, M.S.A. § 86B.001 et seq.

Sec. 24-44. Enforcement.

Officers of the city public safety department and the county sheriff's department shall be authorized and entitled to enforce the provisions of this article.

(Code 1988; Code 2001, § 19-37; Ord. No. 495A, 5-25-1982)

Sec. 24-45. Exemptions.

Boats utilized by authorized resource management, emergency, and enforcement personnel when acting in the performance of their assigned duties shall be exempt from the provisions of this article.

(Code 1988; Code 2001, § 19-39; Ord. No. 495A, 5-25-1982)

Sec. 24-46. Permit required for temporary exemptions.

Temporary exemptions from this article may be obtained through a permit issued by the city council for special events, trials, or races.

(Code 1988; Code 2001, § 19-40; Ord. No. 495A, 5-25-1982)

ORDINANCE NO. _____

STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF NEW BRIGHTON

**AN ORDINANCE REPEALING CHAPTER 24 OF THE NEW BRIGHTON CITY CODE RELATING TO
PARKS AND RECREATION AND
REPLACING IT WITH A NEW CHAPTER RELATING TO PARKS AND RECREATION**

THE CITY COUNCIL OF THE CITY OF NEW BRIGHTON ORDAINS as follows:

Section 1. Chapter 24, Article 1 of the New Brighton City Code is repealed in its entirety.

Section 2. The New Brighton City Code is amended to add the following new Chapter 24, Article 1 “Parks and Recreation” as follows:

Chapter 24. Parks and Recreation

Article 1. General Conditions 24-1 – 24-7

Section 24-1. Purpose.

The New Brighton City Council is authorized to enact ordinances to govern the conduct of members of the public during their use and enjoyment of the City of New Brighton Parks and Recreation system including waters and public lakeshore within the system and not more than 300 feet of the waterfront immediately abutting such public lakeshore. This Chapter is enacted to promote the health, safety, welfare, and enjoyment of all persons, and to protect park property and resources for future generations.

City of New Brighton parks and recreation facilities are open to all persons regardless of race, gender, gender identity, age, creed, national origin, sexual or affectional orientation, color, ancestry, disability, marital status, religion, familial status, or status with regard to public assistance.

Section 24-1.1 Definitions

For purposes of this Chapter, the following definitions apply, unless the context clearly indicates a different meaning. Any term that is not defined will be interpreted as the commonly understood meaning.

(1) *Alcohol.* Any beverage containing more than one-half of one percent alcohol by volume, including intoxicating liquor, wine, beer, or malt liquor, and 3.2 percent malt liquor.

(2) *Cannabis Product.*

(a) cannabis concentrate;

(b) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or

(c) any other product that contains cannabis concentrate.

Cannabis product includes adult-use cannabis products, including but not limited to edible cannabis products and medical cannabinoid products. Cannabis product does not include cannabis flower, artificially derived cannabinoid, lower-potency hemp edibles, hemp-derived consumer products, or hemp-derived topical products.

(3) *City.* The City of New Brighton.

(4) *Council.* The New Brighton City Council.

(5) *Dangerous Weapon.* Any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, including bows and arrows, sling shots, bowie knives, razors, and switchblades. Dangerous weapons also include any combustible or flammable liquid or other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm, or any fire that is used to produce death or great bodily harm.

(6) *Department.* The City of New Brighton Parks and Recreation Department.

(7) *Director.* The City of New Brighton Parks and Recreation Department Director or their designee to whom specific duties have been assigned by the Director or the City Manager.

(8) *Fireworks.* Any composition or device for the purpose of producing a visible or an audible effect by combustion, deflagration, or detonation, including firecrackers, bottle rockets, roman candles, sparklers, snakes, and smoke devices.

(9) *Motor Vehicle.* Any self-propelled vehicle or vehicle propelled or drawn by a self-propelled vehicle which is operated on a highway, on the ground, or in the air.

(10) *Park or Parks.* Any park, open space, arena, golf course, special-use area, trail corridor, or any other area owned, improved, maintained, operated or otherwise controlled by the City. “Park” or “Parks” also includes any lake, pond, river, stream, or other body of water located wholly within the boundaries of a City park or any public shoreline owned by or under the authority of the City, including those waters lying within 300 feet of the waterfront immediately abutting City park lakeshore.

(11) Permit. Written permission that must be obtained from the Department to carry out certain activities or to obtain exclusive use of all or portions of specific areas, buildings, and other city park facilities for conducting special events. Fees may apply and are specified in the City's fee schedule.

(12) Person. Any individual, firm, partnership, corporation, company, or association of persons.

(13) THC Beverage. A beverage that:

- A. is intended to be consumed as a beverage by humans;
- B. contains hemp concentrate or an artificially derived cannabinoid, in combination with food ingredients;
- C. is not a drug;
- D. consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts;
- E. does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving;
- F. does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol;
- G. does not contain a cannabinoid derived from cannabis plants or cannabis flower; and
- H. is a type of product approved for sale by the Office of Cannabis Management or is substantially similar to a product approved by the Office of Cannabis Management.

Section 24-2. Regulations.

(1) Park Hours.

- A. City parks are open daily from 5:00 a.m. to 11:00 p.m. Individuals who are traveling on regional trails within the City at 11:00 p.m. may promptly complete their travel to their destination without penalty.
- B. The Department may close parks or areas within parks to the public at the Department's discretion in order to protect public safety or property.
- C. Members of the public are prohibited from entering or remaining in any locked park building or any park area that is closed to the public.
- D. Parks are subject to curfew hours which are set forth in Chapter 22-4 of the City Code.

(2) Permits.

- A. Permits are required for the exclusive use of all or a portion of a park or a park facility for special events, parades, public gatherings, for conducting private

lessons or classes for commercial gain, or for conducting any business enterprise within a park.

- B. Some activities that are otherwise prohibited in this Chapter may be permitted with written approval from the Department.
- C. Permit holders must follow all rules outlined in the permit.
- D. Permit holders cannot transfer their permits to another person or entity.
- E. Permit holders are responsible for any damage or injury that occurs as a result of the event or activity for which a permit was granted.
- F. The Department may revoke a permit at any time.

(3) ***Prohibited Acts.***

- A. Harassing or interfering with a permit holder, their event, property, or equipment is prohibited.
- B. Damaging, vandalizing, altering, or removing any park property is prohibited. Park property includes: park buildings, grounds, signs, and equipment.
- C. Dumping or littering of trash, yard waste, liquids, furniture, or construction materials is prohibited in all parks.
- D. The use of, or encroachment on park property for personal or private use, such as storing equipment, erecting structures, installing objects, posting signs, or placing utilities, is prohibited.
- E. All posted rules and regulations on park signs and barriers must be followed at all times.
- F. Found items may be turned into the Department or the Department of Public Safety to be disposed of according to Minnesota Statutes Section 471.195.

(4) ***Protecting Natural Resources.***

- A. Removing, altering, or damaging any plant, animal, or nest is prohibited. However, fruits, nuts, and mushrooms on park property may be foraged and harvested for personal use.
- B. Planting any plants or releasing an animal into any park is prohibited unless in a designated area.
- C. Digging or excavating land in any park is prohibited.
- D. Feeding, hunting, trapping, or disturbing any animal in a park is prohibited, however, fishing is allowed so long as it is compliance with the Department of Natural Resources Minnesota Fishing Regulations.

(5) ***Conduct.***

- A. Park patrons must follow all rules posted in park areas.
- B. Threats, fighting, harassment, or bullying others in the park is prohibited.
- C. All trash created within the park, such as food containers for a picnic or decorations for a party, must be deposited in trash or recycling containers provided in the park or carried out for disposal off-site.

- D. Wine and beer are allowed in parks. All other types of alcohol are prohibited. Kegs, barrels, or taps of beer require a permit. Selling wine or beer requires a permit, and sales must comply with liquor licensing regulations for the City.
- E. THC beverages, lower-potency hemp edibles, and cannabis edibles are allowed in parks. Selling cannabis products requires a permit from the City and a license as required by Minnesota Statutes Chapter 342.
- F. Any lawful gambling activities within parks must be duly authorized by the Minnesota Gambling Control Board and are allowed only upon receiving a permit approved by the City Council.
- G. Soliciting donations or money or selling anything in Parks without a permit is prohibited.
- H. Posting, displaying, pasting, fastening, painting, or affixing any bill, notice, or sign upon any structure, tree, stone, fence, or enclosure in a park is prohibited unless authorized by the Director or designee.
- I. Commercial photography that has a crew of more than one photographer and one photographer's assistant requires a permit.
- J. Fires are allowed only in approved fire rings in the park and must be monitored at all times. Any fire must be completely extinguished when unattended. Cooking fires are allowed only in grills provided by the Department or small private grills. Smokers or oversized grills require a permit. The Director may prohibit fires when necessary for the protection of park property and resources. Park patrons must follow any posted notice prohibiting fires.
- K. Noise levels in parks shall not exceed 80 decibels (dBA), measured at a distance of 50 feet from the source of the sound. The use of amplified sound (such as loudspeakers, public address systems, and amplified musical instruments) is allowed only if it does not exceed 80 dBA and does not interfere with the enjoyment of other park users. A permit is required for any event where amplified sound is likely to exceed 80 dBA or be heard beyond 100 feet.
- L. Enforcement & Complaints
 - Park staff or law enforcement may request volume reduction if sound is deemed disruptive.
 - Violations may result in a warning, citation, or revocation of a sound permit.
- M. Any large amusement equipment, including a bounce house, dunk tank, or portable climbing wall requires a permit.
- N. Obstructing or interfering with a City employee or agent of the City in the performance of their duties is prohibited.
- O. Advertising is prohibited in any park except with permission of the Director.

(6) ***Firearms and Dangerous Weapons.***

- A. Dangerous weapons, with the exception of firearms are prohibited in parks. Firearms shall not be discharged in parks.

- B. Bows and arrows are allowed only in archery ranges. Crossbows are allowed at archery ranges only for adaptive needs.
 - C. Firing any dangerous weapon in or into a park is prohibited.
- (7) **Fireworks.**
- A. Possessing or igniting fireworks in a park is prohibited.
- (8) **Pets.**
- A. Pets must be on a leash no more than six feet long at all times, except dogs within designated dog park areas.
 - B. Pets are prohibited from entering any park buildings, picnic areas, beach areas, playgrounds, or golf or courses without authorization from the Director or their designee. This prohibition does not apply to service animals as defined by Americans with Disabilities Act.
 - C. Leaving pets unattended or allowing them to disturb others in a park is prohibited.
 - D. Pet feces in parks must be picked up and properly disposed of.
- (9) **Picnicking.**
- A. All park shelters, buildings, and pavilions require a permit for exclusive use.
 - B. 10'x10' canopies may be used in the picnic table area of a park. Canopies used for this purpose must be weighted down and cannot be staked into the ground or tied to trees or other Park property without permission from the Director.
- (10) **Swimming.**
- A. Swimming is allowed only in designated swimming areas.
- (11) **Fishing.**
- A. The Department of Natural Resources' Minnesota Fishing Regulations must be followed at all times when fishing in a park.
 - B. Fishing is not allowed in designated prohibited areas in a park.
 - C. Spearing, netting, and trapping any aquatic animals is prohibited.
 - D. The owner or user of an ice-fishing house must use boat launches to access the water for placement of the house. The house must not be stored on park property.
- (12) **Boating.**
- A. Boats must be launched only in designated areas in park, such as boat launches.
 - B. Boats must not be left unattended.
 - C. Boats, including boats towing people (i.e. water skiers, towable tubes), must be operated at least 100 feet away from any swimming areas.
 - D. Boat operators are prohibited from creating a wake that could damage, injure, or disturb people or park property.

- E. All watercraft must be inspected and any invasive aquatic plants or animals must be removed according to guidelines at :
https://www.dnr.state.mn.us/invasives/preventspread_watercraft.html

(13) Bicycles.

- A. Bicyclists must operate bicycles in a safe manner at all times and must stay as close to the right-hand side of the trail as safe conditions allow.
- B. Bicyclists and off-road cyclists must yield to pedestrians and pass with care.
- C. Bicycles must be operated only on paved trails, except for designated off-road biking trails.
- D. Bicyclists must follow all Minnesota state statutes regarding bicycles.
- E. Electric bicycles are allowed on paved trails and must be operated safely at speeds below 20 mph.

(14) Skating: Roller-Skating, In-Line Skating, Skateboarding, Scootering.

- A. Skaters must skate only on paved trails and in a safe manner. Skaters must stay as close to the right-hand side as safe conditions allow.
- B. Skating is prohibited in any park building or shelter.
- C. Electric scooters and similar electric skate equipment are allowed only on paved trails and must be operated safely at speeds below 20 mph.

(15) Winter Activities.

- A. Cross-country skiing is allowed only on designated trails in parks.
- B. Snowshoeing is allowed in park areas open to the public.
- C. Snowshoers and skiers must not damage any park vegetation.
- D. Snowmobiles are only allowed in parks in winter at boat launch parking lots as a way to get the snowmobile slowly and safely from a trailer directly to the lake.
- E. Other winter activities, including but not limited to, skating, sledding, and fat tire biking, are allowed only in designated areas in the park.

(16) Golf.

- A. Golf is allowed only at Brightwood Hills Golf Course.
- B. Entering or exiting a golf course is allowed only through a designated entrance or exit area.

(17) Horseback Riding.

- A. Horseback riding is prohibited in parks.

(18) Camping.

- A. Setting up a tent or other temporary shelter or maintaining a campsite or temporary lodging or sleeping place is prohibited in any park, with the exception

of the use of 10' x 10' canopies. Canopies should be weighted down and not staked so as to avoid damage to irrigation.

(19) ***Geocaching.***

- A. Is allowed in parks.
- B. Caches must be more than 1/10th of a mile apart and are not allowed in buildings.
- C. Dangerous, hazardous, or illegal materials must not be placed in a cache.

(20) ***Aviation.***

- A. Aviation takeoffs or landings, including toy planes, drones, hot air balloons, and rockets are prohibited in any park without a permit.
- B. The operation of fuel or battery-powered model aircraft, drones, rockets, or similar devices is prohibited without a permit or outside designated areas.

(21) ***Motorized Vehicles.***

- A. Motorized recreational vehicles, such as ATVs or UTVs are prohibited in any park, except for snowmobiles as allowed in Section 24-2 (15)(D) of this Chapter. Power-driven mobility devices used by people with disabilities are allowed in parks.
- B. Motorized vehicles must be operated in parks only on roadways and in parking areas.
- C. Motorized vehicles must be operated in parks at speeds that are less than 15 miles per hour, or at the posted speed limit.
- D. Drivers of motorized vehicles must follow all Minnesota state statutes and operate the vehicles in a safe manner.
- E. Motorized vehicles must not be used to access private property through park property.
- F. Motorized vehicles must not emit excessive noise, fumes, or other pollutants.
- G. Drivers of motorized vehicles must yield to pedestrians and bicycles.
- H. Washing, greasing, changing oil, servicing, or repairing any motorized vehicle is prohibited in any park except in an emergency situation.
- I. Motorized vehicles may be parked only in designated parking areas in a park.
- J. The parking of a motorized vehicle in any spot with yellow-painted curbs or no parking signs is prohibited.
- K. Handicapped-accessible parking for motorized vehicles is reserved only for persons with a handicapped vehicle license or permit.
- L. Boat trailers may only be parked in parking spots and lots designated for boat trailers.
- M. Construction equipment or materials cannot be parked or staged on park property without a permit.
- N. Vehicles, trailers, and equipment that are parked in illegal areas may be towed and impounded at the owner's expense.

Section 24-3. Enforcement.

Where appropriate, the preferred method of enforcement of this Chapter is voluntary compliance. Patrons who refuse to voluntarily comply with these regulations may be asked to leave the park and may be subject to criminal prosecution.

Failure to comply with this Chapter may also result in the loss of park or recreation facility use privileges for 24 hours or longer, at the Department or law enforcement's discretion. Responding park Department staff or law enforcement will exercise appropriate enforcement discretion as circumstances warrant, including enforcement pursuant to applicable state statutes.

Adopted this _____ day of _____, 2025, by the New Brighton City Council with a vote of _____ ayes and _____ nays.

Kari Niedfeldt-Thomas, Mayor

Devin Massopust, City Manager

ATTEST:

Terri Spangrud, City Clerk