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The Town Board of the Township of Clear Lake, County of Sherburne, State of Minnesota, ordains as follows:

SECTION 1: PURPOSE

The purpose of this Ordinance, which is enacted in accordance with the authority provided by Minnesota Statutes, is to secure the quiet, orderly and suitable use and enjoyment of public park reserves, town recreation areas, township-wide trail systems, wildlife sanctuaries, forest, historical sites, waysides and public access to lakes, rivers and streams in parks established by Clear Lake Township in the State of Minnesota, and to further the safety, health, comfort and welfare of all persons in the use thereof.

SECTION 2: JURISDICTION

This Ordinance shall apply to all Clear Lake Township Parks in the Town of Clear Lake.

SECTION 3: DEFINITIONS

For the purpose of this Ordinance, the terms defined in this section shall have the meanings given them in this section.

“Alcoholic Beverage” means any intoxicating beverage as defined by Minnesota Statutes and includes, but is not limited to, intoxicating liquor, strong beer, 3.2 beer, and wine.

“Controlled Substance” means any substance defined as a controlled substance by Minnesota Statutes Chapter 152, or by other statutes or Federal law or regulations.

“Clear Lake Township Dog Park” means the fenced in area within the Clear Lake Township Park designated as “Off-Leash Dog Park”.

“Clear Lake Township Dog Park Rules and Regulations” means the “Clear Lake Township Dog Park Off-Leash Rules & Regulations” attached to and incorporated in this Ordinance by this reference as the same may be amended from time to time.

“Motorized Recreational Vehicles” means 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, golf cart, all terrain vehicle or dune buggy.

“Park” means any government owned land or water area above the OHW mark, and all facilities thereon, established as a park by Clear Lake Township pursuant to its authority under Minnesota Statutes.

“Park Administrator” means the Town Board or its authorized representative appointed by the Town Board to serve as the chief administrative officer of the Clear Lake Township Park System and/or the person designated by the Town Board of Supervisors with the responsibility for the operation and management of a particular park or parks.

“Park Visitor” means any person, firm, partnership, association, corporation, governmental unit, company or organization of any kind within a park.

“Vehicle” means any motorized, self-propelled, animal-drawn, or human powered conveyance of persons or things.

“Weapon” means any device, including, but not limited to, firearms, bows and arrows, slings, and spring guns, pellet or BB guns, paint guns, and electronic weapons, from which a shot or projectile of any type is discharged or propelled by means of an explosive, gas, compressed air, or other means. An electronic weapon means a portable device which is designed, used, or intended to be used, offensively or defensively, to immobilize or incapacitate persons by the use of an electric current.

“Wildlife” means all living creatures, not humans, wild by nature, endowed with sensation and power or voluntary motion, including quadrupeds, mammals, birds, fish, amphibians, reptiles, crustaceans and mollusks.

SECTION 4: REGULATIONS OF GENERAL CONDUCT

A. Possession and Use of Alcohol and Controlled Substances

It shall be unlawful for any person to:

- Serve, possess or consume any non-prescription controlled substance within a park.
- Serve, possess or consume any alcoholic beverage without a permit.

B. Public Nuisance – Breach of Peace

It shall be unlawful for any person to:

- Disturb, harass, or interfere with any park visitor or a park visitor’s property. Gamble in a park (excluding bingo that is licensed by permit).
- Use loudspeakers or other amplifying systems in a park, except by permit from the Park Administrator.
- Urinate/defecate in any park except at designated restroom or portable restroom facilities.

C. Littering – Release of Foreign Substances

It shall be unlawful for any person to:

- Deposit, scatter, drop or abandon in a park any bottles, cans, broken glass, sewage, waste, or other material, except in receptacles provided for such purposes. Said waste receptacles are to be used only by park visitors for such wastes as are created during use of the park for recreational activities. Other use of said waste receptacles is a violation of this Ordinance.

D. Fires

It shall be unlawful for any person to:

Start a fire in a park, except in a designated area, such as a fireplace or fire ring, or as otherwise allowed by a permit from the Park Administrator.

Leave a fire unattended or fail to fully extinguish a fire.

Drop, throw, otherwise leave unattended in a park, lighted matches, burning cigars, cigarettes, tobacco, paper, or other combustible material.

E. Possession and Use of Weapons

It shall be unlawful for any person to:

Discharge any weapon, including bow and arrow, within a park.

F. Commercial Use – Public Meetings and Assemblies

The parks shall be used solely for use and enjoyment of families. There shall be no use of the parks for business or commercial enterprise or service. Any gathering that has greater than fifty persons shall need a written permit from the Park Administrator, and then only in areas designated by the permit.

G. Pets

It shall be unlawful for any person to:

Bring a dog, cat, or other animal into a park unless caged, kept on a leash not more than six feet in length or under the control of person by tether/rein, or to tether any animal to a tree or other plant, unless referring to service oriented animals including those for law enforcement.

Permit any dog, cat, or other animal to enter a beach area, nature center area, refuge area, picnic area, park building, or other unauthorized area within a park or into any park where their presence is prohibited by the Park Usage Plan.

Permit a dog, cat, or other animal to disturb, harass, or interfere with any park visitor or a park visitor's property.

To release an animal into the lands or waters that is not indigenous to the area.

To allow an animal to defecate/urinate in an unauthorized area. Dog handlers shall clean up and dispose of the same.

Notwithstanding the foregoing prohibitions, dogs are allowed to be off leash within the **Off-Leash Dog Park**, provided that the dog and handler are at all times in compliance with the Clear Lake Township Dog Park Rules and Regulations.

H. Designated Trail Use

It shall be unlawful for any person to:

Use trails that are not designated for a particular use, except by permit from Park Administrator.

SECTION 5: REGULATIONS FOR PROTECTION OF NATURAL RESOURCES AND WILDLIFE

It shall be unlawful for any person to:

Injure, destroy, or remove any tree, flower, shrub, plant, rock, soil, or mineral in a park.

Kill, trap, hunt, pursue, or in any manner disturb or cause to be disturbed, any species of wildlife within a park, except by permit.

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

Release within a park any plant, chemical, or other agent intentionally harmful to the vegetation or wildlife of the park.

SECTION 6: REGULATIONS OF RECREATIONAL ACTIVITIES

For each and all recreational activities conducted on township land, the activity is done at the users own risk.

A. Camping.

Camping is not permitted in any Clear Lake Township park.

B. Swimming.

It shall be unlawful for any person to:

Violate hours posted for swimming in a designated swim area. All persons are notified that if there are no lifeguards stationed at designated swim areas, they swim at their own risk.

C. Boating.

It shall be unlawful for any person to:

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.

Leave unattended any boat or other watercraft except in areas designated for that purpose. Operate any watercraft in a designated swimming area.

D. Fishing.

It shall be unlawful for any person to:

Fish in a park area designated as a no fishing area.

Leave, store, abandon, or otherwise cause to remain on any park property or access site, any fish house, dark house, portable shelter, or other structure. Any such structure left on park property without a permit for more than 72 hours will be confiscated and/or destroyed.

E. Horseback Riding.

It shall be unlawful for any person to:

Ride, lead, or permit a horse to be within a park except in designated riding areas and at designated hours.

Ride a horse in a reckless manner or to likely endanger the safety or property of any park visitor or the rider.

F. Dogsledding and Horsesledding.

It shall be unlawful for any person to:

Dogsled or horsesled on any park unless done in locations designated for that use unless a permit by Clear Lake Township has been obtained.

G. Bicycling.

It shall be unlawful for any person to:

Operate a bicycle except on park designated bikeways and roadways, and except as close to the right-hand side thereof as conditions will permit.

Operate a mountain bike or similar cycle except on bike trails and roadways as permitted by the Park Administrator.

Ride or operate a bicycle in a reckless or careless manner, or at speed faster than is reasonable and safe with regard to the safety of the operator and other persons in the immediate area.

H. Roller Skating/Rollerblading.

It shall be unlawful for any person to:

Roller skate or rollerblade in a park, except on paved bike trails unless posted otherwise.

Roller skate or rollerblade in a park in a reckless or careless manner, or at a speed faster than is reasonable and safe with regard to the safety of the operator and other persons in the immediate area.

I. Winter Activities.

It shall be unlawful for any person to:

Skate, sled, coast, snowshoe, or ski in a park except at such times and at such places as may be designated therefor.

Cross-country ski in a park in violation of Minnesota Statutes Chapter 85 (without the required license).

J. Use of Motorized Recreation Vehicles.

It shall be unlawful for any person to operate a motorized recreation vehicle within a park, except at such times and in such areas as designated by the Park Administrator.

K. Use of Aircraft.

It shall be unlawful for any person to:

Use any land within a park for a starting or landing field for aircraft, hot air balloons, or parachutes.

Start, fly, or use any fuel powered model aircraft, model rocket, or like-powered toy or model, in a park.

SECTION 7: REGULATIONS OF VEHICLES

A. Operation of Motorized Recreation Vehicles.

It shall be unlawful for any person to:

Operate any motorized vehicle within a park except upon public roadways, parking areas, or other designated locations thereof.

Operate any motorized vehicle on the pedestrian trail system with the exception of a motorized mobility vehicle designed for and operated by a handicapped person.

Operate a motorized vehicle in a park at a speed in excess of posted speed limits.

B. Parking.

It shall be unlawful for any person to:

Park or leave a vehicle standing within a park except in a designated parking area.

Park or leave a vehicle standing after posted closing hours without a valid camping permit or other special use permit from the Park Administrator.

C. Wash and Repair.

It shall be unlawful for any person to:

Wash, polish, grease, change oil or repair any vehicle in a park. Nothing in this Ordinance shall prevent law enforcement personnel, emergency services personnel, or township maintenance personnel from their required duties.

SECTION 8: PARK OPERATION

A. Hours of Operation.

Parks shall be open to the public daily from sunrise until one-half hour after sunset. It shall be unlawful for a person to enter or remain in a park at any other time.

Any park or portion thereof may be declared closed to the public by the Park Administrator, by the Clear Lake Township Board of Supervisors, or by the Sherburne County Sheriff, at any time, and for any interval of time, for the protection of park property, for the protection of the public health, safety, or welfare, or as the Park Administrator, Clear Lake Township Board of Supervisors, or Sherburne County Sheriff shall find reasonably necessary.

B. Permits.

A person may be granted a permit by the Park Administrator or his/her authorized representative for special uses or activities within a park, or for temporary exclusive use of a reserved space within a park. Permits shall be required for any entertainment, tournament, exhibition, or any other special use or gathering which can reasonably be expected to involve 50 or more persons.

The Park Administrator or his authorized representative may impose conditions upon use in connection with the granting of a permit. Any person, whether the permit applicant or not, who is using a park in accordance with a permit that has been granted, shall comply with the conditions of said permit.

It shall be unlawful for a person to violate any condition of a permit.

Any permit granted pursuant to this Section may be revoked by the Park Administrator or his authorized representative upon the violation by the permit holder of any portion of this Ordinance or any provision of state or federal law.

C. Park Fees.

No permit shall be issued until the fee for the same has been paid. The Park Administrator, for permits involving 50 or more persons, may require insurance for the activity, a deposit to clean up and other monies to ensure that there is no destruction of park property.

D. Liability.

The Town of Clear Lake and Clear Lake Town Parks shall not be liable for any loss, damage, or injury to property or persons sustained by any park visitor.

SECTION 9: ENFORCEMENT AND PENALTIES

A. Enforcement

The Park Administrator and the Clear Lake Township Board of Supervisors shall have the right to issue administrative regulations for the purpose of administering this Ordinance.

The Sherburne County Sheriff's Office, other peace officers, DNR Conservation Officers, and designated Clear Lake Township Parks employees, shall have the authority to enforce the provisions of this Ordinance and may eject from a park any persons acting in violation of this Ordinance or the permit issued.

Nothing in this Ordinance shall prevent Clear Lake Township Parks employees from performing their assigned duties.

No person shall impersonate any Clear Lake Township Parks employee, nor shall they interfere with, harass, or hinder any Clear Lake Township Parks employee in the discharge of his/her duties.

B. Penalties

A person guilty of violating any provision of this Ordinance shall be guilty of a misdemeanor. The Park Administrator shall have the authority to revoke for good cause any permit or reservation issued under this Ordinance.

SECTION 10: SEVERABILITY – REPEAL OF PRIOR ORDINANCES

A. Severability

The provisions of this Ordinance shall be deemed to be severable. The invalidity or unenforceability of any provision shall not affect the validity or enforceability of any other provision of this Ordinance.

B. Repeal of Prior Ordinances

Upon enactment of this Ordinance, pre-existing Parks Ordinances are hereby repealed.

SECTION 11: EFFECTIVE DATE

This Ordinance is passed and approved by the Town Board of Clear Lake Township this 15th day of November, 2011.

By: *Gary Gray*
Chairman of the Board
Gary Gray

Attest: *Mary Mathison*
Clear Lake Township Clerk
Mary Mathison

Passed by the Clear Lake Township Board this 15th day of November, 2013.

Published in the Sherburne County Citizen the 26th day of November, 2013.

HISTORY: According to Ordinance No. ORD-2013-007 adopted September 17, 2013: Ordinance No. 2011-009 GOVERNING PARKS UNDER THE JURISDICTION OF THE CLEAR LAKE TOWN BOARD OF SUPERVISORS adopted November 15, 2011 and (No Number Assigned) AMENDMENT TO PARKS ORDINANCE TO INCLUDE DOG PARK RULES adopted July 16, 2013 shall be combined and designated Ordinance No. ORD-2013-006.

This combined and renumbered ordinance has been reviewed and approved by the Town Board of Clear Lake Township this 17th day of September, 2013.

By: *Gary Gray*
Chairman of the Board
Gary Gray

Attest: *Mary Mathison*
Clear Lake Township Clerk
Mary Mathison



Passed by the Clear Lake Township Board this 17th day of September, 2013.

Published in the Sherburne County Citizen the 28th day of September, 2013.

CLEAR LAKE TOWNSHIP DOG PARK OFF-LEASH RULES & REGULATIONS

All persons enter and enjoy the use of the Clear Lake Township Dog Park at their and their dog's own risk. The Town of Clear Lake is not responsible for any damages, injuries, or lost items. The Town of Clear Lake is not responsible for lost or escaped dogs. Dog handlers are responsible for checking and securing the fence and gates. Presence in the Dog Park constitutes agreement to all Park rules. Any infraction of the posted rules can result in loss of Dog Park privileges and subject the offender to enforcement and penalties provided by law for violation of Township Ordinances.

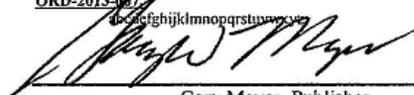
1. The Dog Park is only for dogs, their handlers, and those accompanying them, no other animals are allowed. All other use must be approved in advance by the Park Administrator.
2. No more than two dogs per handler are allowed in the area at any given time.
3. If someone is already using the park, handlers must announce that they are bringing in another dog so the other handler is aware of an additional dog entering the park.
4. Dogs must be on-leash when entering/exiting the park area.
5. Aggressive dogs are not allowed — any dog showing signs of aggression must be leashed and removed from the park immediately.
6. If a handler has a dog known to be unpredictable around other dogs, the handler must wait until the park is empty before releasing the dog. If a handler with such a dog is already in the park and someone wants to enter, the handler must notify them to wait until the handler has finished and removed the dog before they enter, for everyone's safety.
7. Handlers must remain in the park at all times with leash at hand in case a problem arises so they can quickly remove their dog.
8. Handlers must clean up any dog droppings made by their dogs, bag them and deposit in receptacle provided.
9. Handlers must fill in any holes made by their dog.
10. Handlers must not bring human or dog food into the park — this may cause aggressive behavior between dogs.
11. Handlers must not bring toys into the park. Toys in the park may cause dogs to “claim” toys that do not belong to them and lead to aggressive behavior.

12. Female dogs in season are not allowed in the park.
13. Infants and small children are not allowed in the park. Running children may be regarded as prey by strange dogs, or they may feel the urge to protect children they know, causing aggression. Children must be supervised by an adult at all times in or near the vicinity of the Dog Park and must not be allowed to disturb dogs or their handlers using the Dog Park.
14. Dogs must be current on all vaccinations, including rabies, and should be healthy and free of contagious diseases and parasites. Owner/handler must have a certificate of current rabies vaccination when requested by police or community services officer.
15. Puppies under 4 months of age are prohibited. This is for their own protection as well as other dogs, as they may not yet have received all their vaccinations.
16. Handlers must not brush or groom dog inside the Park — it produces loose hair which will cause a mess in the Park.

Affidavit of Publication

SHERBURNE COUNTY CITIZEN
Becker Minnesota 55308
State of Minnesota
County of Sherburne

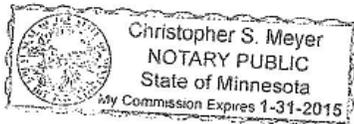
Gary Meyer, being duly sworn on oath says: that he is now and during all the time herein stated has been Gary Meyer, the publisher and printer of the newspaper known as the *Sherburne County Citizen*, and has full knowledge of the facts herein stated. That for more than one year prior to the publication therein of CLEAR LAKE TOWNSHIP NOTICE OF ADOPTED ORDINANCE NO. ORD-2013-007 printed here-to attached, said newspaper was printed and published in the English language from its known office of publication within the County of Sherburne, State of Minnesota, on Saturday of each week in the column and sheet form equivalent in space of 450 running inches of single column 2 inches wide; has been issued from a known office established in said place of publication equipped with skilled workers and the necessary material for preparing and printing the same. The *Sherburne County Citizen* has had in its makeup not less than twenty-five (25) percent of its news column devoted to local news of interest to said communities and purports to serve, the press work of which has been done in its known place of publication, has contained general news, comments and miscellany; has not duplicated any other publication; has not been entirely made up of patents, plate matter and advertisements; has been circulated at and near its said place of publication to the extent of 500 copies regularly distributed without charge to local residents; that herein has been on file with the office of the Minnesota Secretary of State the affidavit of a person having firsthand knowledge of the facts constituting its qualification as a newspaper for publication of legal notices; and that its publishers have complied with all demands of said office for proofs of its said qualification. A copy of each issue has been filed with the State Historical Society, St. Paul, Minnesota. That the printed CLEAR LAKE TOWNSHIP NOTICE OF ADOPTED ORDINANCE NO. ORD-2013-007 hereto attached as a part hereof was cut from the columns of said newspaper, was published therein in the English language once a week for ONE successive weeks; that it was first published on the 28 day of SEPTEMBER 2013 and thereafter on Saturday of each week to and including the 28 day of SEPTEMBER 2013 and that the following is a copy of the lower case alphabet which is acknowledged to have been the size and kind of type used in the publication of said CLEAR LAKE TOWNSHIP NOTICE OF ADOPTED ORDINANCE NO. ORD-2013-007.



Gary Meyer, Publisher

Subscribed and sworn to me this 30 day
of September, 2013





**CLEAR LAKE TOWNSHIP
ORDINANCE NO. ORD-2013-007
COMBINE, RENUMBER AND/OR
REPEAL PREVIOUS ORDINANCES**
On September 17th, 2013, the Clear Lake Town Board adopted Ordinance No. ORD-2013-007 which is an ordinance to combine, renumber, and/or repeal previous ordinances. Copies of this ordinance are available on the website: <http://www.clearlaketownship.org/ordinances.html> or during any regular Town Board meeting held on the third Tuesday of every month at 7:00 pm.
Mary Mathison
Clear Lake Township Clerk
(Published in the *Sherburne County Citizen*: 09/28/13.)