

CITY OF OAKDALE
ORDINANCE NO. 935

AMENDING THE CODE OF ORDINANCES FOR THE CITY OF OAKDALE, CHAPTER 15 "PARKS
AND RECREATION", UPDATING CERTAIN LANGUAGE

The City Council of the City of Oakdale ordains:

Section 1. The Oakdale Code of Ordinances, Chapter 15, Article II, Section 15-10 is amended to read as follows:

Sec. 15-10. Definitions. The following words and terms, whenever they occur in this article, are defined as follows:

- **Natural State** means land that is undisturbed by human intrusions, including but not limited to: construction; filling or excavation; removal or destruction of trees, shrubs, or vegetation (live or dead); and activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or the preservation of wildlife.
- **Open Space** means any publicly-owned parcel or area of land or water essentially unimproved except under circumstances noted within this section and set aside, dedicated, designated, or reserved for public use or enjoyment.

Section 2. The Oakdale Code of Ordinances, Chapter 15, Article II, Section 15-11 is amended to read as follows:

Sec. 15-11. Rules of Usage.

1. **Intended Uses.** Open space land shall be preserved in a natural state and the use of such land shall be limited to appropriate conservation and recreational purposes that do not cause harm to vegetation and habitat.
2. **Prohibited Uses.** Open space shall not be used for any of the following:
 - (a) Any action that creates a nuisance, poses a real or immediate threat, results in damage to or destruction of open space resources or public property.
 - (b) Removal or intentional destruction of existing vegetation (including mowing) or the illegal harvesting or collection of native plant materials for personal use or sale unless authorized by the City.
 - (c) All forms of hunting, trapping, or use of poisonous baits.
 - (d) Motorized vehicle use beyond the limits of established public access roads and designated parking areas.
 - (e) Unrestricted activities of pets such as dogs and/or exotic animals.
 - (f) Any other uses prohibited by municipal, State, or Federal rule, regulation, law, ordinance, or statute.
 - (g) Storage of equipment.
 - (h) Placement of structures, signs, or sports/play equipment, unless the proper City

permit is obtained.

- (i) Deposition of debris (including grass, leaves, brush, construction debris, refuse, etc.)
- (j) Excavation, filling, or regrading.
- (k) Planting of vegetation (for example, gardens, landscaping).
- (l) Any other uses similar to uses enumerated in this section.

3. Enforcement. Performing any prohibited act as defined within the provisions of this section shall be considered a misdemeanor and any person so violating this section may be subject to a penalty per Minnesota State Law. Each date that a violation occurs or continues to occur shall be deemed hereby as a separate violation for the purposes hereof and the city may further issue a citation for any such violation. In addition, and separate from the criminal penalties set forth, the city may enforce this section through civil action.

4. Exceptions. Open space may only be modified, or the uses thereof expanded, upon approval by the City Council.

Section 3. The Oakdale Code of Ordinances, Chapter 15, Article III, Section 15-12 is amended to read as follows:

Sec. 15-12. Purpose. The purpose of this section is to secure the quiet, orderly, and suitable use and enjoyment of city parks, recreation areas, trail systems, and access to bodies of water as established by the City Council.

Section 4. The Oakdale Code of Ordinances, Chapter 15, Article III, Section 15-13 is amended to read as follows:

Sec. 15-13. Definitions. The following words and terms, whenever they occur in this article, are defined as follows:

- **Beer** means any alcoholic malt beverage containing not more than 3.2 percent alcohol by weight.
- **City Council** means the appointed and elected members of the City Council.
- **Disorderly Conduct** as defined in Minnesota Statutes Section 609.72.
- **Drug** means any drug, the use, possession, or sale of which is in violation of Federal or State law.
- **Intoxicating Liquor** means any liquor that is intoxicating pursuant to Minnesota law and includes ethyl alcohol, distilled, fermented, spirituous, vinous, and malt beverages containing in excess of 3.2 percent of alcohol by weight.
- **Park** means any land or water area, and all facilities thereon, established by the City Council as a park recreation area, trail system, and access to bodies of water pursuant to Minnesota Statutes, Chapter 398.
- **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 or human powered conveyance, including but not limited to all-terrain conveyance, snowmobile, mini-bike, amphibious vehicle, motorcycle, go-cart, trail bike, or dune buggy.

- **Weapon** means any device from which shot or a projectile of any type can be propelled by means of an explosive, gas or compressed air, or otherwise propelled, including but not limited to, firearms, bows and arrows, slings, and spring-guns.
- **Wildlife** means all living creatures, not human, wild by nature, endowed with sensations and power of voluntary motion, including quadrupeds, mammals, birds, fish, amphibians, reptiles, crustaceans, and mollusks.
- **Wine** means any product made from the normal alcoholic fermentation of grapes, including still wine, sparkling and carbonated wine, wine made from condensed grape must, wine made from other agricultural products than sound, ripe grapes, imitation wine, compounds sold as wine, vermouth, cider, perry and sake, in each instance containing not more than 24 percent alcohol by volume.

Section 5. The Oakdale Code of Ordinances, Chapter 15, Article III, Section 15-14 is amended to read as follows:

Sec. 15-14. General Conduct. It shall be unlawful for any person to:

- Engage in any violent, loud, or other disorderly conduct creating or tending to create a breach of the peace, including excessive and annoying noises from all sources within city parks;
- Throw, discharge, or place in or upon any lake, stream, creek, pond, or other body of water in or adjacent to a park, or any tributary, stream, storm sewer or drain flowing into such water, any substance, liquid, solid, or gas;
- 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;
- Drop, throw, or otherwise leave unattended in a park, lighted matches, burning cigars, cigarettes, tobacco, paper, or other combustible material;
- Destroy, deface, damage, or remove any property of the city, including but not limited to, signage, equipment, trees, vegetation, ruins, relics, and geological formations, except by written consent of the City Council;
- Gamble or participate in any game of chance in a park, as defined by Minnesota Statutes Section 609.75;
- Possess or sell any controlled substance in a park, as defined in Minnesota Statutes Section 152.01;
- Sell intoxicating liquor, wine, or beer, unless authorized by permit from the City Council, and only at locations designated by the City Council;
- Bring beer or intoxicating liquor into a park in kegs, barrels, or other bulk tap quantities unless the proper City permit is obtained;
- Utilize food or beverage service other than the contracted Discovery Center Caterers, when hosting a group of 75 guests or more at the Oakdale Discovery Center;

- (k) Sell, solicit, or carry on any business or commercial enterprise or service in a park unless authorized by the City Council or its authorized representative;
- (l) Post unauthorized signs on any lands, waters, structures, or property in a park except with written permission from the City Council or its authorized representative;
- (m) Use any land or body of water within a park as a starting or landing field for aircraft, balloons, or parachutes, unless authorized by the City Council;
- (n) Enter a posted restricted area;
- (o) Hunt, injure, trap, or molest any wildlife within a city park, unless so authorized by the City Council;
- (p) Shoot or discharge any weapon, fireworks, or explosives into a park from beyond park boundaries, or possess any weapon (as defined in Section 15-13) without a legal permit, fireworks, or explosives within a park unless authorized by the City Council. Any weapon, fireworks, or explosive shall be subject to seizure, to be disposed of in the same manner as items confiscated by the Police Department;
- (q) Picnic in any open space except in those areas specifically designated and equipped for such use;
- (r) Bring a dog, cat, or other pet into a park unless caged or kept on a leash not more than six (6) feet in length, or tether any animal to a tree or other plant. Dogs can only be unleashed within a designated dog park;
- (s) Permit any dog, cat, or other pet to enter a beach area, Discovery Center Building, park building, or other unauthorized area within a park;
- (t) Permit a dog, cat, or other pet to disturb or interfere with any park visitor;
- (u) Release within a park, any insect, fish, or other wildlife, or introduce within a park any plant, chemical, or other agent potentially harmful to the vegetation or wildlife of the park;
- (v) Remove any wild animal or plant, living or dead, from a park;
- (w) Drive stakes into the soil in such places as may be posted as a prohibited area.

Section 6. The Oakdale Code of Ordinances, Chapter 15, Article III, Section 15-15 is amended to read as follows:

Sec. 15-15. Swimming. It is unlawful for any person to:

- (a) Wade or swim within a park except at Tanners Lake beach at such hours designated by authorized personnel;
- (b) Use air mattresses and other inflatable floating devices in a designated swimming area;
- (c) Take glass bottles or glass receptacles of any kind into a designated beach area;
- (d) Hurl or throw balls, frisbees, or any other things on the beach or in the water which could cause injury to others.

Section 7. The Oakdale Code of Ordinances, Chapter 15, Article III, Section 15-19 is amended to read as follows:

Sec. 15-19. Skate Park. The city's skate park is designated for the use of skateboards, in-line skates, roller skates, and scooters. Due to safety concerns, it is unlawful for any person to:

- (a) Operate any other recreational equipment, specifically bicycles, in the skateboard park;
- (b) Operate skateboards, in-line skates, roller skates, or scooters inside the Richard Walton Park Bandshell/Pavilion complex;
- (c) Operate skateboards, in-line skates, and scooters in the Oakdale City Hall;
- (d) Deposit, throw, or drop in the skate park any bottles, cans, broken glass, waste, or other material, except in receptacles provided for such purposes.

Section 8. The Oakdale Code of Ordinances, Chapter 15, Article III, Section 15-22 is amended to read as follows:

Sec. 15-22. Winter Activities. It shall be unlawful for any person to:

- (a) Skate, sled, coast, snowshoe, snowmobile, or ski in a park at such times and at such places as may be posted as a prohibited area;
- (b) When utilizing a park for the purpose of scuba diving or any recreational water activity, to remove portions of ice, greater in area than one-foot square, and leaving the same unattended, unless such area is clearly marked by means of brightly colored flags;
- (c) To permit a dog, cat, horse, or other pet on designated cross-country trails.

Section 9. The Oakdale Code of Ordinances, Chapter 15, Article III, Section 15-24 is amended to read as follows:

Sec. 15-24. Park Operation.

- (a) Any person may be granted a permit for use of space within a park. Permits for such use may be issued by the Recreation Department. Applications for a permit shall be made upon forms to be furnished by the authorized representative. In the event more applications for reserved space are received than space available, applications shall be considered in the order received. Nothing herein contained shall exempt the users of reserved space from full compliance with this section;
- (b) It shall be unlawful for any person to loiter, loaf, or idle in, remain in, or leave any vehicle in any park or upon any parkway, or pathway between one-half hour after sunset and one-half hour before sunrise of the following day. Nothing in this section shall apply to persons traveling, without delay, upon established pathways of parks or upon parkways;
- (c) The provisions of subsection (b) of this section do not apply to anyone in certain areas such as lighted tennis courts, softball fields, ice skating areas, organized sports, and/or activities as recognized by or under permit by the Recreation Department;
- (d) Any permit granted pursuant to this section shall become immediately invalid upon the violation by the permittee of any city ordinance;

- (e) The city shall not be liable for any loss, damage, or injury sustained by a park visitor;
- (f) Any park or portion thereof may be declared closed to the public by the City Council at any time and for any interval of time, or to certain uses, as the City Council shall find reasonably necessary.

Section 10. The Oakdale Code of Ordinances, Chapter 15, Article III, Section 15-25 is amended to read as follows:

Sec. 15-25. Enforcement and Penalties.

- (a) This article may be enforced by duly designated law enforcement officers of the City or any authorized City employees;
- (b) A violation of this article shall be a misdemeanor and any person convicted of violating any provision of this article shall be subject to a penalty per Minnesota State Law.

Section 11. The Oakdale Code of Ordinances, Chapter 15, Article IV, Section 15-30 is amended to read as follows:

ARTICLE IV. TANNERS LAKE

Sec. 15-30. Purpose, Intent, and Application. This section is enacted for the purpose and with the intent to control and regulate the use of the waters of Tanners Lake in Washington County, Minnesota, said bodies of water being located entirely within the boundaries of Washington County, to promote its fullest use and enjoyment by the public in general and the citizens of Washington County in particular; to ensure safety for persons and property in connection with the use of said waters; to harmonize and integrate the varying uses of said waters; and to promote the general health, safety and welfare of the citizens of Washington County, Minnesota.

Section 12. The Oakdale Code of Ordinances, Chapter 15, Article IV, Section 15-31 is amended to read as follows:

Sec. 15-31. Definitions. Terms used in this article related to boating are defined in M.S. §86B.005.

Section 13. The Oakdale Code of Ordinances, Chapter 15, Article IV, Section 15-32 is amended to read as follows:

Sec. 15-32. Surface Zoning of Tanners Lake by Restricting Speeds of Operation.

- (a) No watercraft shall be operated in excess of ten (10) miles per hour unless a permit is obtained from the Washington County Sheriff's Department;
- (b) A Slow No-wake speed shall be in effect when the lake level on Tanners Lake exceeds 964.0 feet above sea level. Such restriction shall become effective when the water level reaches the 964.0-foot level on gauges located at all Public Access points and at other locations on the lake. Each gauge shall have the 964.0-foot level conspicuously marked with the slow no wake restriction posted on the gauge. When high water levels have subsided and have remained below the 964.0 above mean sea level for one (1) day, said restriction shall be removed.

Section 14. The Oakdale Code of Ordinances, Chapter 15, Article IV, Section 15-35 is amended to read as follows:

Sec. 15-35. Enforcement and Penalties.

- (a) The Primary responsibility for enforcement of this section shall rest with the Washington County Sheriff's Department. This, however, shall not preclude enforcement by the Oakdale Police Department, other licensed peace officers, or DNR personnel;
- (b) A violation of this Article shall be a misdemeanor and any person convicted of violating any provision of this Article shall be subject to a penalty per Minnesota State Law.

Section 15. The Oakdale Code of Ordinances, Chapter 15, Article V, Section 15-40 is amended to read as follows:

Sec. 15-40. Rules. The City's dog park is designated for the use of unleashed dogs only. Due to safety concerns, the following rules apply to those using the park:

- (a) Dogs must be properly vaccinated, and not designated as a dangerous dog or in heat;
- (b) Dogs must be leashed prior to entering and upon leaving the off-leash area and in transition corridors;
- (c) Dogs must stay within fenced area;
- (d) Owners must be in verbal control of their dogs at all times and prevent aggressive behavior, biting, fighting, or excessive barking;
- (e) Owners are liable for damage or injury inflicted by their dogs;
- (f) Owners must have a visible leash at all times;
- (g) Owners must clean up and dispose of feces;
- (h) Owners must be 16 years or older, and not handling more than two dogs.


Section 16. This Ordinance shall take effect and be in full force from and after its adoption and publication, as provided by law.

Voting For: Mayor Zabel, Council Members Ingebrigtsen, Morcomb, and Willenbring;

Voting Against: None.

Adopted this 29th day of October, 2024 by the Oakdale City Council.

Attest:


Sara Ludwig, City Clerk


Kevin Zabel, Mayor

Posted: October 18, 2024

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