

## CHAPTER 3 PUBLIC PARKS AND BEACHES

SECTION:

**7-3-1: Parks And Beaches Identified**

**7-3-2: Definitions**

**7-3-3: Regulations**

**7-3-4: Penalty**

### **7-3-1: PARKS AND BEACHES IDENTIFIED:**

A. Description: The regulations in this section shall apply to the following parks, beaches and city properties as described within the city of Baxter: Whipple Beach ~~Recreational a~~Area; Oscar Kristopherson Park; Loren Thompson Park; Berrywood Park; Southdale Park; Mississippi Overlook Park; Riverview Park; Winkler Park; ~~Jewelwood Park; Clearwater Park, including the Baxter Dog Park and the trail between Grand Oaks Drive and Inglewood Drive~~; the water tower property at Woida Road and Inglewood Drive; the water tower property on Hastings Road; ~~future park site at intersection of Jewelwood Drive and Atwater Road; future park site located between Inglewood Drive and Grand Oaks Drive and also adjacent to the bike trail between these roads~~; and other city properties as indicated ~~in green coloring on the as parks, open space or trails on the~~ city of Baxter parks and trails map. (Ord. 2010-12, 8-2-2010)

### **7-3-2: DEFINITIONS:**

ALCOHOLIC BEVERAGE: Any beverage containing more than one-half of one percent alcohol by volume.

CITY FACILITIES: Buildings owned or operated by the city, including owned or operated outdoor areas of the lot or parcel on which the building is situated.

E-CIGARETTE: Any electronic-smoking device that can be used to deliver nicotine or any other substances to the person inhaling from the device, including, but not limited to, electronic cigarettes, electronic cigars, electronic pipes or any other similar device.

PARKS: Any open or enclosed land and improvements or facility wherever located which is owned, leased or operated by the city and which is reserved, designated or used for a playground, picnic area, garden area, beach, or other recreational or open space area.

SMOKING: Inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, e-cigarette, pipe, weed, or plant in any manner or in any form. (Ord. 2010-12, 8-2-2010; amd. Ord. 2019-016, 9-17-2019)

### **7-3-3: REGULATIONS:**

A. Alcohol Consumption: There will be no consumption of alcoholic beverages on the aforescribed properties at any time.

B. Hours: It shall be unlawful for any person to be present on the aforescribed properties, nor shall any person park a vehicle in or on any park or parking lot within park property, between the hours of ten o'clock (10:00) P.M. and six o'clock (6:00) A.M.

C. Animals:

1. Pets are permitted on the above mentioned city properties with the exception of Whipple Beach. It is deemed in the interests of the general public health, welfare and safety that all animals or pets be prohibited from entering upon or remaining at the public beach (Whipple Beach) within the city. It is, therefore, ordained that no person shall allow his animal or pet or any such animal or pet under his control to enter upon or remain at the public beach within the city.

2. Where animals are permitted, they shall be restricted at all times by a leash and under command of the owner or custodian. The fenced-in play areas at the Baxter Dog Park on Clearwater Road are permitted off-leash areas for dogs, subject to the following:

Dog Park Rules and Regulations

- a. Dog owners are legally responsible for their dogs and assume all responsibility for injuries, or damage caused by the owner's dog while on public premises.
- b. The park is closed from 10:00 p.m. – 6:00 a.m.
- c. The fenced-in dog park play area is the only permitted off-leash area. Dogs must be leashed, except when within the fenced-in dog park play area.
- d. Dog owners must always have their dog in view and in control. No dog may be unattended.
- e. Continual barking is unacceptable. Barking dogs shall be immediately removed from the park by the dog owner.
- f. Owners shall clean up their dog's pet waste by disposing of feces properly.
- g. Human food, dog food, dog treats and dog chew toys or other dog toys are not permitted in the fenced-in dog park play area.
- h. Aggressive dogs are not allowed in the park. Any dogs showing signs of aggression shall be immediately removed from the premises. Dogs that are dangerous or potentially dangerous are not permitted within the park.
- i. Dogs must display current licenses on their collars, must have current vaccinations, and be in healthy condition prior to entering the dog park.
- j. Puppies under four months of age are not permitted in the dog park.
- k. Infants and small children are not permitted in the dog park.
- l. Female dogs in heat are not permitted in the dog park.
- m. No alcohol is permitted.
- n. Please keep the gates closed and help keep the park clean and in nice condition so that all may enjoy using it.

endanger any visitor or visitor's property. No person shall tether and leave unattended any dog or animal to a tree, plant, building or park equipment.

4. Any person having the custody or control of any dog or animal shall have the duty to immediately remove any feces left by such animal in any park and to dispose of such feces in a sanitary manner. The provisions of this subsection shall not apply to a guide dog accompanying a blind person or to a dog when used in police or rescue activities.

D. Prohibition Of Smoking In Certain Areas: Smoking is prohibited in the following areas:

- 1. Parks;
- 2. City facilities;
- 3. All locations where smoking is prohibited by the Minnesota Clean Indoor Air Act.

E. Where Smoking Not Regulated: Notwithstanding any other provision of this section to the contrary, the following areas shall be exempt from the provisions of this section:

1. In designated outdoor areas of city facilities; and
2. City streets, easements, sidewalks, trails (except trails, sidewalks and paths adjacent to or within parks) and paths.

F. Posting Of Signs:

1. "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly and conspicuously posted outside every city facility and park.

2. All ashtrays and other smoking paraphernalia shall be removed from every area where smoking is prohibited under this section. (Ord. 2010-12, 8-2-2010; amd. Ord. 2019-016, 9-17-2019; Ord. 2023-024, 10-17-2023)

**7-3-4: PENALTY:**

Any person violating the provisions of this chapter shall, upon conviction, be subject to penalty as provided in section [1-4-1](#) of this code. (Ord. 2010-12, 8-2-2010; amd. Ord. 2023-024, 10-17-2023)