

# **SPECIAL MEETING NOTICE**

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**Notice is hereby given that the Walker City Council will meet at  
5p.m. Monday April 2<sup>nd</sup>, 2018 at the Walker Fire Hall Meeting room  
701 Elm Avenue Walker, MN 56484**

**This is a special meeting to conduct a work session with the attached agenda**

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## **Walker City Council Work Session Agenda Monday April 2<sup>nd</sup>, 2018**

- 1) Call to Order:
- 2) Discussion on Ordinance 2018-02; an Ordinance amending Chapter 22 Parks and Recreation and Chapter 24 Streets, Sidewalks and other Public Places.
  - Defining Community events, setting limitations on commercial use, duration of events, and designating areas for personal camping and event tents.

Terri Bjorklund  
Clerk, Administrator

## Walker City Council Agenda Item

**Council Meeting Date:** April 2<sup>nd</sup>, 2018

**Work Session Agenda Item: Council Discussion:** Ordinance 2018-02; an Ordinance amending Chapter 22 Parks and Recreation and Chapter 24 Streets, Sidewalks and other Public Places.

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1. **Information:** At the March 5<sup>th</sup>, 2018 City Council meeting the motion to approve Ordinance 2018-02 died due to lack of second. During the discussion and review of the Ordinance some City Council members were concerned by regulations and restrictions that were not included in the Draft Ordinance. Mayor Shaw stressed that the way events are approved now is too ambiguous and may leave it open for lawsuits. Administrator Bjorklund reminds the Council that the Ordinance needs to be clear, clean and concise so that staff can reiterate the wishes of the Council by pointing to a policy or an Ordinance.

After the discussion Bjorklund suggested addressing this in a work session first and then sending it back to the Park Advisory Board for consideration.

Some key items that were discussed that the Council members would like to see in the Ordinance revisions are:

- Defining community events
- Setting limitations on commercial use
- Duration of events
- Designating areas for personal camping and event tents; possibly the basketball court and up or the other side of the street. (The lower park has been the go-to area for tents; but that restricts regular residential use.)

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**Attachments:** 2017 Park Use Permits

Draft Ordinance No. 2018-02

- Highlighted portions of the Ordinance need consideration and review.

# area events Calendar



## JANUARY

- 1 ..... Snowshoe Hike-North Country Trail
- 5 ..... Squirt B Tournament LLYH\*\* WACC
- 19-21..... Peewee B Tournament-LLYH WACC
- 26-28..... Squirt C Tournament-LLYH\*\* WACC
- 26-28..... Veterans with PTSD - Retreat- Camp Bliss

## FEBRUARY

- 8-11 ..... Veterans & Spouses Retreat - Camp Bliss
- 10 ..... Leech Lake Frost Fest
- 11 ..... Mini/Mite Jamboree - WACC
- 17 ..... Hok Ski/Snowshoe Hike-North Country Trail
- 22-23..... North Country's Buyers Show\*\*\*
- 22-25..... Eelpout Festival
- 24 ..... Polar Pout Plunge - WACC
- 23-25..... Vietnam Vets Ice Fishing Getaway - Camp Bliss

## MARCH

- 2-3..... Moondance Annual Bonspiel
- 10 ..... Woman's Expo
- 10 ..... Spencer Ross Legion Birthday Dinner
- 11 ..... Luck of the Irish Concert-Community Church of Walker
- 16-18..... Female Veterans Retreat - Camp Bliss
- 18 ..... Equinox Hike- North Country Trail- Itasca Moraine Chapter
- 18 ..... Irish Beef Stew Supper - Immanuel Lutheran
- 23-25..... Female Veterans Retreat - Camp Bliss
- 24 ..... 40 & Ham Bingo-Basement of American Legion

## APRIL

- 3 ..... Spring Job Fair\*\*
- 13-15..... Female Veterans Retreat - Camp Bliss
- 17 ..... Walker Area Pregnancy Support Center Banquet
- 20-22..... Mother/Daughter Retreat-Camp Bliss
- 20-22..... Reeds Rice Creek Gun Fair
- 24 ..... Evening in Tuscany Spaghetti Dinner for Faith In Action
- 28 ..... Northstar Sportsmen's Club Annual Banquet

## MAY

- 4 ..... Plant Day-1st National Bank of Walker
- 5 ..... Purse and Jewelry Fundraiser-Walker Adult Day Services
- 5 ..... Chippewa Nat'l Forest Hike - Woodtick Trail
- 6 ..... Youth Crappie Tournament-Walker Marine
- 9 ..... WHA Awards Banquet-Walker Lions
- 11 ..... Boy Scouts Smeit Fry - Spencer Ross American Legion
- 12 ..... Walleye/Northern Fishing Opener
- 12 ..... Large & Small Mouth Bass Opener
- 16 ..... Opening of Range & Club House-Northstar Sportsmen's Club
- 17 ..... Spring Musical-Immanuel Lutheran School
- 18 ..... BSU American Indian Resource Center Tournament-Tianna
- 18-20..... Wellness & Socialization for Women with Disabilities - Camp Bliss
- 20 ..... Leave Your Putters at Home-LL Hockey Tournament-Tianna
- 23 ..... Flag Retirement- Spenser Ross American Legion
- 24 ..... Rotary Stern & Stein
- 24-28..... 10th Annivers. Celebration of the Arts-Walker Bay Theatre
- 24-31..... Memorial Day Art Show & Sale - 1st National Bank
- 26 ..... 1st Anniversary Party-Portage Brewing Company
- 28 ..... Spencer Ross American Legion Memorial Day Service

## JUNE

- 1-3..... Fishing for All - Camp Bliss
- 2 ..... Muskie Fishing Opener
- 2-3 ..... Leech Lake Walleye Tournament-Walker City Park
- 3 ..... Fried Chicken Dinner-Immanuel Lutheran Church
- 7 ..... Walker Comm. Farmers and Crafters Market-Green Scene
- 7-9 ..... ABC Sale-Immanuel Lutheran Church
- 8 ..... Roar With Lions-Dinner/Concert

## JUNE

- 10 ..... Cass County Youth Tournament-Tianna
- 13-24..... Nunsence Las Vegas-Walker Bay Theatre
- 14 ..... Walker Comm. Farmers and Crafters Market-Green Scene
- 14 ..... TLGA Hospice Tournament-Tianna Country Club
- 15-17..... Reeds Fathers Day Classic
- 16 ..... Bemidji Brewing Company Block Party
- 20 ..... Burger Battle
- 20 ..... Tianna Country Club Mega Demo Day-Tianna Country Club
- 21 ..... Walker Comm. Farmers and Crafters Market-Green Scene
- 21-23..... Moondance Jammin Country
- 22-23..... Moondance Softball Tournament
- 23 ..... Ladyslippers of Itasca-North Country Trail
- 24 ..... 2-Man Best Ball Tournament-Tianna Country Club
- 25-28..... Junior Golf Camp-Tianna Country Club
- 28 ..... Crazy Days Sidewalk Sales-Walker
- 28 ..... Walker Comm. Farmers and Crafters Market-Green Scene

## JULY

- 4 ..... Independence Day Celebration, 5-10K-Walker City Beach
- 5 ..... Walker Comm. Farmers and Crafters Market - Green Scene
- 11-22..... On Golden Pond - Walker Bay Theatre
- 12 ..... Walker Comm. Farmers and Crafters Market - Green Scene
- 13 ..... Post 134 Am. Legion Golf Tournament-Tianna Country Club
- 15-26..... Revival of Patsy Cline at the Flame Café-Walker Bay Theatre
- 17 ..... Christmas in July-Hope Lutheran Church
- 18-21..... Moondance Jam's 27th Anniversary
- 19 ..... Walker Comm. Farmers and Crafters Market-Green Scene
- 22 ..... Save the Wolf Pack Scramble-Tianna Country Club
- 23 ..... MGA Senior Tour-Tianna
- 26 ..... Walker Comm. Farmers and Crafters Market-Green Scene
- 26 ..... Crazy Days Sidewalk Sales-Walker
- 28 ..... Walker Triathlon-WACC\*
- 29 ..... Capital Campaign Scramble-Tianna Country Club
- 30-8/2... Junior Golf Camp-Tianna Country Club

## AUGUST

- 2 ..... Walker Comm. Farmers and Crafters Market-Green Scene
- 3 ..... Deuces Wild Dueling Piano's
- 3 ..... WACC Golf Tournament; 14th Annual-Tianna Country Club
- 4 ..... Walker Bay Days\*\*
- 4 ..... Walker Bay Days 5K
- 9 ..... Walker Comm. Farmers and Crafters Market-Green Scene
- 9 ..... Crazy Days Sidewalk Sales-Walker
- 10-13..... Leech-Lake Regatta
- 11 ..... St. Agnes annual Auction/Dinner
- 11-12..... NMIGA-Tianna Country Club
- 15-22..... Revival of Patsy Cline at the Flame Café-Walker Bay Theatre
- 16 ..... Walker Comm. Farmers and Crafters Market-Green Scene
- 16-18..... Cajun Fest-Northern Lights Casino
- 17-19..... Reed's Fall Classic
- 18 ..... Legion Ride for the Vets-Legion Riders- 8th Annual
- 18-19..... Art Fair At Forestedge Winery
- 23 ..... Walker Comm. Farmers and Crafters Market-Green Scene
- 25 ..... Ed Sauer BSU Memorial Scholarship-Tianna Country Club
- 25 ..... Walk To Remember Alzheimer's Asso.
- 25 ..... North Country Trail-North Country Trail 11th Annual
- 26 ..... Summers End Food Fest-Immanuel Lutheran Church
- 26 ..... Short Stop Golf Tournament-Tianna Country Club
- 30-9/6... Labor Day Art Show and Sale - 1st National Bank Walker
- 30 ..... Walker Comm. Farmers and Crafters Market-Green Scene
- 8/31-9/2 Art By The Lake-Leech Lake Arts League

## SEPTEMBER

- 6 ..... Walker Community Farmers and Crafters Market
- 8 ..... Annual Meeting and Elections-Northstar Sportsmen Club
- 8 ..... Ethnic Fest\*\*
- 8 ..... Open Class Car Show
- 8-10..... Frank Schneider Muskies Inc. International Tournament
- 10 ..... WHA Fine Arts Scramble
- 10-12..... Vietnam Vets R & R - Camp Bliss
- 11 ..... 911 Remembrance Ceremony-Court House Lawn
- 13 ..... Walker Community Farmers and Crafters Market
- 13 ..... Fall Has It All Begins
- 15 ..... Rotary Extravaganza
- 15 ..... North Country Marathon and 10K, 34th Annual-WACC\*
- 20 ..... Last Walker Comm. Farmers and Crafters Market
- 21-23..... Crafting and Creativity for Women - Camp Bliss
- 20 ..... Ducks Unlimited Banquet
- 22 ..... Oktoberfest 2018-Bemidji Brewing
- 21 ..... Faith in Action/ Booya Fundraiser
- 22 ..... Save Summer Bike and Brew Fest-Portage Brewing Co.
- 29 ..... Chippewa NF Hike Cass Co. 50
- 29 ..... Harvest Moon Fall Festival
- 30 ..... Fall Has It All Ends

## OCTOBER

- 7 ..... Hike for Hope-North Country Trail
- 12-14..... Female Veterans Retreat- Camp Bliss
- 13 ..... Tianna Tough Cup Twist Scramble Tianna Country Club
- 31 ..... Kids Haunted House-Spenser Ross American Legion

## NOVEMBER

- 2-4 ..... Oh Deer! Girls Gone Wild Camp Bliss
- 2-4 ..... Wellness/Socialization for men with Disabilities - Camp Bliss
- 7 ..... Faith in Action Raffle Drawing Open House
- 11 ..... Veterans Celebration - Camp Bliss
- 11 ..... Veterans Day Program and Dinner- Spenser Ross Legion
- 15-18..... Veterans Retreat - Camp Bliss
- 17 ..... 40 & 8 Turkey Bingo-Spenser Ross American Legion
- 17 ..... Leech Lake Chamber/Northern Lights Arts and Crafts Event\*\*\*
- 22 ..... Thanksgiving Day Dinner-Immanuel Lutheran Church
- 23-30..... Night Before Christmas-Walker Bay Theatre
- 23 ..... Festival of Lights Parade\*\*
- 23 ..... Black Friday Hike-North Country Trail!
- 23-25..... Reed's Ice Classic
- 24 ..... Festival of Lights Reindeer Ramble\*\*
- 24 ..... Children's Christmas Party- Spenser Ross American Legion\*\*

## DECEMBER

- 1-2 ..... Night Before Christmas-Walker Bay Theatre
- 4 ..... Holiday Frazzle Fundraiser - Camp Bliss
- 7 ..... Christmas Open House-1st National Bank of Walker
- 7-9..... Reeds Customer Appreciation Sale
- 11 ..... Christmas Musical-Immanuel Lutheran Church
- 20 ..... Leech Lake Chamber-Holiday Open House\*\*
- 29 ..... Holiday Ski/Snowshoe Hike - North Country Trail

\*Walker Area Community Center

\*\*Leech Lake Youth Hockey

\*\*\*Leech Lake Area Chamber of Commerce

Visit [www.Leech-Lake.com](http://www.Leech-Lake.com) for more event details



2017 PARK USE PERMITS

PERMIT #	App Date	EVENT	EVENT DATE	LOCATION	APPLICANT NAME	Commercial	Com	Non Com	Add Day
PK-2017-01	1/4/2017	FESTIVAL	2/20-2/23	L PARK	JARED OLSON	\$200.00			
PK-2017-02	10/4/2016	TOUR	6/2-6/5	L PARK	LL CHAMBER		\$100.00		
PK-2017-03	1/30/2017	WEDDING	3-Mar-17	R GARDEN	MICHELLE ORTLEY				
PK-2017-04	5/30/2016	WEDDING	10-Jun-17	L PARK	ARLENE WAY				
PK-2017-05	9/30/2016	COLOR DASH	17-Jun-17	PARK	SCHOOL		\$100.00		
PK-2017-06	8/15/2016	REUNION	8-Jul-17	L PARK	SHARON GLAWE				
PK-2017-07	2/10/2017	ART IN PARK	26-Jun-17	L PARK	LL CHAMBER		\$100.00		
PK-2017-08	8/15/2016	WACC	29-Jul-17	PARK	WACC		\$100.00		
PK-2017-09	12/8/2017	BIKE	25-Aug-17	U PARK	WAHOO ADVENTURES		\$100.00		
PK-2017-10	10/4/2016	WALK BAY DAY	5-Aug-17	PARK	LL CHAMBER		\$100.00		
PK-2017-11	2/8/2017	PICNIC	13-Aug-17	L PARK	CHURCH				
PK-2017-12	4/18/2017	CRUSADE	8/16-8/17	L PARK	CHURCH				
PK-2017-13	3/31/2017	BRUNCH	18-Jun-17	L PARK	AMY ODGREN				
PK-2017-14	3/30/2017	PICNIC	28-May-17	L PARK	JOEL STOKKA				
PK-2017-15	3/30/2017	PICNIC	16-Jul-17	L PARK	JOEL STOKKA				
PK-2017-16	2/28/2017	BAM	23-Aug-17	PARK	MARY DERKS		\$100.00		
PK-2017-17	4/14/2017	ETHNIC	9-Sep-17	L PARK	BOB DENNIS				
PK-2017-18	4/18/2017	COM ED	6/5-6/22	PARK	WHA SCHOOL				
PK-2017-19	5/17/2017	WEDDING	1-Jul-17	PARK	HOLZER				
PK-2017-20	5/18/2017	WALK TO REMEMBER	26-Aug-17	PARK	AMY PYBURN/EDGEWOOD VISTA/ALZHE		\$100.00		
PK-2017-21	5/18/2017	CARNIVAL	17-Sep-17	PARK	CALVARY CHURCH				
PK-2017-22	5/18/2017	DAYS 5K	6-Aug-17	U PARK	WALKER LIONS				
PK-2017-23	5/22/2017	4TH OF JULY	4-Jul-17	PARK	WALKER ROTARY				
PK-2017-24	5/22/2017	LUNCHEON	22-Jun-17	L PARK	WATERSHED DISTRICT				
PK-2017-25	6/12/2017	ARVIG PICNIC	16-Aug-17	U PARK	ARVIG				
PK-2017-26	6/23/2017	REUNION	22-Jul-17	L PARK	DEB SCHNABEL				
PK-2017-27	6/23/2017	NSTA PICNIC	5-Sep-17	L PARK	KATHLEEN CURTIS				
PK-2017-28	7/3/2017	DINNER	19-Aug-17	L PARK	AUNDREA KOHLHEPP				
PK-2017-29	7/24/2017	PICNIC	25-Aug-17	L PARK	CARE				
PK-2017-30	7/17/2017	D/RETIREMENT	12-Aug-17	L PARK	KIMBERLI WEBB				
						\$200.00	\$800.00	\$0.00	\$0.00

**CITY OF WALKER  
CASS COUNTY, MINNESOTA  
ORDINANCE No. 2018-02**

**AN ORDINANCE AMENDING CHAPTER 22 PARKS AND RECREATION  
AND CHAPTER 24 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES**

**WHEREAS**, because of circumstances that resulted in arbitrary usage of the City of Walker Public Park; and

**WHEREAS**, the City Council feels that the Public Park be put to the maximum beneficial use of all the public and unreasonable private use be prevented when possible; and

**WHEREAS**, areas of the Park be designated for tents, camping and duration of stay.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALKER:**

**SECTION 1.** The City Council of the City of Walker is hereby authorized and directed to implement the applicable provisions of this Ordinance upon their determination that such implementation is necessary to protect the public health, welfare and safety.

**SECTION 2.** Part 1 Code of Ordinances. Chapter 22 Parks and Recreation Article II. PUBLIC CONDUCT IN PARKS AND RECREATIONAL FACILITIES is amended to read:

**Chapter 22 - PARKS AND RECREATION**

**ARTICLE II. - PUBLIC CONDUCT IN PARKS AND RECREATIONAL FACILITIES**

**Sec. 22-19. - 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:

*3.2 malt liquor* means a beverage containing not more than 3.2 percent alcohol by weight.

*Administrator/city clerk-treasurer* means the person designated by the council with the responsibility for the operation and management of the parks, or ~~his~~-their authorized representative.

*Applicant* means any person or organization seeking a permit to use or conduct an activity in the park.

*City park* means a park in the city.

*Drug* means any substance defined as a controlled substance by state statutes or federal law or regulations.

*Intoxicating liquors* means any liquor which is intoxicating pursuant to state law and includes ethyl alcohol, distilled, fermented, spirituous, vinous and malt beverages containing in excess of 3.2 percent of alcohol by weight.

*Motorized recreational vehicle* 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, or dune buggy.

*Park* means any land or water area, and all facilities thereon, established as a park by the city pursuant to state statutes.

*Permit* means any written license issued by or under the authority of the council permitting a use, event, or activity in a city park.

*Person* means any individual, partnership, corporation, firm, company, association, society or group of any kind within a park.

*Vehicle* means any wheeled conveyance, whether motor-powered, animal-drawn, or self-propelled. The term "vehicle" shall include any trailer in tow of any size, kind or description. Exception is made for wheelchairs, baby carriages, and vehicles in the service of the city.

*Weapon* means any device from which shot or a projectile of any type can be discharged by the means of an explosive, gas, or compressed air or otherwise propelled, including, but not limited to, firearms, bows and arrows, slings and spring guns; provided that except for provisions prohibiting the discharge of weapons, the term "weapon" does not include a firearm.

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

(Code 2000, § 98.02; Res. No. 21-2001, 12-20-2001)

**Sec. 22-20. - Purpose and scope.**

The purpose of this article is to secure the quiet, orderly, and suitable use and enjoyment of public parks, and public access to lakes, in parks established by the city or the state, and to further the safety, health, comfort, and welfare of all persons in the use thereof. The provisions of this article apply to city parks.

(Code 2000, § 98.01; Res. No. 21-2001, 12-20-2001)

**Sec. 22-21. - Enforcement.**

- a) Officers of the police department or county sheriff's department or other law enforcement agency may, in connection with their duties imposed by law, diligently enforce the provisions of this article.
- b) Designated park employees may, in connection with their duties imposed by law, diligently enforce the provisions of this article and may eject from parks any persons acting in violation of this article.

- c) The city council, administrator/city clerk-treasurer, or ~~his~~ **their** authorized representative, shall have the authority to revoke for good cause any permit issued.
- d) The city council shall have the right to issue administrative rules and regulations that may be recommended by the park board as it deems necessary.
- e) Nothing in this article shall prevent employees or agents of the park system from performing their assigned duties.
- f) No persons shall interfere with, harass, or hinder any employee in the discharge of ~~his~~ **their** duties.

(Code 2000, § 98.14; Res. No. 21-2001, 12-20-2001)

**Sec. 22-22. - General conduct.**

It shall be unlawful for any person to:

- (1) Use or to have in his possession glass beverage containers, or to use or have in ~~his~~ **their** possession intoxicating liquors or 3.2 malt liquor containers larger than one quart. There shall be no kegs without special permit issued by council, or their authorized representative.
- (2) Be under the influence of **illegal** drugs.
- (3) Disturb, harass, or interfere with a city park ~~visitor's~~ **visitor** or any park ~~visitor's~~ **visitor** property.
- (4) Except in an emergency, use any land or body of water within a city park for a starting or landing field for aircraft, balloons, or parachutes without a permit from the council, or their authorized representative.
- (5) Start a fire in a city park, except a small fire for culinary purposes in a designated area, or fail to fully extinguish such a fire.
- (6) Leave unattended in a city park lighted matches, burning cigars, cigarettes, tobacco, paper or other combustible material.
- (7) Sell, solicit, or carry on any business or commercial enterprise or service in a city park unless authorized by the council in writing.
- (8) Use loud speakers or other amplifying systems in a city park, except with written permission from the council, or their authorized representative.
- (9) Discharge water or any other waste in the city park except into designated dumping stations.
- (10) Dig trenches or make any other excavations in the city park, **including but not limited to** ~~except that~~ the placement of tent stakes or anchors for temporary tents ~~is permitted-~~ **without first filing a locate request with GSOC.**
- (11) Use a boat for sleeping quarters while tied on the city park water frontage.

(Code 2000, § 98.03; Res. No. 21-2001, 12-20-2001; Res. No. 12-2007, 3-5-2007)

**Sec. 22-23. - Protection of natural resources and wildlife.**

It shall be unlawful for any person to:

- (1) Injure, destroy, or remove any tree, flower, shrub, plant, rock, soil or mineral from a city park.
- (2) Kill, trap, hunt, pursue, or in any manner disturb or cause to be disturbed any species of wildlife within a city park, except that fishing may be permitted in designated areas.
- (3) Shoot any weapon in or into a park from beyond park boundaries.
- (4) Bring or permit any unleashed pet within the city park.
- (5) Possess any weapon within the city park.

- (6) 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.
- (7) Remove any animal, living or dead, from a park, and any animal so removed or taken contrary to the provisions of this article, or laws of the state, shall be considered contraband and subject to seizure and confiscation.

(Code 2000, § 98.04; Res. No. 21-2001, 12-20-2001)

#### **Sec. 22-24. - Camping.**

(1) Overnight tent camping may be allowed in area designated by City Council by special permit for organized groups that are sponsored by bona fide nonprofit corporations that are registered and in good standing with the state. Application for the permit shall be submitted to the park board, for its consideration and recommendation to the city council, at least ~~30~~ 45 days in advance of the ~~proposed usage~~ Park Advisory Board Meeting. The application shall include a plan addressing the following criteria:

- a. The maximum number of tent campers in the group;  
~~(2) The general outline of the area proposed to be used for camping;~~
- b. Suitable portable toilet and shower facilities if the group is larger than can be reasonably accommodated by existing facilities;
- c. Routine waste disposal or recycling.
- d. Noncompliance with applicable ordinances may result in immediate termination of the permit.

(Code 2000, § 98.05; Res. No. 21-2001, 12-20-2001; Res. No. 12-2007, 3-5-2007)

#### **Sec. 22-25. - Swimming.**

It shall be unlawful for any person to:

- (1) Wade or swim within the city park except at beaches designated for that purpose, and then only between sunrise and sunset, or such hours as designated by the park board, administrator/city clerk-treasurer, or ~~his~~ their authorized representative. Park visitors shall swim or wade at their own risk.
- (2) Take ~~eans, bottles, or~~ glass of any kind, except eyeglasses, into a designated beach area. ~~Use air mattresses, inner tubes, or other inflatable devices in designated beach areas.~~

(Code 2000, § 98.06; Res. No. 21-2001, 12-20-2001)

#### **Sec. 22-26. - Boating.**

It shall be unlawful for any person to:

- (1) 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.
- (2) Leave unattended any boat or other watercraft, except in areas designated for that purpose.
- (3) Operate any watercraft in a designated swimming area or other prohibited area.
- (4) Operate any watercraft in a city park in violation of state statutes or any other law, statutes, or ordinance dealing with water and watercraft safety.

(Code 2000, § 98.07; Res. No. 21-2001, 12-20-2001)

#### **Sec. 22-27. - Fishing.**

It shall be unlawful for any person to:

- (1) Fish in a park in violation of any provision of state statutes.



- (2) Fish in a park area designated as a no fishing area.
  - (3) Fish in a park area designated as a swimming area.
- (Code 2000, § 98.08; Res. No. 21-2001, 12-20-2001)

**Sec. 22-28. - Horseback riding.**

It shall be unlawful for any person to ride, lead, or permit a horse to be within a park.  
(Code 2000, § 98.09; Res. No. 21-2001, 12-20-2001)

**Sec. 22-29. - Meetings, speeches, demonstrations, and parades.**

It shall be unlawful for any person to conduct public meetings, assemblies, entertainment, parades, or demonstrations within a park without first obtaining a written permit from the city council, or their authorized representative, and then only in areas designated in the permit.  
(Code 2000, § 98.10; Res. No. 21-2001, 12-20-2001)

**Sec. 22-30. - Vehicles.**

It shall be unlawful for any person to:

- (1) Operate any vehicle within a park, except upon roadways, parking areas, or other designated locations.
- (2) Operate a motorized vehicle without a valid driver's license.
- (3) Operate a vehicle in a park at a speed in excess of posted speed limits.
- (4) Park or leave a vehicle standing within a park, except in a designated parking area.
- (5) Operate a vehicle that emits excessive or unusual noise, noxious fumes, dense smoke, or other polluting matter.
- (6) Operate a vehicle in a reckless or careless manner in a park.
- (7) Wash, polish, grease, change oil, or repair any vehicle within a park **unless prior authorized by the City Administrator.**
- (8) Operate any non-licensed motorized vehicles such as dirt bikes or mini bikes within the boundaries of any city park.
- (9) Operate any motor vehicle on roads that are posted, chained, or gated prohibiting vehicular traffic excluding maintenance vehicles or by permit **excluding maintenance vehicles or by permit.**

(Code 2000, § 98.11; Res. No. 21-2001, 12-20-2001)

**Sec. 22-31. - Motorized recreational vehicles.**

It shall be unlawful for any person to:

- (1) Operate a motorized recreational vehicle within a park, except in such areas and at such times as designated by the city council, administrator/city clerk-treasurer or his authorized representative.
- (2) Operate a motorized recreational vehicle without a valid driver's license.

(Code 2000, § 98.12; Res. No. 21-2001, 12-20-2001)

**Sec. 22-32. - Park operation.**

- a) A person may be granted a permit for temporary use of a space within the park.
- b) No person shall remain within the park between the hours of 11:00 p.m. and 5:00 a.m.

- c) Any permit granted pursuant to this article may be revoked upon the violation of any ordinance, rule, or regulation of the city council or of any other local ordinance, law, or state statute.
- d) It shall be unlawful for any person to use any facility or area for which a fee or charge has been established by the city council without payment of such a fee or charge.
- 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, administrator/city clerk-treasurer, or his authorized representative, at any time, and for any interval of time, or to certain uses, as the city council, administrator/city clerk-treasurer, or his authorized representative shall find it reasonably necessary.

(Code 2000, § 98.13; Res. No. 21-2001, 12-20-2001)

**SECTION 3.** Part 1 Code of Ordinances. Chapter 23 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES Article III. Park/City Property Assemblies is amended to read:

### **ARTICLE III. - PARK/CITY PROPERTY ASSEMBLIES**

#### **Sec. 24-90. – License Permit Required.**

*Definitions.* For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

*Commercial use.* Commercial use refers to all individuals, groups or businesses who charge admissions, class fees, sell tickets, food or other items, solicit funds or donations, offer other money making activities or promote a commercial business. Examples: bazaar, craft fairs, fundraisers, concerts or performances where admission is **charges charged** or any event that includes food or merchandise vendors. This fee is for event date(s) only, additional days are subject to additional day fee.

*Assembly. Event.* A company of persons gathered together at any location at any single time for any purpose.

*Non commercial use.* Non commercial refers to all individuals, groups, businesses who reserve a facility for private or public use where no fees are charged, nothing is sold or promoted for commercial gain or no donations are collected or solicited. Examples: birthday parties, family or company picnics and neighborhood meetings.

*Person.* Any individual, partnership, corporation, firm, company, association, society or group.

*Reduced commercial.* Reduced commercial refers to non-profit organizations with 501c or other tax exempt status. A copy of the status letter from the IRS must be on file at the City of Walker. This fee is for event date(s) only, additional days are subject to additional day fee. (C) For the purpose of defraying expenses, the fee for each **license permit** shall be determined by city council §36.03 that may be amended time to time; and shall be payable to the clerk-treasurer.

No person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage or sell, or sell or give tickets to an actual or reasonably anticipated **assembly event**, on public property, unless a **license-permitting permit authorizing an assembly event** in the city has first been approved by the city council, and issued by the city administrator, application for which must be made to the city administrator on the prescribed city form at least **45 60** days in advance of the **assembly-event**. When applying for said **license-permit**, the sponsor must submit certified copies of other required Minnesota state licenses and/or permits, necessary to support the application. Such a license issued to one person shall permit such person to engage in any lawful activity in connection with the holding of the **licensed-assembly permitted event**. Upon receipt of an application, the city administrator shall refer the application to the designated representative of the park **advisory** board for a determination of compliance with the licensing requirements. The designated representative shall then present the park board's recommendations to the city council for their approval. (Ord. No. 2016-14, § 1(§ 99.01), 12-5-16)

**Sec. 24-91. - License Permit requirements.**

Before any such **license-permit** may be issued, the applicant shall first:

- (1) Determine the maximum number of people, which will be assembled or admitted to the location of the **assembly-event**, provided that the maximum number shall not exceed the maximum number, which can reasonably assemble at the location of the **assembly event** in consideration of the nature of the **assembly event**.
- (2) Submit, ~~together~~ with the application, a ~~separate~~, detailed plan by the applicant for each requirement set forth herein, detailing how the applicant shall comply with each of these requirements.
  - a) Plans for providing toilet facilities shall detail the source, number and location, type and means of disposing of waste deposited.
  - b) Provisions shall be made for providing medical care as follows:
    - i. 1,000 to 3,000 people - One ambulance on call;
    - ii. Over 3,000 people - One ambulance physically present.
    - iii. Availability of minimum service for maintaining communication for receiving and transmitting emergency messages, which minimum service is considered to be ~~either one telephone line or a mobile telephone unit. a cell phone.~~
    - iv. Plans for such communications service shall include the source, number and location of the communications available.
      - ~~d. i. Up to 1,000 people - One security officer on call;~~
      - ~~ii. 1,000 to 3,000 people - One security officer present;~~
      - ~~iii. 3,000 to 5,000 people - Two security officers present;~~
      - ~~iv. Over 5,000 people - Three security officers present.~~
  - ~~2. Plans for security shall detail the number of security officers to be provided, their deployment, their names, addresses, credentials and hours of availability.~~
  - c) ~~Security to be coordinated by the Chief of Police per permit.~~ Provisions shall be made that the sponsors shall be in a position to be contacted by the local authorities and law enforcement personnel inside the **assembly event** at any time during the time of the

**assembly event.** Plans shall detail the method by which local authorities and law enforcement personnel may remain in contact with the sponsors during the time of event **assembly event.**

- d) If food is to be sold or distributed during the **assembly event**, provisions shall be required to ensure that the methods of and the facilities for the storage, refrigeration, cooking, service and trash disposal of food are adequate and in compliance with any rules and regulations of the Minnesota Department of Health and local health authorities. **License from the Minnesota Department of Health and/or local health authorities must be posted and visible to the public.**
- e) Plans for food concessions shall set forth the names and addresses of all concessionaires together with their license or permit number **and** location of food concessions on the grounds. ~~and method for storage, refrigeration, cooking, service and trash disposal.~~
- f) A liability insurance policy from an insurance company licensed to do business in Minnesota, providing liability coverage in the minimum amount of ~~\$1,000,000~~ **\$2,000,000**, in the name of the sponsors or owners(s) of the premises for any injuries or damages suffered by anyone as a consequence of the negligence of the sponsor, its agents, employees, concessionaires or other parties involved in the **mass-gathering event**, arising out of the operation of the ~~mass-gathering event~~. The policy shall name the city (including its employees) as additional insureds. Said policy shall contain a clause indemnifying and holding harmless the city or any of its agents, officials, servants and employees from any liability or causes of action which might arise by reason of the granting of this **license permit**.
- g) Commercial Use **and Reduced Commercial** will provide a damage deposit, a fee determined by City Council ~~§36.03~~ **in accordance with City Code Sec 4-61 Fees** that may be amended time to time; which shall cover payment of employees for services rendered by the city, and from any costs incurred in cleaning up any waste material produced or left by the ~~assembly event~~.

(Ord.No. 2016-14m §1(§99.02), 12-5-16

**Section 24-92.-Application for ~~license~~ Permit.**

- (1) Application ~~for a license~~ permitting a large **assembly event** in the city for an actual or anticipated **assembly event** shall be made in writing to the Park **Advisory** Board/City Council through the office of the city at least **45 60** days prior to the **assembly event**.
- (2) The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and shall be signed and sworn to or affirmed by the individual making application in the case of a corporation, by all partners in the case of a partnership or by all officers of an unincorporated association, society or group, or, if there are no officers, by all members of such association, society, or group.
- (3) The application shall contain:
  - a. The name and residence address of the sponsors, with the name, residence and mailing address of the record owner or owners of all such property, the nature or purpose of the **assembly event**, the total number of days and/or hours during which the **assembly event** is to last, the maximum number of persons which the applicant

shall permit to assemble at any time, the plans of the applicant as required by City Code Sec 24-91 herein; and

- b. The application shall be accompanied by a **license permit** fee to be determined from time to time by the city council.

(Ord. No. 2016-14, § 1(§ 99.03), 12-5-16)

**Sec. 24-93. - Revocation of **license. Permit.****

The **license permit** may be revoked by the city council or their designated representative at any time, if any of the conditions necessary for the issuance of or contained in the **license permit** are not complied with or if any conditions previously met cease to be complied with.

(Ord. No. 2016-14, § 1(§ 99.04), 12-5-16)

**Sec. 24-94. - Enforcement of **license Permit Regulations.****

The provisions of this chapter may be enforced by injunction in any court of competent jurisdiction.

The holding of an **assembly event** in violation of any provision or condition contained in this chapter shall be deemed a public nuisance and may be abated as such.

(Ord. No. 2016-14, § 1(§ 99.05), 12-5-16)

**Sec. 24-95-Duration and frequency of permit. (or other title)**

**(1) The duration of the event permit is limited to the following: (or other description)**

- a. Designated camping areas are only allowed in the upper portion of the Park (from the public restroom area and North up to the upper pavilion area) or 111 Minnesota Avenue East; accessible through the Shingobee Connection tunnel.
- b. Designated tent events that exceed earlier than \_\_\_\_\_ and taken down after \_\_\_\_\_ only is allowed in the area at 111 Minnesota Avenue E.

**SECTION 4.** This ordinance becomes effective from and after its passage and publication.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the City Council of the City of Walker.

\_\_\_\_\_  
Jed Shaw, Mayor

MOTION:

SECOND:

McMurrin:

Moore:

Senenfelder:

Shaw:

\_\_\_\_\_  
Terri Bjorklund, City Clerk