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Amendments: 01-02-08 **347A** /

### Section 14.1: Excavation of Public Property

#### 14.1.01 Definitions and Licensing.

*(See Chapter 6 Licenses and Permits, Section 6.16)*

#### 14.1.02 Regulations for Public Safety.

**Subd. 1. Traffic Control Requirements.** Before commencing any excavation, the person to whom an excavating permit for a project was issued shall set up an effective system to protect vehicular traffic and pedestrians from the excavation, to safely guide vehicular traffic and pedestrians through the construction area or detour them where necessary as determined by the City Superintendent and the Chief of Police, and to provide for the public safety in general. For this purpose, the person to whom an excavating permit was issued for the project shall utilize signs, flags, flashers, barricades, flag persons and such other methods or devices as shall be deemed necessary by the City Superintendent and the Chief of Police to adequately warn the public of the hazards involved, to allow adequate time for vehicle drivers to react and make the necessary adjustment in speed or course, and to efficiently conduct traffic through or around the construction area.

**Subd. 2. Detours.** Whenever possible, excavations shall be made in such a manner as to allow traffic to pass through the construction area. If it is not practicable to allow traffic to pass, a suitable detour shall be established on a route approved by the City Superintendent and the Chief of Police. Notice of any such detour shall be given to the Chief of the Cloquet Fire Department, the City Superintendent and the Chief of Police before the detour shall be established.

**Subd. 3. Blasting.** If blasting is to be performed in conjunction with any excavating or work performed pursuant to an excavating permit issued pursuant to this section, the excavating permit shall state on the face of the permit that the permit authorizes blasting provided other required permits have been obtained from all other appropriate governmental units and agencies.

#### **Subd. 4. Regulations for Protection of Existing Improvements.**

- A. Existing Improvements Defined.** The person to whom an excavating permit for a project was issued shall be responsible for the protection, repair or replacement of all improvements which exist within the limits of the construction area. For the purposes of this section, the term "improvements" shall include, but shall not be limited to, the following: water lines, sanitary and storm sewer lines, street lighting, traffic signal systems, traffic signs, topsoil, sod, trees, public utility lines and systems and street improvements, including subgrade, base, pavement or other surfacing, curbs, gutters, medians, sidewalks and all of the various appurtenances of these improvements.
- B. Permit Holder's Responsibility as to Improvements.** Before commencing any excavation, the person to whom an excavating permit was issued shall determine what improvements exist within the limits of the construction area and shall make detailed arrangements with the owners thereof for the protection or replacement of the improvements.
- C. Installation of Underground Pipes.** Installation of pipes under any street shall be done by jacking or boring. When installing pipes by jacking or boring, extreme care shall be exercised to assure that the soil surrounding the pipe remains in place so as to prevent the formation of a void which shall result in the settlement or cave-in of the material surrounding the pipe.

- D. Protection of Improved Streets.** Where an excavation shall be made in an improved street, which shall be hereby defined as any bituminous-surfaced street with curbs or curbs and gutters, any bituminous-surfaced street having three inches or more of bituminous surfacing with or without curbs or gutters, or any street having a concrete pavement with or without curbs or gutters, the excavation shall be cribbed with continuous sheeting to the full depth of the excavation to a point at least five feet beyond the curb or beyond the edge of the surfacing or pavement. Provided, however, that, in the event it shall be determined to be impossible or unnecessary to utilize sheeting because of unusual soil conditions, any alternate method of protecting the improvements shall meet the approval of the City Engineer.
- E. Protection of Non-excavated Roadway Surfaces.** The excavation of materials from any surfaced roadway shall be accomplished either by hand or by the use of equipment. Where any piece of equipment is used, adequate provision shall be employed to assure that those portions of the street surface which shall not be removed shall not be damaged. This shall be accomplished with the use of protective planking, pads or other method meeting the approval of the City Superintendent. In the event any portion is damaged as a result of the operations of the person to whom the permit was issued for the project, the person shall be responsible for the repair or replacement thereof in accordance with the directions of the City Superintendent.
- F. Excavated Materials.** When making excavations, the various materials excavated shall be piled separately. All concrete and bituminous materials, any soils which cannot be properly compacted, and all other deleterious materials shall be removed from the construction site.
- G. Backfill; Generally.** All materials used for backfilling shall be compatible so as to assure stability of the backfilled area. No snow or ice shall be permitted in the backfill. No frozen lumps and no stones exceeding three inches in greatest dimension shall be permitted within 12 inches of any pipe, conduit or cable, or within 18 inches of the street surfaces. No stones, frozen lumps and no items exceeding six inches in greatest dimension shall be permitted in the backfill.
- H. Backfill; Near Roadway Surface.** All backfill material shall comply with all applicable Minnesota Highway Department specifications and such other specifications as may be determined by the City Engineer.
- I. Backfill; Layers and Compacting.** All backfill shall be placed in accordance with all applicable Minnesota Highway Department specifications and such other specifications as may be determined by the City Engineer.

#### 14.1.03 Restoration of Right-of-Way.

**Subd. 1. Restoration of Improvements.** Following completion of the excavation and backfill operations, the person to whom the excavating permit was issued for the project shall be responsible for restoring all improvements which were damaged or destroyed by his or her operations to a condition equal to or better than their original condition.

**Subd. 2. Restoration of Road Surface or Shoulder, Unpaved.** Any unpaved road surface or shoulder shall be restored in accordance with all applicable Minnesota Highway Department specifications and such other specifications as may be determined by the City Engineer.

**Subd. 3. Restoration of Paved Surface, Curbs, Gutters, Sidewalks.** All replacement concrete or bituminous street surfacing, concrete curbs or curbs and gutters, sidewalks, and the like, shall be constructed in accordance with the current standards for the construction as used by the City on its construction projects and the special requirements established by the City Engineer.

**Subd. 4. Restoration of Topsoil and Sod.** All topsoil and sod removed by the person to whom the excavating permit for the work was issued shall be replaced. The minimum depth of topsoil used on any boulevard, shoulder, ditch or slope within the right-of-way shall be five inches. Where sod is required, it shall be the contractor's responsibility to maintain the sod for a period of 60 days (that is, 60 "growing days") following placement thereof.

**Subd. 5. Removal of Surplus Materials.** All surplus materials or debris shall be removed from the right-of-way immediately following completion of the work permitted by the excavating permit.

**Subd. 6. Settlement of Excavation.** If settlement occurs at the site of the excavation, or adjacent thereto, at any time within one year from the date of final completion of the original restoration, the person to whom the excavating permit for the work was issued shall be responsible for repairing the failure in accordance with the directions of the City Superintendent. In addition, the person to whom the excavating permit for the work was issued shall be responsible for reimbursing the City for any expenses incurred in the placement of warning devices and barricades for the protection of traffic.

#### 14.1.04 City to Have Right to Complete Work.

**Subd. 1. Expeditious Completion of Work.** All work covered under this section shall be accomplished expeditiously until completion in order to avoid unnecessary inconvenience to traffic, to pedestrians, and for the protection of other public interests.

**Subd. 2. Estimate of Time to Complete Work.** The person to whom an excavating permit was issued shall state, in the person's application for permit, the time which the person estimates shall be required to complete the work. Upon review of the application, the City Superintendent shall have the right to amend the time requested and issue the permit so as to allow the minimum amount of time which he or she determines shall reasonably be required for the work. The time within which the work authorized by the excavating permit shall be stated on the face of the permit.

**Subd. 3. Extension of Time for Completion.** The time allowed for completion may be extended by the City Superintendent as necessary if it shall be found that it is not reasonably possible to complete the work within the time allowed.

**Subd. 4. City Notice and Completion.** In the event that the work is not being accomplished expeditiously, or if work on an excavation is ceased or abandoned without due cause, the City Superintendent may, if this failure creates a hazard to the public safety, without written notice to the person to whom the excavating permit was issued for the work of the City's intention to do so, have the City correct the work, backfill the excavation and effect all restoration as shall be required by this section. If the failure does not create a hazard to the public safety, the City Superintendent may, after ten days written notice to the person to whom the excavating permit was issued for the work, the Superintendent may have the city correct the work, backfill the excavation and effect all restoration as shall be required by this section.

**Subd. 5. City Restoration of Settlement.** In the event settlement of an excavation occurs within one year of the date of final restoration and the person to whom the excavating permit was issued for the work shall be notified of the settlement, the person shall accomplish the required restoration or repair within a time limit specified by the City Superintendent. Thereafter, if the work has not been accomplished, the City Superintendent may have the City accomplish the work required.

**Subd. 6. City Restoration; Costs.** In the event the City accomplishes work in accordance with either section 14.1.03 or 14.1.04, the entire cost of the work, including any materials used therefor, shall be the liability of the person to whom the excavating permit was issued for the work. Thereafter, if payment therefor is not made within 30 days of the billing date, no additional excavating permits shall be issued to the person until payment has been made to the City by the person or by the person's bonding company.

**14.1.05 Regulations Regarding Installation of Water and Sewer Services.**

**Subd. 1. Plumbing Code Applicable.** All installations of water and/or sanitary sewer service connections shall be accomplished in accordance with all applicable plumbing regulations regarding size, alignment, depth, grade, and the like, of the service connections.

**Subd. 2. Taps by City; Fees.** All taps to water mains shall be made by the City. No tap to a City water main shall be made until all of the requirements of this section and all other applicable code provisions, ordinances, and regulations shall have been met. A schedule of charges for the making of the taps shall be established by the Cloquet Utility Commission. Payment for the making of the taps shall be made by the person to whom an excavating permit shall be issued at the time the person secures an excavating permit unless payment therefor has already been made by the homeowner.

**Subd. 3. Sanitary Sewer Service Connections.** All sanitary sewer service connections shall be made to existing ways, tees or risers where the connection points shall be available at a reasonably convenient location. No connection to a City sewer main shall be made until all of the requirements of this section and all other applicable code provisions, ordinances and regulations shall have been met and the City Superintendent is present to observe the connection. Where no such connection points exist at a reasonably convenient location, the person to whom an excavating permit is issued shall make the necessary tap utilizing a mechanical tapping machine which saws the required opening in the main sewer pipe in such a manner as to accomplish a smooth cut without cracking the pipe, and the person shall then make the service connection utilizing a pipe saddle. The pipe saddle shall be designed for use with the size of main sewer pipe which is being tapped and shall be of a design which shall prohibit any protrusion beyond the inside wall of the main sewer. Pipe saddles used on vitrified clay pipe or polyvinyl chloride pipe sewers shall be cemented to the main sewers utilizing an epoxy cement or other water-tight cementing agent approved by the City Superintendent. Pipe saddles on types of sewer pipe shall be attached in a manner which accomplishes a rigid and water-tight connection meeting the approval of the City Superintendent. The pipe saddle used on any particular installation shall be designed specifically for use with the same type of gaskets as are used on the balance of the sewer service pipe.

**Subd. 4. Depth of Water and Sewer Connections.** All water service and sewer service connections shall be installed with a minimum of seven feet of earth cover within the street right-of-way, unless the depth of the existing main lines shall make it impossible to install the service connections at such depth. Where it is impossible to provide seven feet of cover at any point within the street right-of-way, the service connections shall be protected by insulation in a manner approved by the City Superintendent.

**Subd. 5. Inspection Before Excavation Covered.** Installation of water and or sanitary sewer service lines shall not be backfilled until the City Superintendent has inspected the installation and connections to the City mains.

**14.1.06 City Liability.** This section shall not be construed as imposing upon the City or any official or employee of the City of any liability or responsibility for damages to any person imposed by the performance of any work for which an excavating permit shall be issued under this section; nor shall the City or any official or employee of the City be deemed to have assumed any such liability or responsibility by reason of any inspections authorized under this section or the issuance of any licenses or permits under this section.

**Section 14.2: City Cemetery**

Section deleted per Ordinance No. 347A dated 1/2/08.

**Section 14.3: Parks and Recreation****14.3.01 Rules and Regulations Governing City Owned Property.**

**Subd. 1.** The Council may, from time to time by Council action, establish prohibited activities, uses and practices in or on any park, playground, recreation area or other City owned property.

**Subd. 2.** The prohibited activities, uses and practices shall be posted on any park, playground, recreation area or other City owned property in such manner as the Council shall direct.

**Subd. 3.** Any activity, use or practice conducted or performed in or on any park, playground, recreation area or other City owned property in violation of the prohibition placed thereon shall be a public nuisance.

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

**Subd. 1.** "Park" shall mean any open or enclosed space, area or facility wherever located which is owned, operated or controlled by the City or located within the City but owned, operated or controlled by any other political or governmental subdivision which space is reserved, designated or used for or as a playground, picnic area, school ground, beach, park, arena, concession, playing field or court, structure or building and devoted, designated or intended for active or passive recreation including all parking lots, paths or roadways appurtenant to or used therewith.

**Subd. 2.** "Person" shall mean any person, firm partnership, association, corporation, company, organization of any kind.

**Subd. 3.** "Superintendent" shall mean a person immediately in charge of any park area and its activities, and to whom all park attendants of each area are responsible.

**Subd. 4.** "Vehicle" shall mean any wheeled conveyance, whether motor powered, animal drawn or self-propelled. The term shall include any trailer in tow of any size, kind or description and all snowmobiles. Exception is made for baby carriages and vehicles in the service of the City parks.

**14.3.03 Park Operation Policy.**

**Subd. 1.** Except for unusual and unforeseen emergencies, parks shall be open to the public every day of the year during designated hours. The opening and closing hours for each individual park may be posted therein for public information.

**Subd. 2.** A permit shall be obtained from the appropriate Superintendent before participating in any of the following activities: carnivals, community celebrations, gatherings of 25 or more persons including picnics and political gatherings, activity contests including those requesting exclusive use of charging admission, and exhibitions either as a stage production or otherwise.

**Subd. 3.** Except as provided in this section, no person shall enter or remain in any park or public recreation area between the hours of 12:00 a.m. and 6:00 a.m.

**14.3.04 General Prohibitions on Park Property.** No person in any park shall:

**Subd. 1. Disfiguration and Removal.** Willfully mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables benches, fireplaces, railings, paving or paving material, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards whether temporary or permanent, monuments, stakes, posts or other boundary markers or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.

**Subd. 2. Restrooms and Washrooms.** Fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition. No person over the age of four years shall use the restrooms and washrooms designated for the opposite sex.

**Subd. 3. Removal of Natural Resources.** Dig or remove any beach sand, whether submerged or not, or any soil, rock, stones, trees, shrubs or plants, down timber or other wood or materials, or make any excavation by tool, equipment, blazing or other means or agency.

**Subd. 4. Erection of Structures.** Construct or erect any building or structure of whatsoever kind, whether permanent or temporary in character, or run or string any public service utility into, upon or across such lands, except on special written permit issued hereunder.

**Subd. 5. Throwing.** Throw or cast any stone or other missile carelessly or needlessly in disregard of the rights or the safety of others, or in a manner so as to endanger or be likely to endanger any person or property.

**Subd. 6. Walking on Grass.** Go on foot or otherwise upon the grass or turf of any park where any prohibitory sign is posted.

**Subd. 7. Injury and Removal.** Damage, cut, carve, transplant or remove any tree or plant or injure the bark, or pick the flowers or seed of any tree or plant. A person shall not dig in or otherwise disturb grass areas or in any other way injure or impair the natural beauty or usefulness of any area.

**Subd. 8. Climbing Trees or Walks.** Climb any tree or walk, stand or sit upon monuments, vases, fountains, railings, fences or upon any other property not designated or customarily used for such purposes.

**Subd. 9. Hunting.** Hunt, molest, harm, frighten, kill, trap, chase, shoot or throw missiles at any animal, reptile or bird, nor shall he remove or have in his possession the young of any wild animal, or the eggs or nest, or young of any reptile or bird; nor shall he collect, remove, have in his possession, give away, sell or offer to sell, or buy or offer to buy, or accept as a gift, any specimen alive or dead.

**Subd. 10. Feeding Animals.** Give or offer, or attempt to give to any animal or bird any tobacco, alcohol or other known noxious substances.

**Subd. 11. Gambling, Drugs and Other Activities.** Gambling, the use or possession of drugs, as defined by Minnesota Statutes Chapter 152, as it may be amended from time to time, and successor statutes, the possession of which is a violation of Minnesota Statutes Chapter 152, as it may be amended from time to time, and successor statutes, and disorderly conduct is prohibited.

**Subd. 12. Posting or Painting.** No person shall post, paste, paint or affix any placard, bill, notice or sign upon any structure or thing within any park or recreation area or upon any of the fences or enclosures thereof.

**Subd. 13. Noise.** The use of electronic sound amplification devices of any kind within any of the parks or recreation areas of the City or upon any of the roads within the parks or recreation areas shall be hereby prohibited. Nothing contained in this section, however, shall be deemed to prohibit the use of electronic sound amplification devices within parks or recreation areas of the City in connection with events licensed by the City or approved by resolution of the City Council allowing the use of the electronic sound amplification devices subject to rules and regulations established by resolution of the City Council.

**14.3.05 Sanitation Regulations.** No person in a park shall:

**Subd. 1.** Throw, discard or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay or other body of water in or adjacent to any park or any tributary, stream, storm sewer or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.

**Subd. 2.** Have brought in or shall dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt rubbish, waste garbage or refuse or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park, or left anywhere on the grounds thereof; but shall be placed in the proper receptacles where these are provided; where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.

#### 14.3.06 Traffic Regulations.

**Subd. 1. State Laws Apply.** No person in a park shall fail to comply with all applicable provisions of the state motor vehicles traffic laws in regard to equipment and operation of vehicles together with such regulations as are contained in this chapter, code, and other ordinances.

**Subd. 2. Enforcement.** No person in a park shall fail to obey all traffic officers and park employees, such persons being hereby authorized and instructed to direct traffic wherever and whenever needed in the parks and on the highways, streets or roads immediately adjacent thereto in accordance with these regulations as may be issued subsequently by the Superintendent.

**Subd. 3. Traffic Signs.** No person in a park shall fail to comply with all traffic signs indicating speed, direction, caution, stopping or parking and all others posted for proper control and to safeguard life and property.

**Subd. 4. Speed of Vehicles.** No person in a park shall ride or drive a vehicle at a rate of speed exceeding ten miles per hour, except upon such roads as the Superintendent may designate by posted signs.

**Subd. 5. Operation Confined to Roads.** No person, except Park Department employees or authorized agents of the City, shall drive or operate a motor vehicle in any park except on roads as designated parking areas or such other areas as the Superintendent of Parks shall designate.

#### **Subd. 6. Parking.**

- A. Designated Areas.** No person in a park shall park a vehicle in other than established or designated parking area, and such use shall be in accordance with the posted directions thereat and with the instruction of any attendant who may be present.
- B. Night Parking.** No person in a park shall leave a vehicle standing or parked at night without lights clearly visible for at least 50 feet from both front and rear on any driveway or roadway area except legally established parking areas.
- C. Emergency Procedure.** No person in a park shall fail to notify an attendant of an emergency in the nature of a breakdown requiring the assistance of a tow truck, mechanic or other person.
- D. Muffler Required.** No person in a park shall fail to use a muffler adequate to deaden the sound of the engine in a motor vehicle.

#### **Subd. 7. Bicycles.**

- A. Confined to Roads.** No person in a park shall ride a bicycle on other than a paved vehicular road or path designated for that purpose. A bicyclist shall be permitted to wheel or push a bicycle over any grassy area or wooded trail or on any paved area reserved for pedestrian use.



- B. Operation.** No person in a park shall ride a bicycle upon a paved road or path other than as near to the right side of the roadway or path as practicable, and bicycles shall be kept in single file when two or more are operating as a group. Bicyclists shall at all times operate their machines with reasonable regard to the safety of others, signal all turns, pass to the right of any vehicle they are overtaking, and pass to the right of any vehicles they may be meeting.
- C. Rider Prohibited.** No person shall operate a bicycle carrying more persons than the number for which designated and equipped.
- D. Designated Racks.** No person shall leave a bicycle in a place other than a rack when such is provided and there is a space available.
- E. Immobile Bicycles.** No person in a park shall leave a bicycle lying on the ground or paving or set against trees, or in any place or position where other persons may trip over or be injured by it.
- F. Night Operation.** No person shall ride a bicycle on any road between 30 minutes after sunset to 30 minutes before sunrise without an attached lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type approved by the Minnesota Department of Highways which is visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle.

**Subd. 8. Trucks.** No trucks shall be operated upon any of the drives or roads of any park or recreation area, except at the point of crossing or intersection with a public highway or thoroughfare.

#### 14.3.07 Specific Recreational Activities Regulated.

**Subd. 1. Hunting and Firearms.** No person shall hunt, trap or pursue wild life at any time. No person shall use, carry or possess firearms of any description, or air rifles, spring guns, bow and arrows, slings or any other form of weapon potentially inimical to wildlife and dangerous to human safety, or any instrument that can be loaded with a fire blank cartridge, or any kind of trapping device. Shooting into park areas from beyond park boundaries is forbidden.

**Subd. 2. Horseback Riding and Domestic Animals.** No person shall ride a horse or other animal except on designated trails or paths or allow any animal to unattended or without physical restraint in a public park. No domestic animals of any description shall be allowed within a recreational area unless on an adequate leash and accompanied by a person capable of controlling such animal.

#### **Subd. 3. Picnic Areas and Use.**

- A. Regulation.** Picnic or lunch in places other than those designated for that purpose. Attendants shall have the authority to regulate the activities in such areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with all directions given to achieve this end.
- B. Availability.** Violation of the regulation of the use of individual fireplaces together with tables and benches follows generally the rule of A “first come, first served”, except shelter houses that are reserved by the Superintendent of Parks for group activities as set out in subdivision 4 of this section.

**Subd. 4. Group Activities.** To schedule group activities such as picnics, sporting activities, parties or theatrical or entertainment performances, to be held in park facilities the representative of said group, the association or organization shall first obtain a permit from the Superintendent of Parks for such purpose. The City Council may adopt an application form to be used by the Superintendent of Parks and Recreation for such situations or if said application is not adopted he shall prepare a form for such purpose. The Superintendent of Parks and Recreation shall grant the application if it appears that the group, association or organization will not interfere with the general use of the park or the individual members of the public and if said group, association or organization meets all other conditions contained in the application. The application may contain a requirement for an indemnity bond to protect the City from any liability of any kind or character and to protect City property from damage. The Superintendent shall require that group activities requiring extra police protection or other special facilities or expense to the City shall be provided at the sole expense of the group, association or organization requesting a permit and may require that the indemnity bond cover such services.

**Subd. 5. Skating and Warming House Rules.** To do or engage in any of the following acts within skating rinks on ice in any park, except in the course of winter sports or organized events held under the supervision of the staff of the City or its delegates shall be prohibited: racing or playing any games which interfere with the general use of the skating rink, the use of sleds, toboggans, hockey sticks and pucks. This section shall not be construed to prohibit the use of hockey rinks by the City. No person shall smoke or loiter on any skating rink or on the ice in any park, or within any warming house in any park.

**Subd. 6. Ball Fields, Tennis Courts and Basketball Courts.**

- A. No person shall play any sport or game except softball or soccer on the City softball fields.
- B. No person shall play any sport or game except baseball or soccer on the City baseball fields. No person shall play any sport or game except basketball on any City basketball court.
- C. In regard to softball and baseball fields, no bases shall be placed on the grass of the outfield or infield, and may be placed only on the base paths as laid out by the Park Department.
- D. No person shall play any sport or game except tennis on the City tennis courts.
- E. In regard to ball fields and tennis courts, no person shall drive or ride a motor vehicle or bicycle upon the playing surface of any ball field or tennis court.
- F. The usage of each tennis court shall be restricted to one hour per party.

**14.3.08 Prohibited Behavior in Parks.** No person in a park shall:

**Subd. 1. Fireworks and Explosives.** Have in his possession or set off or otherwise cause to explode or discharge or burn, any firecrackers, torpedoes, rockets or other fireworks or explosives of inflammable material, or discharge them or throw them into such area from land or highway adjacent thereto; this includes any substance, compound, mixture or article that in conjunction with any other substance or compound would be dangerous from any of the foregoing standpoints;

**Subd. 2. Reservation of Facilities.** Occupy any seat or bench, or enter into or loiter or remain in any pavilion or other park structure or section thereof which may be reserved and designated by the Board for the use of the opposite sex; exception is made for children under four years of age;

**Subd. 3. Soliciting.** Solicit alms or contributions for any purpose, whether public or private;

**Subd. 4. Fires.** Build or attempt to build a fire except in such areas and under such regulations as may be designated by the Superintendent; drop or throw, or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper, or other inflammable material, within any park area or on any highway, road or street abutting or continuous therein;

**Subd. 5. Closed Areas.** Enter an area posted as “Closed to the Public” nor shall any person use, or abet the use of any area in violation of posted notices;

**Subd. 6. Loitering and Boisterousness.** Engage in loud, boisterous, threatening, abusive, insulting or indecent language or engage in any disorderly conduct or behavior tending to a breach of the public peace; and/or

**Subd. 7. Intoxicating Liquor.** No person shall drink intoxicating liquor in or upon any park or recreation area.

**14.3.09 Merchandising Prohibited.** No person in a park shall:

**Subd. 1. Vending and Peddling.** Expose or offer for sale any article or thing or station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing; exception is here made as to any regularly licensed concessionaire action by and under the authority and regulation of the Superintendent;

**Subd. 2. Advertising.** Announce, advertise or call the public attention to any article or service for sale or hire; and/or

**Subd. 3. Signs.** Paste, glue, tack or otherwise post any sign, placard, advertisement or inscription whatever or erect or cause to be erected any sign whatsoever on any public lands or highways or roads adjacent to a park unless approved by the Superintendent.

**14.3.10 Enforcement.** In addition to any other persons or peace officers vested with the powers of enforcement and arrest of any person for the violation of any provision of this section, all employees of the City whose duties are being discharged in a public park shall have the power to enforce provisions of this section by arrest of any person violating any provision thereof.