



Board Workshop / Discussion Agenda

15 West Kellogg Blvd.
Saint Paul, MN 55102
651-266-9200

November 2, 2021 - 10:30 a.m.

Virtual meeting

WORKSHOP

1. **Ramsey County Park Ordinance Revision**

[2021-513](#)

Sponsors: Parks & Recreation



Board Workshop / Discussion

Request for Board Action

15 West Kellogg Blvd.
Saint Paul, MN 55102
651-266-9200

Item Number: 2021-513

Meeting Date: 11/2/2021

Sponsor: Parks & Recreation

Title
Ramsey County Park Ordinance Revision

Attachment
1. Presentation

Ramsey County Parks Ordinance Revision Board Workshop

November 2, 2021

Agenda

- Introduction Johanna Berg, Deputy County Manager
- Presentation Mark McCabe, Director - Parks & Recreation
- Discussion All

Workshop Objectives

- Update the Ramsey County Board on the ordinance revision process
- Receive policy direction on key areas of the ordinance

Ordinance Project Objectives

- Respond to community feedback about park access
- Update regulations to advance racial equity
- Modernize the ordinance and address contemporary park issues

Desired Ordinance Revision Outcomes

Changes should result in an ordinance that is:

- Equitable
- Consistent and streamlined
- Promotes greater enjoyment of the parks
- Ensures user safety
- Protects park facilities, property and natural resources for everyone to enjoy

Ordinance Process Outline

November 2020 – February 2021: Conducted internal review

March 2, 2021: Board Workshop - Creating a 21st Century Parks System

March – June 2021: Conducted equity review

July 2021: Consolidated recommendations from internal and equity review

July – August 2021: Online survey and community conversations held

September 2021: Compiled results of community feedback

October 2021: Developed recommendations

November 2021: Presenting recommendations at board workshop

Park Ordinance Engagement - Internal Review

Key participants included:

- Parks & Recreation
- Sheriff's Office
- Ramsey County Attorney's Office
- Policy & Planning
- Diversity, Inclusion, and Organizational Development
- Enterprise Risk Management

Internal Review Recommendations

- Expand park hours
- Add inclusivity statement
- Modernize for electric bikes and drones
- Expand snowshoe access in Parks
- Trim and simplify definitions
- Add protections from dumping liquids in the parks or park waters
- Require a permit for amplified sound at events
- Allow 10x10 canopies for open-air picnic tables
- Include service animals provisions in alignment with ADA
- Update ski pass requirement to prepare for changes in alignment with Winter Recreation Area
- Modernize “Roller-skating” language to fit many forms of skating
- Add geocache placement rules
- Allow crossbows for adaptive use

Park Ordinance Engagement - Equity Review

Equity review partners:

- Members of the Ramsey County Equity Action Circle
- Public Health Law Center
- Public Defenders working in Ramsey County
- Ramsey County Parks & Recreation Commission
- Parks Racial Equity Leadership Team

Equity Review Recommendations

- Advance Racial Equity
- Write the ordinance in plain language
- Increase park access
- Decriminalize violations within the ordinance
- Consider limiting smoking and tobacco use
- Allow foraging

March 2, 2021 Board Workshop Discussion

- General support for expanding access through expanded park hours
- Encouragement to “**be bold**” and “**be a leader**” amongst parks departments
- In a time of housing crisis, parks are an **extension of the living room** with **wellness benefits for individuals and families**
- Hours can be reason for law enforcement to **unfairly target park users**
- Expanded park hours can offer different **options for recreation**; like star gazing, walking and winter activities
- Past policies have been made in the name of “safety,” but this should be rethought
- Bold approaches with access should keep **safety** in mind
- https://ramseycountymn/parks_committee_of_the_whole_presentation

Community Engagement Focus Areas Derived from Previous Steps

- Park Access
- Smoking and Tobacco use in Parks
- Fines and Penalties

Community Engagement Online Survey Participation

- Included focused questions on smoking and tobacco use, park access, and fines and penalties
- Also captured comments and recommendations on all remaining sections of the ordinance:
 - 1,495 survey participants, 8,673 comments
 - Of the participants surveyed 1,442 reported race / identity.
 - Of those reporting 9% identified as racially and ethnically diverse community members
 - Responses from racially and ethnically diverse residents mirrored all other responses
 - Appeal for full smoking ban
 - Overwhelming concern with 24/7 park hours
 - Recommended replacing misdemeanors with administrative fines and penalties and found volunteer substitute appealing

Community Conversations and Additional Feedback

Two virtual community conversations:

- 45 participants
- Conversations held August 11 & 17, 2021
- Feedback received mirrored what was communicated in online surveys

Additional feedback:

- Parks & Recreation receiving calls and emails from residents about the park ordinance
- Commissioners' offices also received calls and emails
- Recommendations from these communications mirror what was communicated during community engagement

Broadly Supported Proposed Changes

- Rewrite ordinance in plain language
- Add inclusivity statement
- Allow foraging of fruits, nuts and berries
- Modernize for electric bikes and drones
- Utilize racial equity lens when updating language to be inclusive
- Reduce amplified sound from 50 to 25 feet for general park use and kept at 50 feet for permitted events
- Allow limited commercial photography without a permit
- Allow 10x10 canopies for open-air picnic tables
- Include service animals provisions in alignment with ADA
- Modernize “Roller-skating” language to fit many forms of skating
- Add geocache placement rules
- Allow crossbows for adaptive use of people with disabilities

Smoking and Tobacco Use Ordinance Options

- Current Status - Smoking and tobacco use is not addressed in the park ordinance and is allowed outdoors
- Three options presented during community engagement:
 - No smoking or tobacco use within 25 feet of buildings, playgrounds, etc.
 - Smoking and tobacco use in parking lots only
 - Total smoking and tobacco use ban

Smoking & Tobacco use Policies - Local Park Agency Comparison

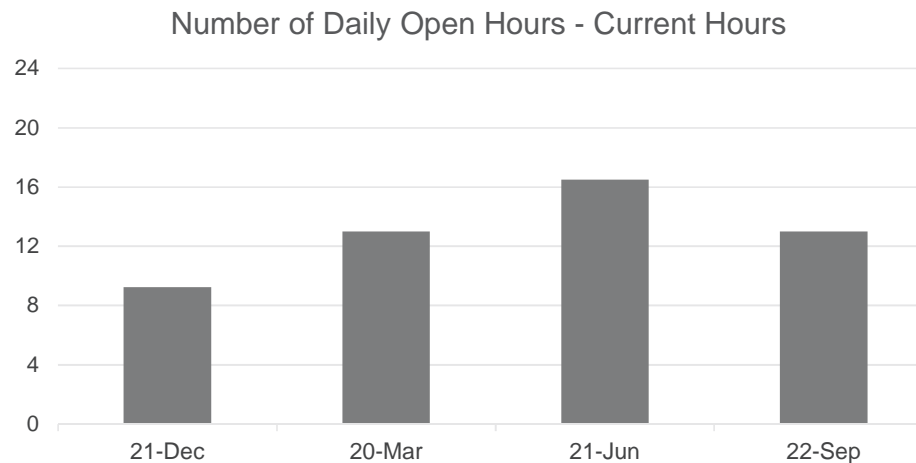
Agency	Smoking & Tobacco Use
Ramsey County	No Ban
St. Paul	Banned near youth activity areas
Washington County	Banned 100' from beaches, playgrounds, or buildings
Anoka County	Banned around park facilities
Three Rivers	Banned 25' from park facilities, beaches, or play areas
Minneapolis	Complete ban with exemption for cultural ceremonies
Dakota County	No Ban
Roseville	No Ban
New Brighton	No Ban
White Bear	No Ban
Shoreview	No Ban
Maplewood	No Ban

Smoking and Tobacco Use Feedback and Recommendation

- Community largely found a smoking and tobacco use ban appealing but concerned about deterring smokers from the benefits of parks
- Parks recommendation:
 - Address smoking and tobacco use within the countywide ordinance for increased clarity and consistency
 - Total ban on smoking and tobacco use throughout the parks system with provision for allowed use during ceremonies

Park Access - Current Status

- Park hours are currently a half hour before sunrise and a half hour after sunset
- Park hours change every day
- Most Ramsey County parks do not have lighting



Rules that Apply Regardless of Operating Hours

- State and local laws remain in effect
- Various City Curfew Ordinances for people under 18 remain in effect and apply to parks
- Ramsey County park amplified sound ordinance and city noise ordinances remain in effect and apply to park
- No overnight camping is allowed

Local Park Agency Hours of Operation Comparison

Agency	Hours
Ramsey County	30 minutes before sunrise to 30 minutes after sunset.
St. Paul	Daylight-11pm
Washington County	6am-10pm
Anoka County	5am-10pm
Three Rivers	5am-10pm
Minneapolis	6am-10pm
Dakota County	5am-10pm
Roseville	5am-10pm
New Brighton	5am-11pm
White Bear	5am-11pm
Shoreview	6am-10pm
Maplewood	5am-10pm

Community Feedback Regarding 5 a.m. to 11 p.m. Park Hours

What was appealing?

- Consistent and easy to understand
- Expanded access
 - Early morning and evening activities – running, skiing, and fishing
 - Increased access to winter activities
- Aligned with Ramsey County municipalities

What was concerning?

- Crime and safety
 - Noise
 - Lack of lighting
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Community Feedback Regarding 24-Hour Access

What was concerning? – **overwhelming number of concerns**

- Crime and safety
- Noise and partying
- Homelessness
- Constant impact to natural areas
- Lack of lighting
- Disturbance to wildlife

What was appealing? – **extremely limited support of this option**

- Expanded access
 - Commuting
 - Flexibility for different schedules or activities
 - Removes opportunity for biased enforcement of park hours
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Park Access – Hours of Operation Rationale

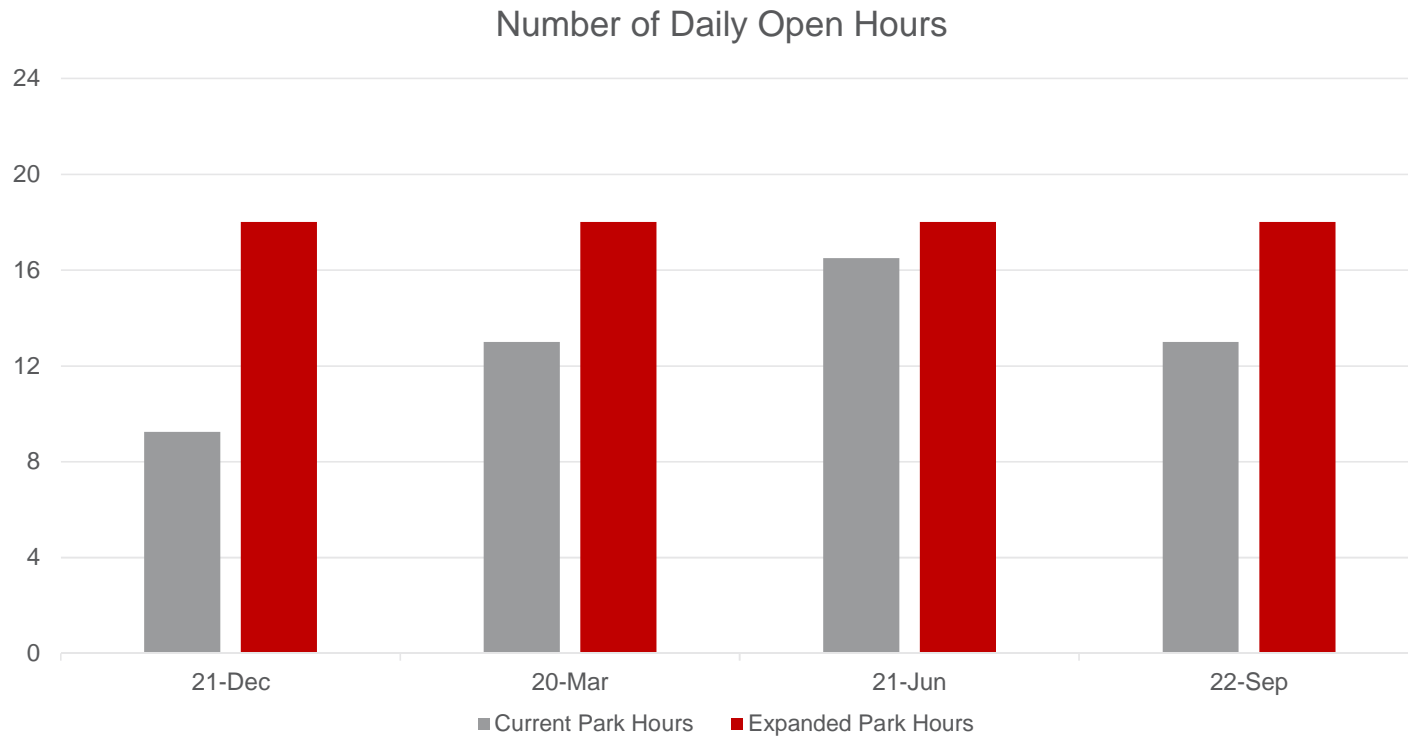
- Wildlife should be given opportunity to not be disturbed
- County park lands have natural areas that benefit from a rest from human interaction
- With anticipated limited numbers of people recreating at night increased risk for individuals if injured

Park Access - Recommendation

Recommendation: Set hours as 5 a.m. to 11 p.m.

- Significant increase in access
- Consistent hours
- Aligns with resident feedback
- Additional access to recreation such as walking, running, bicycle commuting on regional trails, hiking, ice fishing, and cross-country skiing
- Provides time for wildlife and natural areas to not be disturbed

Impact of Recommended Expanded Hours



Park Ordinance Fines and Penalties

Current status – all violations of the park ordinance is the same level of criminal offense

- Misdemeanor, with a maximum \$1,000 fine and 90 days in jail

Survey provided different options for administering fines and penalties

- Option A: Replace violations to a Petty Misdemeanor
- Option B: Replace violations to an Administrative Fine with the possibility of substituting volunteer work

Fines and Penalties – Community Feedback

- Overwhelming appeal for both options, but administrative fines was favored
- Volunteer work as substitute was an appealing option
- Some concerns that proposed fines weren't severe enough
- Fines based on level of severity of infractions was favored
- Concerns remained about ensuring fair and equitable enforcement

Park Ordinance Fines and Penalties Imposed: 2019-2020

Ordinance Section	2019 Citations	2020 Citations
Parking a Vehicle Without a Trailer in Wrong Parking Space	37	26
Parking a Vehicle/Trailer in Area Not Designated	41	41
In Park After Hours	4	10
Vehicle in Park After Hours	3	1
Possession and Use of Bow/Air Weapon/Spear or Dangerous Weapons	0	3

Local Park Agency Fines and Penalties Comparison

Agency	Hours
Ramsey County	Misdemeanor
St. Paul	Expulsion from park, misdemeanor for repeat offenses
Washington County	Petty Misdemeanor
Anoka County	Misdemeanor
Three Rivers	Misdemeanor
Minneapolis	Administrative fines
Dakota County	Misdemeanor
Roseville	Administrative fine - \$25
New Brighton	Misdemeanor
White Bear	Misdemeanor
Shoreview	Admin - \$50-100, increasing with repeated offenses
Maplewood	Misdemeanor

Fines and Penalties Recommendation

Replace misdemeanor violations with a tiered system of administrative fines and penalties and pursue an option to allow for the substitution of volunteer work

Serious offenses	Safety and regulations	Violations to all other ordinances
\$300 administrative fine	\$100 administrative fine	\$50 administrative fine
<ul style="list-style-type: none"> • Property damage, dumping, encroachments • Discharging weapons, firearms, fireworks 	<ul style="list-style-type: none"> • Violations with Vehicle Operation • Damage to Natural Resources • Violation of Permits 	<ul style="list-style-type: none"> • Park hours, small trash, conduct, audio devices, bounce houses, obstructing employees, pets, picnicking, swimming, fishing, boating, bicycles, skating, winter activities, golf, horseback riding, camping, geocaching, aviation, parking, etc.

Next Steps

- Incorporate feedback from board workshop
- Finalize a recommended park ordinance
- Follow established county process for ordinance revision which includes a public hearing
- Final approval target early 2022

Discussion
