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TO: Honorable County Commissioners
Scott Arneson, County Administrator

FROM: Jess Greenwood, Public Works Director

RE: 16 May 23 County Board Meeting
Cascade Canoe & Kayak Access Rules Ordinance Changes

Date: 17 Apr 23

Summary

It is requested that the County Board hold a public hearing to gather the public's input on revisions to the Cascade Canoe & Kayak Access Rules Ordinance, review proposed changes, and adopt the amended ordinance.

Background

The current Cascade ordinance was originally enacted in June of 2021. The below revisions were brought to the County Board in 2022, but were not recorded due to COVID complications.

In order to issue citations for ordinance violations, the ordinance must be sent to the state court for processing. The state court has informed us that parking violations and moving violations are separate citations and charges. Therefore, any rules regarding these two violations must be separated.

The following are proposed revisions and additions to the approved 2021 ordinance:

- Add the number 21-1. The Sheriff's Office requires the ordinance to be numbered in order to issue citations.
- Separate the rule regarding motor vehicle operation and parking into two separate rules.
- Limit tobacco use, including e-cigarettes, to the parking lots.
 - Parks are not currently mentioned in the Goodhue County No Smoking or Tobacco Use Policy, and no permitted smoking areas have been designated under that policy.
- The current ordinance limits alcohol possession to containers that are two liters in size or less (no kegs). Consider amending the ordinance to match any Byllesby Park ordinance changes, as discussed under a separate agenda item.
 - We anticipate that Dakota County will begin handling reservations for our Byllesby Park picnic shelters late this fall or spring of 2024. Changing our ordinance to match theirs would provide consistency between the two parks. The rules would be very similar whether visitors were renting the shelter on the Dakota County side or the Goodhue County side.

- Stanton Township's current ordinance requires that alcoholic beverage sales require township approval and proper licensing in accordance with the law. We are not looking at approving cash bars, so this should not be an issue.
- Stanton Township's current ordinance also requires township approval for alcoholic beverage consumption in gatherings of more than 50 people. This will require further discussions with Stanton Township in order to work through a designated approval process.
- Keeping the rules consistent between both Byllesby Park and the Cascade Access would provide more uniformity for park users, given the close proximity of the two facilities.

A public hearing has been scheduled to allow for public comment on the proposed changes. Notice of the public hearing and intent to amend the ordinance was provided in the Red Wing Republican Eagle on May 6, 2023, as well as via the Public Notices section and Notify Me module of the Goodhue County website.

Recommendations

It is the recommendation of staff that the County Board hold the public hearing and adopt the revisions to the current Cascade Canoe & Kayak Access Rules Ordinance.

CASCADE CANOE & KAYAK ACCESS RULES
ORDINANCE 21-1 DRAFT REVISIONS 2023

The County Board of Goodhue County ordains:

1. The intent of this facility is to provide canoe and kayak access. Parking is provided for canoe and kayak access only. Units parked for other purposes, including fishing, may be cited and towed at the vehicle owner's expense.
2. The property shall be open to the public from 30 minutes before sunrise until 30 minutes past sunset, except as otherwise posted, and during emergencies. Property quiet hours are from opening time until 8:00 a.m. No overnight parking or camping allowed.
3. Pets are welcome at the canoe & kayak access, as long as they are kept on a leash six feet or shorter and are personally attended at all times. All droppings must be picked up and disposed of. Pets shall not deprive or disrupt the enjoyment or use of the property by others.
4. Any person who violates this ordinance is guilty of a misdemeanor, and subject to immediate removal from the property.
5. The following activities are prohibited on the property:
 - a. To engage in any brawling or fighting, or to engage in offensive, obscene, abusive, boisterous or noisy conduct or to engage in offensive, obscene, or abusive language tending reasonably to arouse alarm, anger, or resentment in others.
 - b. To display or to have in one's possession glass bottle containers.
 - ~~c.~~ c. To use or have in one's possession alcoholic beverages ~~in containers larger than two liters in kegs, barrels, or more than a single case of 24 prepackaged, single serving alcoholic beverages, unless otherwise authorized by permit.~~
 - ~~e-d.~~ e-d. To use tobacco products, including e-cigarettes, in any area other than the parking areas.
 - ~~d-e.~~ d-e. To be in possession of or under the influence of any drug which is in violation of federal or state law.
 - ~~e-f.~~ e-f. To dispose of garbage, refuse, or trash of any kind except to dispose of the same in receptacles provided for that purpose. Only garbage, refuse, or trash generated on the river or the property is allowed to be disposed of in the receptacles provided.
 - ~~f-g.~~ f-g. To dispose of cut grass, tree trimmings, or personal property on the property.
 - ~~h.~~ h. To operate ~~or park~~ any motor vehicle within the boundaries of the property except upon designated roads or parking areas, or with a permit issued by Goodhue County Public Works.
 - ~~g-i.~~ g-i. To park any motor vehicle within the boundaries of the property except within designated parking areas, or with a permit issued by Goodhue County Public Works.
 - ~~h-j.~~ h-j. To operate any vehicle in a reckless manner or at a speed in excess of 10 mph.
 - ~~i-k.~~ i-k. To cut, damage, or remove trees, shrubs, plants, and other vegetation.
 - ~~j-l.~~ j-l. To hunt or disturb wildlife.
 - ~~k-m.~~ k-m. To deface, damage, or remove any property.
 - ~~l-n.~~ l-n. To clean fish and leave remaining waste products on the property.
 - ~~m-o.~~ m-o. To discharge wastewater or sewage onto the property.
 - ~~n-p.~~ n-p. To use, point, discharge or display uncased firearms or other dangerous weapons including explosives (fireworks), air guns, slingshots, traps, seines, nets, bows, and arrows.
 - ~~o-q.~~ o-q. To be present on the property outside open hours.
 - ~~p-r.~~ p-r. To be in violation of property quiet hours.
 - ~~s.~~ s. To burn wood, charcoal, or other materials or refuse.
6. This ordinance will take effect upon Goodhue County Board approval.

The property belongs to you. Please treat both the property and the neighbors with respect and help us to protect the community by following the rules.

Dated this ____ day of _____, 2023.

GOODHUE COUNTY BOARD OF COMMISSIONERS

By: _____

Linda Flanders, Chair
Goodhue County Board of Commissioners

ATTEST:

By: _____

Scott Arneson
County Administrator