

## Section 243 - Whitney Recreation Center Conduct and Use Regulations

### Section 243:00. Definitions.

Subd. 1. “Whitney Recreation Center” will mean all land and rights thereto including water, parking areas and adjacent exterior commons and improvements and personal property thereon which is designated as the Whitney Recreation Center, 1529 Northway Drive, St. Cloud, Minnesota 56303.

Subd. 2. “Director” is the Director of Recreation for the City of St. Cloud.

Subd. 3. “Assistant Director” is the assistant director of the Whitney Recreation Center for the City of St. Cloud.

Subd. 4. “Vehicle” is any conveyance on wheels or tracks, whether motor powered, animal drawn or self propelled. The term will include any trailer of any kind or description, except for baby carriages.

Subd. 5. “Event” means any athletic contest or a public gathering to which the general public is admitted.

Subd. 6. “Catering” means the dispensing or sale of food, beverage or novelty items by a permitted caterer/vendor acting with the express permission of the appropriate building manager.

Subd.7. “Decorating” means all activities relating to the provision of furnishings (i.e. pipes, drapes, tables, chairs) for an event including but not limited to the setup and takedown of those furnishings and clean up following the event.

Section 243:10. Event Scheduling. The Recreation Director will have discretionary authority to schedule events and all other uses of the Whitney Recreation Center in accordance with the following policy:

Subd. 1. Every effort will be made to accommodate each and every potential user.

Subd. 2. When more than one potential user requests a similar date, generally speaking, events producing the greatest revenue to the City of St. Cloud, either short or long term, will be given the greatest consideration.

a. Consideration will include repeat or steady customers.

b. Consideration may also be extended to those events with the greater potential for spin-off commerce to the St. Cloud retail market.

- c. The City Administration may, from time to time, develop more explicit guidelines/policies to accommodate changing market conditions and community-use standards.

Section 243:15. Rental Fees. Rental fees and charges for use of the Whitney Recreation Center will be set forth in Section 541:00 of this code.

Section 243:20. Licensee's Liability. Any person using or occupying the Whitney Recreation Center will be liable for any damage or injury to the Whitney Recreation Center or to its personnel caused by the activities or occupancy of that person regardless of whether that occupancy occurs by formal lease or by use of the Whitney Recreation Center as a public place.

Section 243:25. General Standards of Conduct. It will be a violation of this ordinance for any person, while on or about Whitney Recreation Center Facilities:

Subd. 1. To gain access to or make use of any facilities without obtaining a ticket or paying a fee in situations where a ticket or fee is required.

Subd. 2. To dispose of refuse or litter, except in receptacles provided for that purposes.

Subd. 3. To dispose of refuse or litter not created as part of a Whitney Recreation Center event.

Subd. 4. To deface, damage or alter the appearance of any structure, property, sign or equipment.

Subd. 5. To hunt, snare, trap or otherwise disturb any animals, birds or other wildlife.

Subd. 6. To dig or remove any sod, trees, shrubs, flowers or foliage of any kind.

Subd. 7. To smoke in any area where "No Smoking" signs are posted.

Subd. 8. For any person, other than a police officer in the performance of duty to carry any gun or firearm of any description, except for a pistol permitted by State law, or firearms that are dismounted, broken apart or carried in a case in a manner that it cannot be discharged.

Subd. 9. To use, discharge or shoot any air rifle, air pistol, BB gun, sling shot or arrows from bows.

Subd. 10. To enter or remain in any building at the Whitney Recreation Center with bare feet except in locker/shower areas of Whitney Recreation Center. To enter or remain in any building common areas without a shirt/blouse or to remove shirt/blouse while in any building at the Whitney Recreation Center. Exception is made for any athletic activity, entertainment, exhibit or display that is part of a scheduled event at the Whitney Recreation Center.

Subd. 11. To intentionally make, washrooms and shower rooms in Whitney Recreation Center dirty or unsanitary. No person over the age of six years will enter the restrooms, shower rooms or other room designated for the opposite sex.

Subd. 12. To climb, walk, stand or set upon any trees, monuments, fountains, railings, fences or upon any other property not designed or customarily used for such purpose.

Subd. 13. To unreasonably disturb or interfere with any person or party occupying any area or participating in any activity under the authority of a lease issued pursuant to this ordinance.

Subd. 14. To participate in or abet the playing of any games involving or otherwise propelling objects such as baseballs, golf balls, stones, arrows, javelins, model airplanes, snow and ice chunks or snowballs, except in the areas set apart for such forms of recreation.

Subd. 15. To fail to obey the directions of all traffic and parking control signs.

Subd. 16. To rollerskates, rollerblade or skateboards anywhere upon Whitney Recreation Center.

Subd. 17. To ride a bicycle upon any interior portions of the Whitney Recreation Center or to lock or chain a bicycle to any object other than a bike rack.

Subd. 18. To operate a snowmobile upon the Whitney Recreation Center.

Subd. 19. To use profane, vulgar or indecent language so as to be audible and offensive.

Subd. 20. To engage in brawling or fighting or in conduct tending to reasonably arouse alarm, anger or resentment in others.

Subd. 21. To intentionally throw any object, thing or article onto a stage, playing field, audience or seating area, or area where an event is conducted which may be likely to endanger any person or property or interfere with the orderly play or conduct of the event.

Subd. 22. To intentionally run on or go onto a stage, playing field or area where an event is conducted.

Subd. 23. To obstruct an aisle, block a properly marked exit or take or obstruct the seat of another.

Section 243:26. Identification Required. Individuals wishing to use the Whitney Recreation Center must provide proof of identity in the form of a driver's license or identification card. Upon proof of identity, a Whitney Recreation Center picture identification card will be issued. All users of the Whitney Recreation Center will be required to display the Whitney Recreation Center picture identification card before being allowed access to the facility. Individuals under legal age and

without identification described herein will be required to provide a signed parental permission form prior to issuance of a Whitney Recreation Center picture identification card.

Section 243:30. Conduct Requiring Director's Approval. Unless the prior written approval of the manager is obtained, it will be a violation of this ordinance for any person, while on or about Whitney Recreation Center:

Subd. 1. To make use of the Whitney Recreation Center while part of an organized group.

Subd. 2. To post any sign or notice.

Subd. 3. To possess any intoxicating beverages or non-intoxicating malt beverages as defined in Minnesota Statutes Chapter 340A other than those furnished by the City directly or through its vendors.

Subd. 4. To build fires at any location.

Subd. 5. To bring onto the Whitney Recreation Center any animal. This rule will not prohibit a blind, physically handicapped or deaf person from taking a service dog onto the Whitney Recreation Center, if the service dog can be properly identified as being from a recognized school for seeing eye, hearing ear, service or guide dogs and if the dog is properly harnessed or leashed so that the blind, physically disabled or hearing impaired person may maintain control of the dog.

Subd. 6. To be in the Whitney Recreation Center during times when the Whitney Recreation Center is closed.

Subd. 7. To bring onto the Whitney Recreation Center any food, beverage, bottle or other breakable, disposable container designed to hold food, beverage or other consumable commodity, except an athlete or athletic team participating in an organized sponsored athletic event may do so upon obtaining the Director's approval.

Subd. 8. To promote, solicit, sell, barter or trade any commodity or item of monetary value, including but not limited to any admission ticket, on any part of the Whitney Recreation Center premises, provided that the sale of an admission ticket for its face value or less than its face value will not be a violation of this ordinance. For purposes of this ordinance, a complimentary ticket will be deemed to have a face value of zero.

Subd. 9. To construct, erect or place any building or structure, including tents, of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon or across the Whitney Recreation Center.

Subd. 10. To announce, advertise or call the public attention in any way to any article or service for sale or hire.

Subd. 11. No person will set up tents, shacks or any temporary shelter for the purpose of

overnight camping nor will any person leave in the Whitney Recreation Center after closing hours any movable structure or any special vehicle to be used or that could be used for such purposes, such as house trailer, camp trailer, camp wagon, or the like.

Section 243:35. Vehicle and Parking Regulations. It will be a violation of this ordinance for any person, while on the Whitney Recreation Center property:

Subd. 1. To operate a vehicle in such a manner as would, if done on a public street, constitute a violation of Minnesota Statutes Chapter 169.

Subd. 2. To park any vehicle at any location except such locations as are specifically designated as parking stalls, except with the express prior approval of the Director.

Subd. 3. Where lines or marks are drawn to indicate parking stalls, to park a vehicle in such a manner that the vehicle is not completely within a stall bordered by such line or markers.

Subd. 4. To park in any area posted as a fire lane.

Subd. 5. To park in the vicinity of a loading or dock area except for vehicles which are actually in the process of loading or unloading supplies, equipment or other merchandise.

Subd. 6. To drive a vehicle in any area except on a parkway, parking lot, path or other roadway designated for the vehicle.

Subd. 7. To provide driver's training except with the express prior approval of the Director.