

**CITY OF FALCON HEIGHTS**  
Regular Meeting  
Parks & Recreation Commission  
City Hall  
2077 West Larpenteur Avenue

**AGENDA**  
August 7, 2023 at 6:30 P.M.

A. CALL TO ORDER:

B. ROLL CALL:

Jeff Yager\_\_\_\_\_ Mike Bradbury\_\_\_\_\_ Eric Brenton\_\_\_\_\_  
Paula Mielke\_\_\_\_\_ Tom Faust\_\_\_\_\_ Randi Lundell\_\_\_\_\_ Mike Tracy\_\_\_\_\_

COUNCIL LIAISON:

James Wassenberg \_\_\_\_\_

STAFF PRESENT:

Kelly Nelson\_\_\_\_\_

C. PRESENTATION:

D. APPROVAL OF MINUTES:

1. June 5, 2023 - Parks and Recreation Commission and Community Engagement Commission -Joint Meeting Minutes

E. AGENDA:

- 1 Recap Summer Programming; Discuss Fall Programming
2. Fall Event
3. Park Audit Findings and Suggestions
4. Sleeping in Parks Discussion
5. Tobacco and Cannabis-Free Parks

F. INFORMATION/ANNOUNCEMENT

1. Grove and Curtiss Court Painting Update

G. ADJOURNMENT:

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**CITY OF FALCON HEIGHTS**  
Joint Meeting  
Parks & Recreation Commission  
Community Engagement Commission  
City Hall  
2077 West Larpenteur Avenue

**MINUTES**  
June 5, 2023 at 6:30 P.M.

A. CALL TO ORDER: 6:38 P.M.

B. ROLL CALL:

Jeff Yager  X  Mike Bradbury  X  Eric Brenton  X   
Paula Mielke  X  Tom Faust   Randi Lundell  X  Mike Tracy  X

Cooley-Kistler  X  Ebbesen  X  Lindstrom    
Stockford

COUNCIL LIAISON:

James Wassenberg    
Yakasah Wehyee  X

STAFF PRESENT:

Kelly Nelson  X   
Elke van der Werff  X

C. PRESENTATION:

D. APPROVAL OF MINUTES:

1. May 1, 2023 - Parks and Recreation Commission and Community Engagement Commission -Joint Meeting Minutes

Commissioner Yager  
motioned to approve the minutes;  
Approved 9-0

E. AGENDA:

**1. Ice Cream Social**

Ebbesen will send Staff feedback collected from residents at Spring Together to compile and present at Ice Cream Social.

Cooley-Kistler wonders if we would like to do the dog show again.

Wehyee suggests drawing more attention to the dog show as it's taking place because a lot of people didn't hear an announcement and missed it last year.

Bradbury mentions some neighbor kids want to do an animal fundraiser and wonders if a dog show / pet parade at a future fall event would pair well with that.

Ebbesen will email the local dance studio to confirm their dance performance.

Bradbury and Ebbesen suggest putting itineraries / maps out within the park and Ebbesen suggests printing 11 x 17 posters to hang up.

Ebbesen suggests placing signage in the park in early July to let residents know the date earlier than it was done last year.

Tracy mentions that Roseville has been hosting events in their parks weekly and he will reach out to the former Parks Director to inquire if they loan out their Puppet Wagon.

Bradbury suggests reaching out to schools to ask if we can borrow games from their PTA.

Mielke suggests making an announcement regarding the purchase of Community Park. Also suggests Park and Rec commissioners have a table to gather input for new park building and amenities.

Nelson shares a sample of the revised event flyer and no changes were proposed. Ice cream social will be promoted for a total of 13 weeks.

## **2. Fall Planning**

Nelson updates commissioners on summer programming, sharing how staffing has been a challenge and residents only had interest in the soccer program. Staffing fall programming will likely also be a challenge. So, how would commissioners like to proceed?

Tracy says it's clear what's NOT working, so we might as well try something new.

Lundell says it's nice to see the field being used.

Yager wonders how many kids were interested in fall programming last year before the City canceled it.

Commissioners advise Nelson to reach out to the Blackhawks / Skyhawks / City of Roseville to see if any of them are interested in conducting programming within our parks for our residents.

## **3. Draft #2 of PARC Agenda / Calendar**

Commissioners review the revised agenda calendar (they had suggested a few changes at the last meeting) and determine this version is a good working version to use moving forward.

Yager asks that ice rink and warming house discussion be added to the October meeting agenda.

Commissioners discuss some ideas for a fall event at Grove (dog parade, pumpkin carving / judging, food trucks, activity with ties to The Good Acre).

#### 4. Fitness Court

Nelson explains they had a call to hear about Fitness Courts that National Fitness Campaign (NFC), a wellness consulting firm, is bringing to communities through a competitive grant from BlueCross BlueShield Minnesota. Nelson wants feedback to determine if the commission finds this of interest to work towards offering to parkgoers.

Tracy says that Roseville has added fitness stations east of Lake Bennett. He says that if we did something similar, adding to what we already have at Community Park, we'd essentially have the same Fitness Court. But, he prefers activities being spaced out and not all in one area because it keeps people moving throughout the park to the next circuit. And, it maintains more green space.

Lundell agrees and feels keeping the green space is more appealing than the Fitness Court.

Brenton says he liked the Fitness Court presentation at first glance. But, he agrees that keeping green space and improving existing fitness stations is more preferred.

#### F. INFORMATION/ANNOUNCEMENT

##### 1. Recap Spring Together

Nelson shares that we served 273 pieces of ice cream at an expense of \$1,226. While we did accidentally hand some of the same individuals two tickets instead of one, attendance was likely a solid 200 throughout the event. The event was promoted for ten weeks in our newsletter and the City promoted it on Facebook and NextDoor. Nelson asks for feedback on improving the event next year.

Tracy suggests purchasing event signage to place near Curtiss Field a couple of weeks before the event.

Cooley-Kistler wonders how many renters were reached by placing an event flyer at apartments; was it successful?

Mielke knows we reached some Amber Union residents because she spoke with them at the event.

Bradbury suggests asking schools to include our events in their newsletters.

van der Werff says that we could also send our event to Roseville and ask if they'd share it, as the City is sometimes asked to share theirs.

Mielke suggests having the event from 3:00 to 5:00 next year (moving the event up one hour).

Bradbury suggests adding food trucks. This would be especially nice if the event time does not change, to help offer food during the 4:00 to 6:00 timeframe.

Nelson shares information received from Sport Court regarding painting courts at Curtiss and Grove parks. The finish on the Curtiss Field basketball court would be slippery if the court was fully painted. So, instead of having Bradbury produce three examples of courts

for an upcoming meeting, with three levels of paint used from low to high, only minimal paint may now be used. The commissioners opt to paint basic (high school regulation) game lines on the lower end of the court with a standard hoop. At the other end of the court, with the mini hoop, lines for playing Around the World will be painted. Game lines for pickleball will be painted on Grove court. Estimated painting cost is \$900 per court. Proposed paint colors: white lines on Grove asphalt court, green on Curtiss cement court. Painting may be done in September, depending on the wait list.

G. ADJOURNMENT: 8:24 PM

Commissioner Yager motioned to  
adjourn;  
Approved 6-0

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<b>Meeting Date</b>	August 7, 2023
<b>Agenda Item</b>	E1
<b>Attachment</b>	Post Summer Programming Survey Results
<b>Submitted By</b>	Kelly Nelson, Assistant to the City Administrator

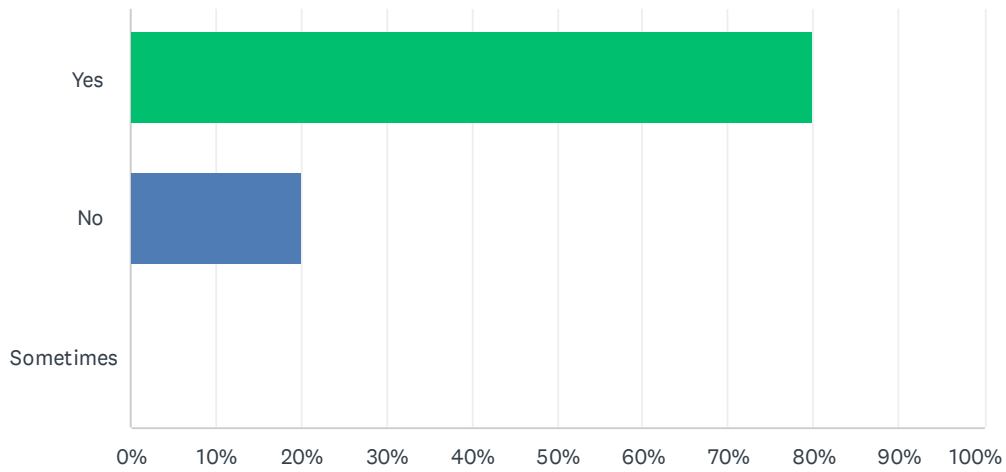
<b>Item</b>	2023 Summer Recreation Summary and Fall Programming Update
<b>Description</b>	<p>2023 Summer Recreation has ended and Staff would like to recap this season and reflect on what can be improved or changed for next year.</p> <p>Enrollment numbers have continued to decrease. Although the City initially offered tennis, soccer and Summer Discovery Playground classes this summer, the City only had adequate registration numbers for soccer in order to move forward. We also did not have adequate enrollment numbers to move forward with any programming at Commonwealth Terrace Cooperative (CTC) on the U of M campus.</p> <p>Enrollment clearly impacts revenue. However, it should be noted that hiring seasonal employees for the 2022 summer season was very difficult. This year, we had just enough staff to handle the amount of programming we were offering, but we would not have been able to accommodate higher enrollment numbers, more classes, or a second location at CTC.</p> <p>At the conclusion of summer programming, Staff surveyed parents of kids who participated in soccer. A copy of the survey and responses (as of 7/31/23) are attached for commission review.</p> <hr/> <p><b>Fall Programming:</b>  During the June 5, 2023 Parks and Recreation Commission meeting, Commissioners advised Staff to look into different fall programming options. One option was to reach out to the St. Paul Blackhawks to ask if they would offer soccer programming to Falcon Heights youth in some capacity, whether as a series of classes or as a one-day soccer clinic at Community Park. Staff is waiting for information to be sent over by the Blackhawks for further consideration.</p> <p>Staff also reached out to Roseville’s Parks and Recreation Director to see if they would be able and willing to provide reciprocity to Falcon Heights residents registering for Roseville programming. And, if they needed additional facilities, then the City would be open to discussing use of ours as part of the agreement. Roseville said that they might also face similar challenges to ours (staff already overextended or having just enough staff for current enrollment numbers) but they said they’d be willing to discuss further with the City at a TBD time and date.</p>



<b>Budget Impact</b>	N/A
<b>Attachment(s)</b>	<ul style="list-style-type: none"><li>• Survey Results</li></ul>
<b>Action(s) Requested</b>	The Commission is invited to further discuss fall programming.

## Q1 The instructor(s) created a friendly atmosphere.

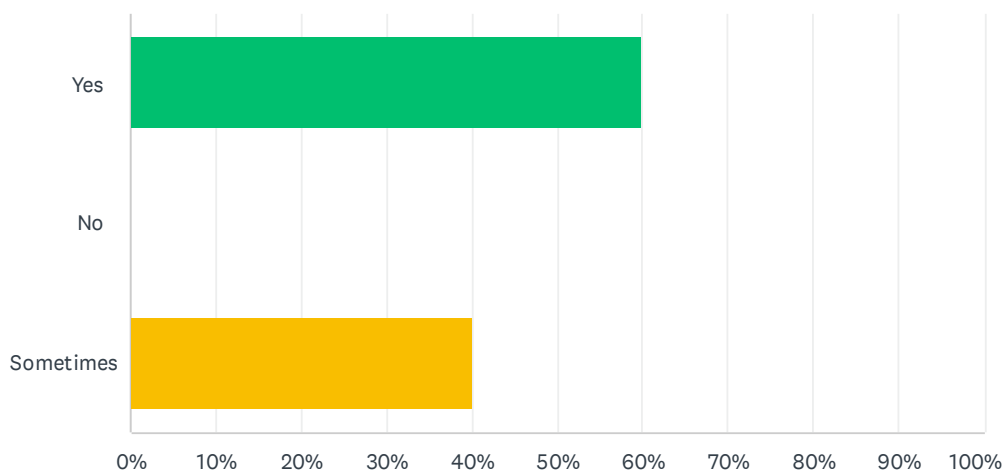
Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES
Yes	80.00% 4
No	20.00% 1
Sometimes	0.00% 0
Total Respondents: 5	

## Q2 The instructor(s) were well prepared.

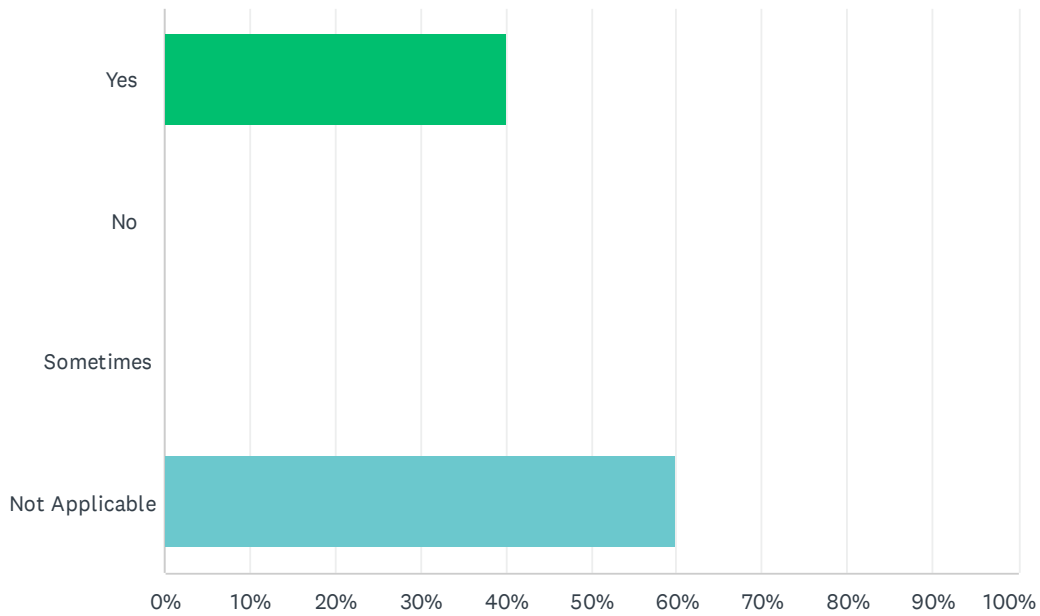
Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	60.00%	3
No	0.00%	0
Sometimes	40.00%	2
<b>TOTAL</b>		<b>5</b>

### Q3 I was able to discuss any concerns with instructor(s).

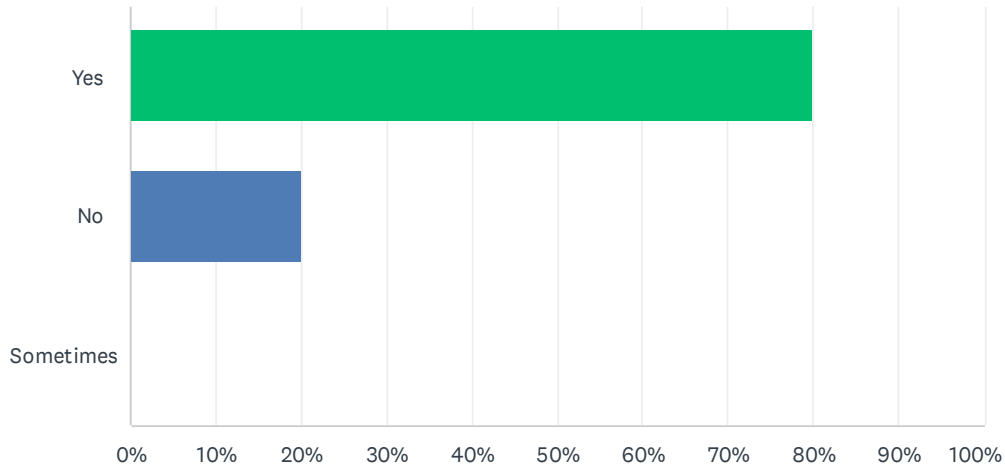
Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES
Yes	40.00% 2
No	0.00% 0
Sometimes	0.00% 0
Not Applicable	60.00% 3
Total Respondents: 5	

### Q4 The instructor(s) planned activities appropriate for the age and skill level of participants.

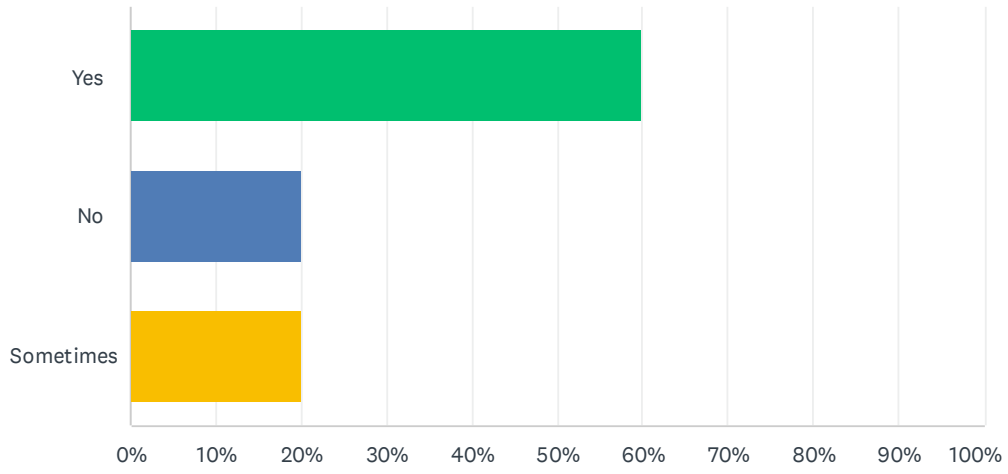
Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	80.00%	4
No	20.00%	1
Sometimes	0.00%	0
<b>TOTAL</b>		<b>5</b>

## Q5 The participant enjoyed the program.

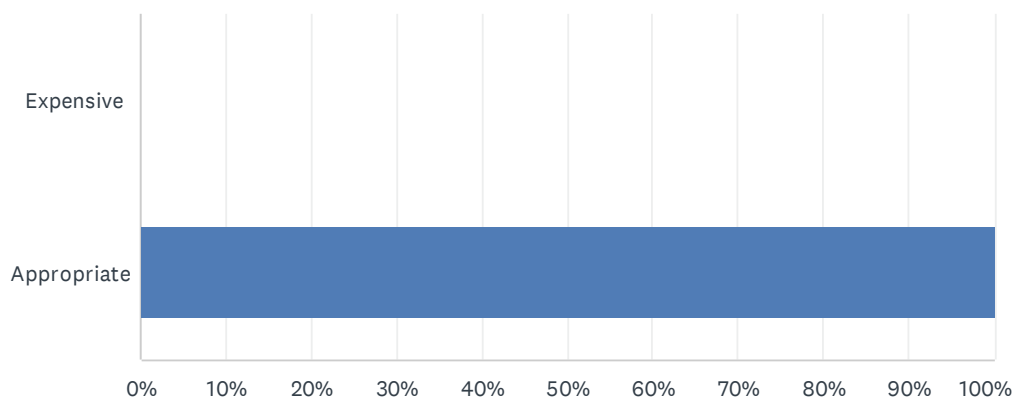
Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES
Yes	60.00% 3
No	20.00% 1
Sometimes	20.00% 1
Total Respondents: 5	

## Q6 The cost of the program was...

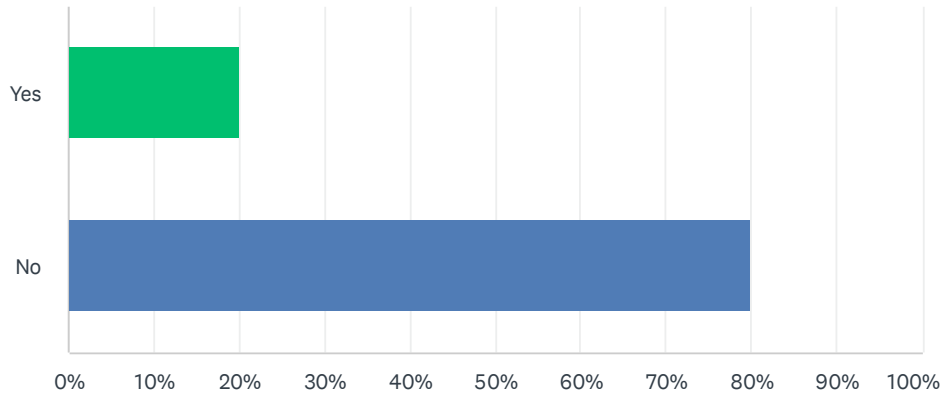
Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES	
Expensive	0.00%	0
Appropriate	100.00%	5
Total Respondents: 5		

### Q7 I would be willing to pay more in order to enhance the quality of the program.

Answered: 5 Skipped: 0

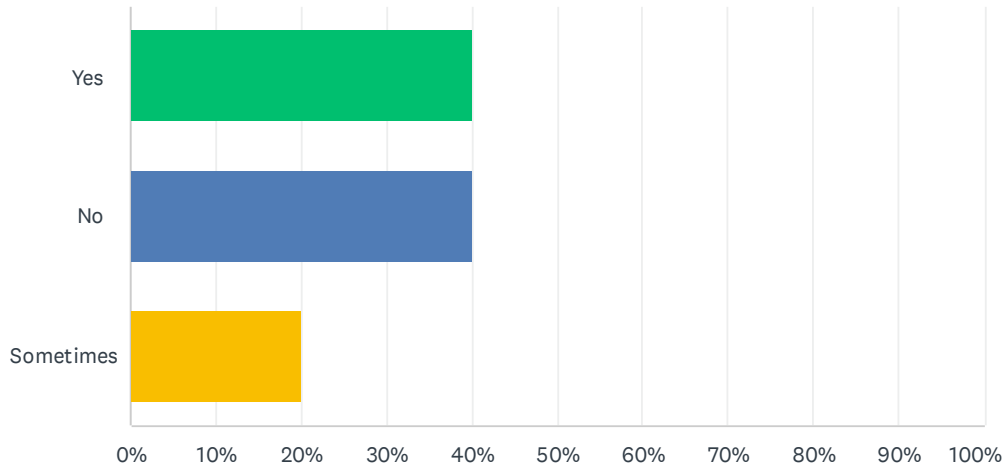


ANSWER CHOICES	RESPONSES	
Yes	20.00%	1
No	80.00%	4
Total Respondents: 5		



## Q8 The program met my expectations.

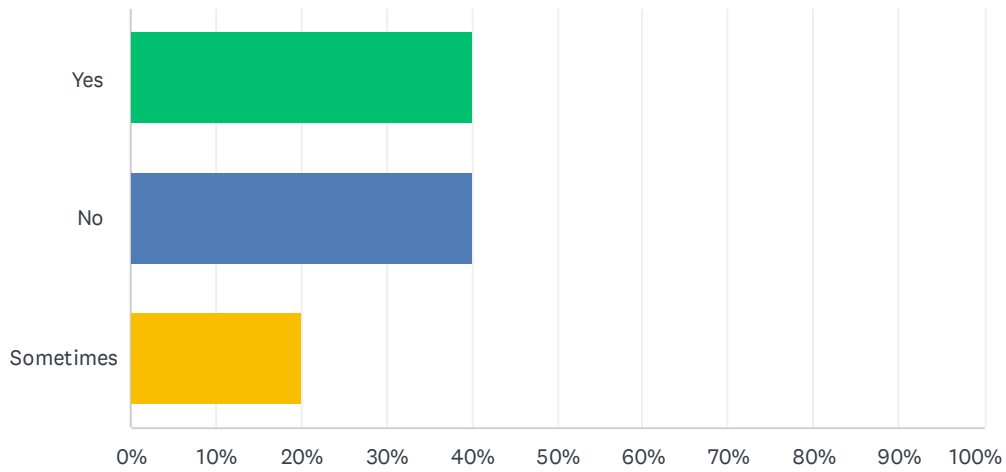
Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES
Yes	40.00% 2
No	40.00% 2
Sometimes	20.00% 1
Total Respondents: 5	

### Q9 I would recommend this program to a friend.

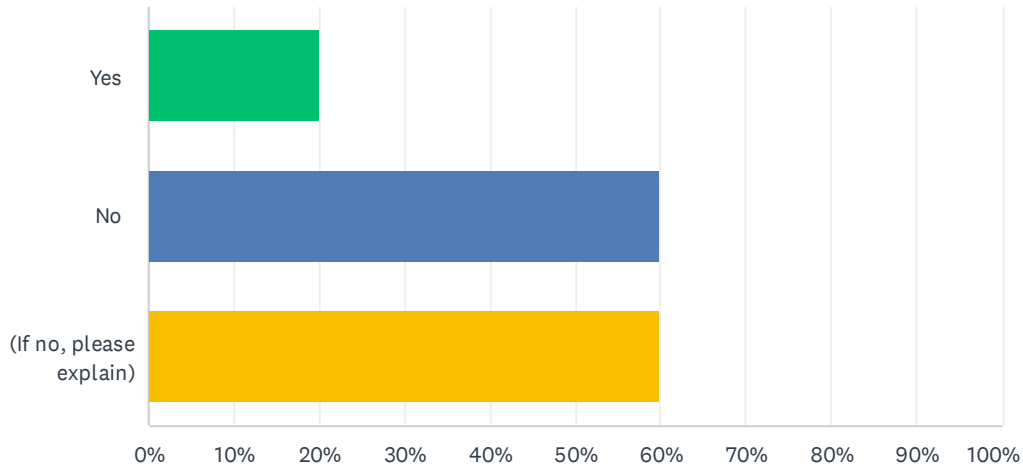
Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES
Yes	40.00% 2
No	40.00% 2
Sometimes	20.00% 1
Total Respondents: 5	

## Q10 Would you register the participant for this program again?

Answered: 5 Skipped: 0

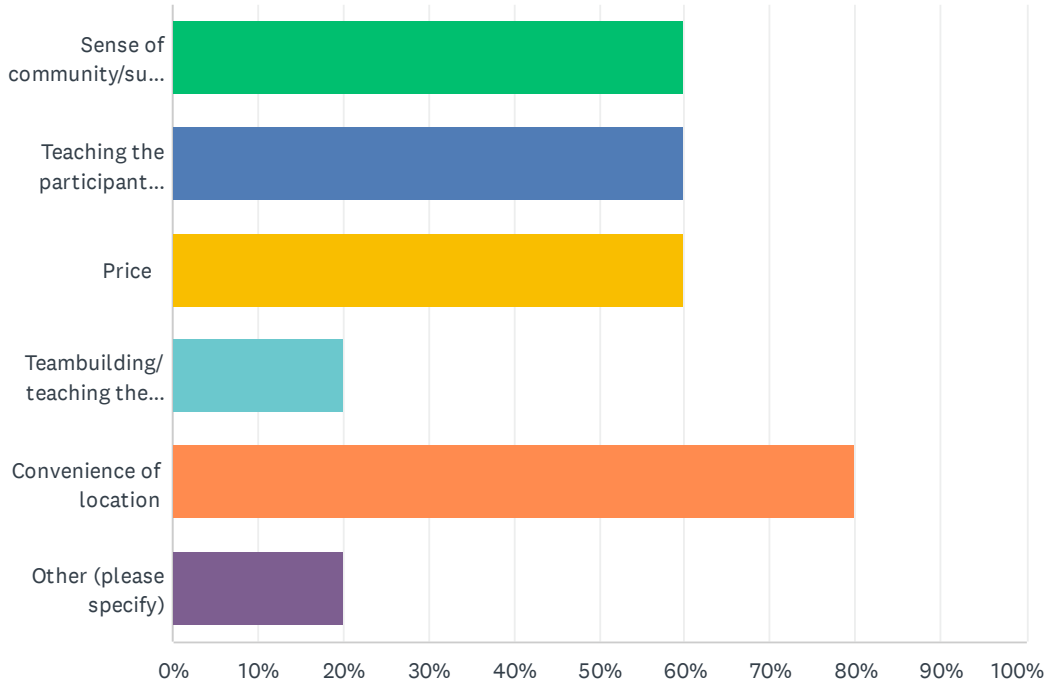


ANSWER CHOICES	RESPONSES
Yes	20.00% 1
No	60.00% 3
(If no, please explain)	60.00% 3
Total Respondents: 5	

#	(IF NO, PLEASE EXPLAIN)	DATE
1	Too small of a group to really play much soccer- only 6 participants. It stopped raining a little before one of the sessions and the sun came out, but no instructors showed up and no email saying it was cancelled.	7/30/2023 9:39 AM
2	maybe, the problem wasn't very structured, but did get the kids outside and moving	7/27/2023 2:02 PM
3	This was a good introduction, but I think if he wants to do it again I would do a soccer program with a little more skill instruction.	7/27/2023 9:26 AM

## Q11 Which factors influenced your decision to enroll the participant in Falcon Heights programming vs. another option?

Answered: 5 Skipped: 0

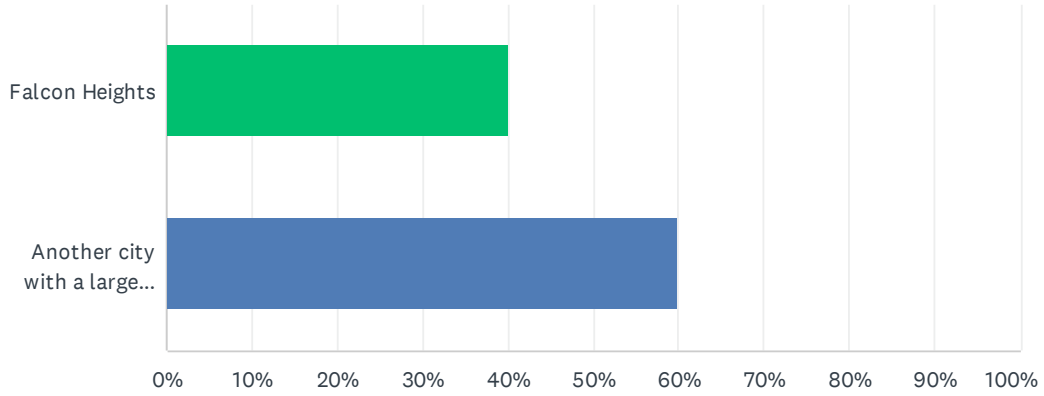


ANSWER CHOICES	RESPONSES
Sense of community/support local	60.00% 3
Teaching the participant sports skills	60.00% 3
Price	60.00% 3
Teambuilding/ teaching the participant social skills	20.00% 1
Convenience of location	80.00% 4
Other (please specify)	20.00% 1
Total Respondents: 5	

#	OTHER (PLEASE SPECIFY)	DATE
1	Timing	7/27/2023 9:26 AM

### Q12 Next year, would you enroll in a similar Falcon Heights program or look to a larger, surrounding city such as Roseville or St. Paul instead?

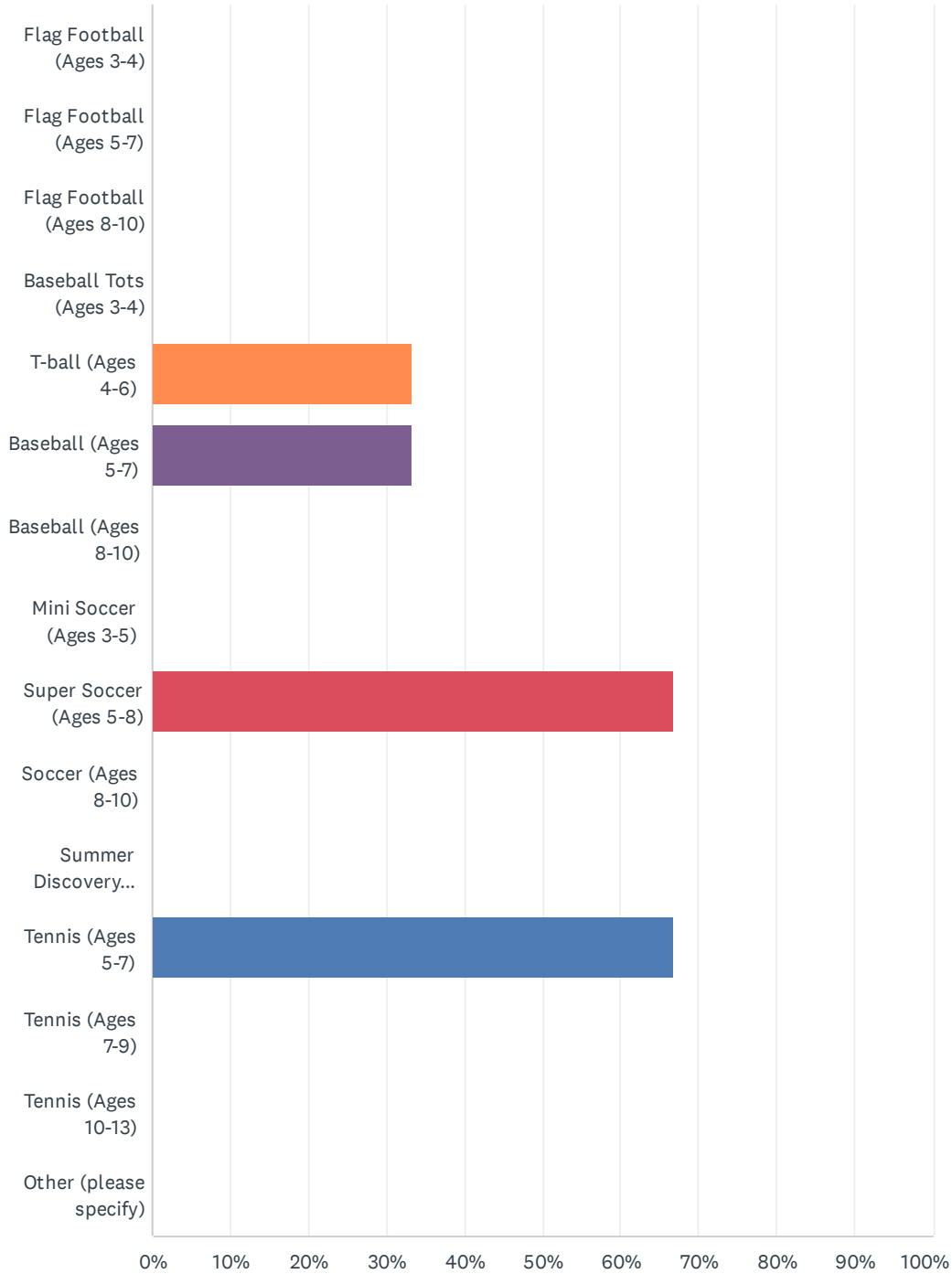
Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES	
Falcon Heights	40.00%	2
Another city with a larger program	60.00%	3
TOTAL		5

### Q13 As the City looks ahead to fall programming and to summer 2024, which programs would you like to see offered in Falcon Heights?

Answered: 3 Skipped: 2



Post 2023 Summer Recreation Survey

ANSWER CHOICES	RESPONSES	
Flag Football (Ages 3-4)	0.00%	0
Flag Football (Ages 5-7)	0.00%	0
Flag Football (Ages 8-10)	0.00%	0
Baseball Tots (Ages 3-4)	0.00%	0
T-ball (Ages 4-6)	33.33%	1
Baseball (Ages 5-7)	33.33%	1
Baseball (Ages 8-10)	0.00%	0
Mini Soccer (Ages 3-5)	0.00%	0
Super Soccer (Ages 5-8)	66.67%	2
Soccer (Ages 8-10)	0.00%	0
Summer Discovery Playground (ages 4-12)	0.00%	0
Tennis (Ages 5-7)	66.67%	2
Tennis (Ages 7-9)	0.00%	0
Tennis (Ages 10-13)	0.00%	0
Other (please specify)	0.00%	0
Total Respondents: 3		

#	OTHER (PLEASE SPECIFY)	DATE
	There are no responses.	

## Q14 Thanks for taking the survey! We welcome you to share any additional comments, suggestions, or ideas below:

Answered: 2 Skipped: 3

#	RESPONSES	DATE
1	I wish there were more classes or a bit longer class.	7/27/2023 10:29 AM
2	Instructors were very low energy. My child got very little out of the Mini Soccer program. Would not do again.	7/27/2023 9:37 AM



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<b>Meeting Date</b>	August 7, 2023
<b>Agenda Item</b>	E2
<b>Attachment</b>	
<b>Submitted By</b>	Kelly Nelson, Assistant to the City Administrator

<b>Item</b>	Fall Event
<b>Description</b>	The PARC had previously expressed interest in adding a new City event to be offered in the fall. Various topics to discuss now include: <ul style="list-style-type: none"> <li>• Date</li> <li>• Food</li> <li>• Entertainment</li> <li>• Activities</li> </ul>
<b>Budget Impact</b>	TBD
<b>Attachment(s)</b>	
<b>Action(s) Requested</b>	Staff recommends commission members further discuss holding an event in the fall and make a decision whether to move forward or not. If the idea is still of interest in moving forward, select a date and location.

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<b>Meeting Date</b>	August 7, 2023
<b>Agenda Item</b>	E3
<b>Attachment</b>	Park Audit Findings; Draft of Suggested Improvements; Updated Amenities List
<b>Submitted By</b>	Kelly Nelson, Assistant to the City Administrator

<b>Item</b>	2023 Audit of Parks
<b>Description</b>	<p>The PARC did not have a commission meeting on July 3 and opted to use the time to conduct park audits, individually, throughout the month instead.</p> <p>The purpose of the audits is to compile a list of improvements to be considered in 2024 and to allow Staff to budget appropriately, with such improvements in mind.</p>
<b>Budget Impact</b>	TBD
<b>Attachment(s)</b>	-Commissioners' Audit Reports; List of Suggested Improvements; Updated Amenities List
<b>Action(s) Requested</b>	Staff recommends commission members further discuss all of the deficiencies noted and compile a final list of suggested improvements to be made under 2024 budget consideration.

Park Name: Curtiss Field  
Date of Audit: 7/9/23  
Auditor: Mike Broadberry

**Landscaping / Grounds**

1. Are weeds absent from grass and surrounding grounds (mulch beds, playground, courts, etc.)? Yes \_\_\_\_\_ No X N/A \_\_\_\_\_

Comments: grass full of weeds, mulch bed/playground clean  
courts clean

2. Is grass in good condition (no excessive wear, brown spots, wet spots, no scalping, no ruts, etc.)? Yes \_\_\_\_\_ No X N/A \_\_\_\_\_

Comments: areas of excessive wear, brown spots, weeds  
all over

3. Is grass properly maintained (grass is cut, has been edged recently, and is trimmed along fence lines, curbs and trees)? Yes X No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

4. Are grounds clean and free of debris (no trash, pine needles, leaves, or other debris)?

Yes \_\_\_\_\_ No X N/A \_\_\_\_\_

Comments: some loose trash, all trash receptacles  
near full

Photo Comment

**Concrete and Pathways**

1. Are concrete pathways and curbs, along with aggregate pathways in good condition (no excessive cracking or heaving, no significant damage or wear and tear)? Yes  No  N/A

Comments: Excellent concrete/pathways

2. Are trails and pathways properly maintained (pathways are clean - no trash or debris, no washout, no graffiti along walkway, etc.)? Yes  No  N/A

Comments: Except North sidewalk has some plant obstructions, see photos

Photo Comment

**Playground**

1. Is surface material in playground area well maintained, clear of debris and in good condition?

Yes  No  N/A

Comments:

2. Is playground equipment in good and working condition?

Yes  No  N/A

Comments: see-saw + steering wheel loose bolts (see photos)  
feather ball missing

Photo Comment

**Park Facilities**

1. Is equipment and are all amenities, as outlined in this packet, accounted for and in good condition? Items to inspect and report on include picnic tables, grills, etc.

Yes  No  N/A

Comments: Gazebo has much plant over growth and some birds nests

2. Are courts free of debris and in good condition? Look for cracks in the court, paint flaking, and check condition of nets.

Yes  No  N/A

Comments: But basketball nets need replacing, balls get stuck

\* Consider adding a timer to lights.





Park Name: Curtiss  
Date of Audit: 7/10  
Auditor: Paula

Landscaping / Grounds

1. Are weeds absent from grass and surrounding grounds (mulch beds, playground, courts, etc.)? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A X

Comments: Years ago - 2008? Parks & Rec voted to not use chemicals on park grounds

2. Is grass in good condition (no excessive wear, brown spots, wet spots, no scalping, no ruts, etc.)? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

Comments: Brown & patchy around picnic tables - draught poor condition where ice rink was

one rut

3. Is grass properly maintained (grass is cut, has been edged recently, and is trimmed along fence lines, curbs and trees)? Yes X No \_\_\_\_\_ N/A \_\_\_\_\_

Comments: hole/divot in lawn behind port a potties, ~~and~~ should be filled

4. Are grounds clean and free of debris (no trash, pine needles, leaves, or other debris)?

Yes X No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

**Concrete and Pathways**

1. Are concrete pathways and curbs, along with aggregate pathways in good condition (no excessive cracking or heaving, no significant damage or wear and tear)? Yes  No  N/A

Comments:

2. Are trails and pathways properly maintained (pathways are clean - no trash or debris, no washout, no graffiti along walkway, etc.)? Yes  No  N/A

Comments:

**Playground**

1. Is surface material in playground area well maintained, clear of debris and in good condition?

Yes  No  N/A

Comments:

mulch under one swing low, I moved pad back

2. Is playground equipment in good and working condition?

Yes  No  N/A

Comments:

tether ball post - should this be replaced with different playground equipment? so much green, little appeal to upper elementary students

how about adding a  
gaga pit?

**Park Facilities**

1. Is equipment and are all amenities, as outlined in this packet, accounted for and in good condition? Items to inspect and report on include picnic tables, grills, etc.

Yes  No  N/A

Comments:

2. Are courts free of debris and in good condition? Look for cracks in the court, paint flaking, and check condition of nets.

Yes  No  N/A

Comments:

trim dead branches  
from maple tree in  
front of playground  
equipment -

Post park rules?  
and/or QR code to  
access rules?

Park Name:  
Date of Audit:  
Auditor:

Grove  
7/11  
P. Sullivan

Landscaping / Grounds

1. Are weeds absent from grass and surrounding grounds (mulch beds, playground, courts, etc.)? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A

Comments:

PARCS voted to not use lawn chemicals

2. Is grass in good condition (no excessive wear, brown spots, wet spots, no scalping, no ruts, etc.)? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

probably mowed too short, not good during drought

3. Is grass properly maintained (grass is cut, has been edged recently, and is trimmed along fence lines, curbs and trees)? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

4. Are grounds clean and free of debris (no trash, pine needles, leaves, or other debris)?

Yes  No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

**Concrete and Pathways**

1. Are concrete pathways and curbs, along with aglime pathways in good condition (no excessive cracking or heaving, no significant damage or wear and tear)? Yes  No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

2. Are trails and pathways properly maintained (pathways are clean - no trash or debris, no washout, no graffiti along walkway, etc.)? Yes  No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

**Playground**

1. Is surface material in playground area well maintained, clear of debris and in good condition?

Yes  No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

2. Is playground equipment in good and working condition?

Yes  No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

Park Facilities

1. Is equipment and are all amenities, as outlined in this packet, accounted for and in good condition? Items to inspect and report on include picnic tables, grills, etc.

Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

great tables &  
park benches —  
exception ~~is~~ is  
old punch  
south of play-  
ground  
Vita Course signaged  
structure looks bad

2. Are courts free of debris and in good condition? Look for cracks in the court, paint flaking, and check condition of nets.

Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

who maintains  
Little Library?  
in tough shape  
Wood  
bench  
by smaller  
playground  
area with  
slide —  
is it  
needed?  
is that  
on  
private  
property?  
Tobacco  
free sign  
here that  
is at courtis?  
no sign with  
park rules —  
again, could another  
park/playground feature  
be added?

Park Name: Community Park  
Date of Audit: 7/10  
Auditor: Paula

Landscaping / Grounds

1. Are weeds absent from grass and surrounding grounds (mulch beds, playground, courts, etc.)? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A

Comments: 2008 or so PARC voted to not use lawn chemicals

2. Is grass in good condition (no excessive wear, brown spots, wet spots, no scalping, no ruts, etc.)? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

3. Is grass properly maintained (grass is cut, has been edged recently, and is trimmed along fence lines, curbs and trees)? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

4. Are grounds clean and free of debris (no trash, pine needles, leaves, or other debris)?

Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

Comments: messy (food crumbs/a lot) under picnic table

**Concrete and Pathways**

1. Are concrete pathways and curbs, along with aggregate pathways in good condition (no excessive cracking or heaving, no significant damage or wear and tear)? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A

Comments:

parking area bad, signs faded but park slated for dem

2. Are trails and pathways properly maintained (pathways are clean - no trash or debris, no washout, no graffiti along walkway, etc.)? Yes  No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

what is stand with what looks like missing signage (at Y in path, near Cleveland)

**Playground**

1. Is surface material in playground area well maintained, clear of debris and in good condition?

Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

lot of weeds in ~~playground~~ playground equipment area, needs fill

2. Is playground equipment in good and working condition?

Yes  No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:



**Park Facilities**

1. Is equipment and are all amenities, as outlined in this packet, accounted for and in good condition? Items to inspect and report on include picnic tables, grills, etc.

Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

2. Are courts free of debris and in good condition? Look for cracks in the court, paint flaking, and check condition of nets.


Yes  No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

Park rules sign  
posted here -

add a park/playground  
feature for middle school/  
upper el. kids

## Park and Facility Audit

Venue	Amenities at Park	Findings/Updates	Recommended Improvements
<b>Community Park Building and Upper Picnic Area</b> 2050 Roselawn Ave. (corner of Roselawn and Cleveland)	Portable bathroom 2 BBQ Grills 9 Outdoor picnic tables Parking lot (50 spots); there's also on street parking	sad that building was new maintained	
<b>East Picnic Area (near playground)</b>	2 Picnic Tables Trash receptacles Portable bathroom Parking lot (50 spots); there's also on street parking	weeds around playground needs fill	messy under picnic tables, but it's a mess
<b>Lower Picnic Area (Southwest corner of park)</b>	2 Picnic Tables 1 BBQ Grill Trash receptacles Portable bathroom Parking lot (50) and on street parking	firm dead branches	parking surface bad, but note paint
<b>Curtiss Field Building and Picnic Shelter</b> 1551 W. Iowa Ave.  Swing pad -	Playground Basketball hoop and half court 2 picnic tables Portable bathroom Parking lot (10 spots); there's also on street parking	drought year lg. dirt in lawn by playground equip	adding feature for upper elem middle school students Gaga pit? (dodgeball variation)
<b>The Grove</b> 1600 Coffman Street	Playground Basketball hoop and half court 2 picnic tables On street parking NO restroom		<ul style="list-style-type: none"> <li>add park rules</li> <li>remove vista course + signs</li> <li>remove/replace 2 wood benches</li> </ul>

are rules posted? only saw at Community Park

Grove Park has tobacco sign

- add playground equipment for older kids
- who maintains Little Library? needs repair

Randi

# Park and Facility Audit

one park

Venue	Amenities at Park	Findings/Updates	Recommended Improvements
<b>Community Park Building and Upper Picnic Area</b> 2050 Roselawn Ave. (corner of Roselawn and Cleveland)	✓ Portable bathroom ✓ 2 BBQ Grills ✗ Outdoor picnic tables ✓ Parking lot (50 spots); there's also on street parking		Parking lot needs <u>more</u> patching/resurfacing.
<b>East Picnic Area (near playground)</b>	✓ 2 Picnic Tables ✓ Trash receptacles ✓ Portable bathroom ✓ Parking lot (50 spots); there's also on street parking		Bball court lines need repainting. Trail signs need replacing.
<b>Lower Picnic Area (Southwest corner of park)</b>	✓ 2 Picnic Tables ✓ 1 BBQ Grill ✓ Trash receptacles ✓ <del>Portable bathroom</del> ↑ Parking lot (50) and on street parking		"popp" Dog bag dispenser would be good near the current trash bin. Bench would be nice on east side of pond.
<b>Curtiss Field Building and Picnic Shelter</b> 1551 W. Iowa Ave.	✓ Playground ✓ Basketball hoop and half court ✓ 2 picnic tables ✓ Portable bathroom ✓ Parking lot (10 spots); there's also on street parking	1 BBQ Grill	BB Court needs lines painted.
<b>The Grove</b> 1600 Coffman Street	✓ Playground ✓ Basketball hoop and half court ✓ 2 picnic tables ✓ On street parking ✓ NO restroom ✓ 1 BBQ Grill	Do the adjacent gardens belong to FH?	Need: Pickle-Ball Courtlines on BB Court (!)

Park Name: COMMUNITY PARK  
Date of Audit: 7-8-22  
Auditor: RANDI LUNDELL

Landscaping / Grounds

1. Are weeds absent from grass and surrounding grounds (mulch beds, playground, courts, etc.)? Yes  No  N/A

Comments:

2. Is grass in good condition (no excessive wear, brown spots, wet spots, no scalping, no ruts, etc.)? Yes  No  N/A

Comments:

3. Is grass properly maintained (grass is cut, has been edged recently, and is trimmed along fence lines, curbs and trees)? Yes  No  N/A

Comments:

4. Are grounds clean and free of debris (no trash, pine needles, leaves, or other debris)?

Yes  No  N/A

Comments:

**Concrete and Pathways**

1. Are concrete pathways and curbs, along with aglime pathways in good condition (no excessive cracking or heaving, no significant damage or wear and tear)?      Yes  No  N/A

Comments:

2. Are trails and pathways properly maintained (pathways are clean - no trash or debris, no washout, no graffiti along walkway, etc.)?      Yes  No  N/A

Comments:

**Playground**

1. Is surface material in playground area well maintained, clear of debris and in good condition?

Yes  No  N/A

Comments:

2. Is playground equipment in good and working condition?

Yes  No  N/A

Comments:

Park Facilities

1. Is equipment and are all amenities, as outlined in this packet, accounted for and in good condition? Items to inspect and report on include picnic tables, grills, etc.

Yes  No  N/A

Comments:

2. Are courts free of debris and in good condition? Look for cracks in the court, paint flaking, and check condition of nets.

Yes  No  N/A

Comments:

Park Name: The Grove  
Date of Audit: 7-8-2023  
Auditor: RANDI LUMBEL

**Landscaping / Grounds**

1. Are weeds absent from grass and surrounding grounds (mulch beds, playground, courts, etc.)? Yes X No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

2. Is grass in good condition (no excessive wear, brown spots, wet spots, no scalping, no ruts, etc.)? Yes X No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

3. Is grass properly maintained (grass is cut, has been edged recently, and is trimmed along fence lines, curbs and trees)? Yes X No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

4. Are grounds clean and free of debris (no trash, pine needles, leaves, or other debris)?

Yes X No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

**Concrete and Pathways**

1. Are concrete pathways and curbs, along with aglime pathways in good condition (no excessive cracking or heaving, no significant damage or wear and tear)?      Yes  No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

2. Are trails and pathways properly maintained (pathways are clean - no trash or debris, no washout, no graffiti along walkway, etc.)?      Yes  No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

**Playground**

1. Is surface material in playground area well maintained, clear of debris and in good condition?

Yes  No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

2. Is playground equipment in good and working condition?

Yes  No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:



**Park Facilities**

1. Is equipment and are all amenities, as outlined in this packet, accounted for and in good condition? Items to inspect and report on include picnic tables, grills, etc.

Yes  No  N/A

Comments:

2. Are courts free of debris and in good condition? Look for cracks in the court, paint flaking, and check condition of nets.

Yes  No  N/A

Comments:

Park Name: CURTISS FIELD

Date of Audit: 7-8-2023

Auditor: RANDI LUNDELL

**Landscaping / Grounds**

1. Are weeds absent from grass and surrounding grounds (mulch beds, playground, courts, etc.)? Yes  No  N/A

Comments:

2. Is grass in good condition (no excessive wear, brown spots, wet spots, no scalping, no ruts, etc.)? Yes  No  N/A

Comments:

3. Is grass properly maintained (grass is cut, has been edged recently, and is trimmed along fence lines, curbs and trees)? Yes  No  N/A

Comments:

4. Are grounds clean and free of debris (no trash, pine needles, leaves, or other debris)?

Yes  No  N/A

Comments:

**Concrete and Pathways**

1. Are concrete pathways and curbs, along with aglime pathways in good condition (no excessive cracking or heaving, no significant damage or wear and tear)?      Yes X      No \_\_\_\_\_      N/A \_\_\_\_\_

Comments:

2. Are trails and pathways properly maintained (pathways are clean - no trash or debris, no washout, no graffiti along walkway, etc.)?      Yes X      No \_\_\_\_\_      N/A \_\_\_\_\_

Comments:

*Some debris/trash. Minimal*

**Playground**

1. Is surface material in playground area well maintained, clear of debris and in good condition?

Yes X      No \_\_\_\_\_      N/A \_\_\_\_\_

Comments:

2. Is playground equipment in good and working condition?

Yes X      No \_\_\_\_\_      N/A \_\_\_\_\_

Comments:

**Park Facilities**

1. Is equipment and are all amenities, as outlined in this packet, accounted for and in good condition? Items to inspect and report on include picnic tables, grills, etc.

Yes  No  N/A

Comments:

2. Are courts free of debris and in good condition? Look for cracks in the court, paint flaking, and check condition of nets.

Yes  No  N/A

Comments:

Tom Faust

I toured the three parks on July 11th between 7 and 8 PM.

### **Community Park**

1 tennis court being used for tennis, several people on the walking path, large number of men playing soccer

Peeling paint on play structure

Some weeds in gravel of play structure and along fence of basketball court

2 nets half removed (broken?) at basketball court

Some weeds in infield of baseball field

"Par course Fit Circuit" sign leaning

1 broken seat-back on bench along path

1 sign missing on walking path

Overall, park was clean and in nice shape

Consider removing small ash trees in the area around the pond, easier now than when larger

### **Small park by St. Anthony**

5 children on basketball court

Everything in great shape!

### **Curtis Field**

10 kids playing basketball, 2 kicking soccer ball, 3 on play structure

Everything in great shape!

On the way to Curtis as I passed Snelling and Larpenteur, 4 kids in the 8 to 12 range were crossing Snelling from Amber Union. Two had basketballs and it looked like they were heading to Curtis. They were not obeying the walk sign and were caught in the middle. Ugh!

Park Name: Community Park  
Date of Audit: July 17th  
Auditor: Jeff Yager

**Landscaping / Grounds**

1. Are weeds absent from grass and surrounding grounds (mulch beds, playground, courts, etc.)? Yes  No  N/A

Comments: Looked freshly mowed.

2. Is grass in good condition (no excessive wear, brown spots, wet spots, no scalping, no ruts, etc.)? Yes  No  N/A

Comments: Considering the weather, it looked good.

3. Is grass properly maintained (grass is cut, has been edged recently, and is trimmed along fence lines, curbs and trees)? Yes  No   
N/A

Comments:

4. Are grounds clean and free of debris (no trash, pine needles, leaves, or other debris)?

Yes  No  N/A

Comments: Looked clean

---

**Concrete and Pathways**

1. Are concrete pathways and curbs, along with aglime pathways in good condition (no excessive cracking or heaving, no significant damage or wear and tear)?      **Yes**  **No**  **N/A**

Comments: Paths looked in ok shape. A aglime pathways will likely need maintenance at some point, but were ok on my running test.

2. Are trails and pathways properly maintained (pathways are clean - no trash or debris, no washout, no graffiti along walkway, etc.)?      **Yes**  **No**  **N/A**

Comments:

Seemed good to me.

---

**Playground**

1. Is surface material in playground area well maintained, clear of debris and in good condition?

**Yes**  **No**  **N/A**

Comments:

Pretty bare and hard for slide landing spot.



weeds and grass growing... could use more wood chips







2. Is playground equipment in good and working condition?

Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

I think the intention is for these to swivel, but they don't very easily / consistently



This is supposed to be something that kids can talk through and listen on the other side, but it's broken.



Broken off at the bottom, and leading no where.



Missing a fish



There are ground wasps living in the sand box



Rust and peeling paint on lots of the equipment



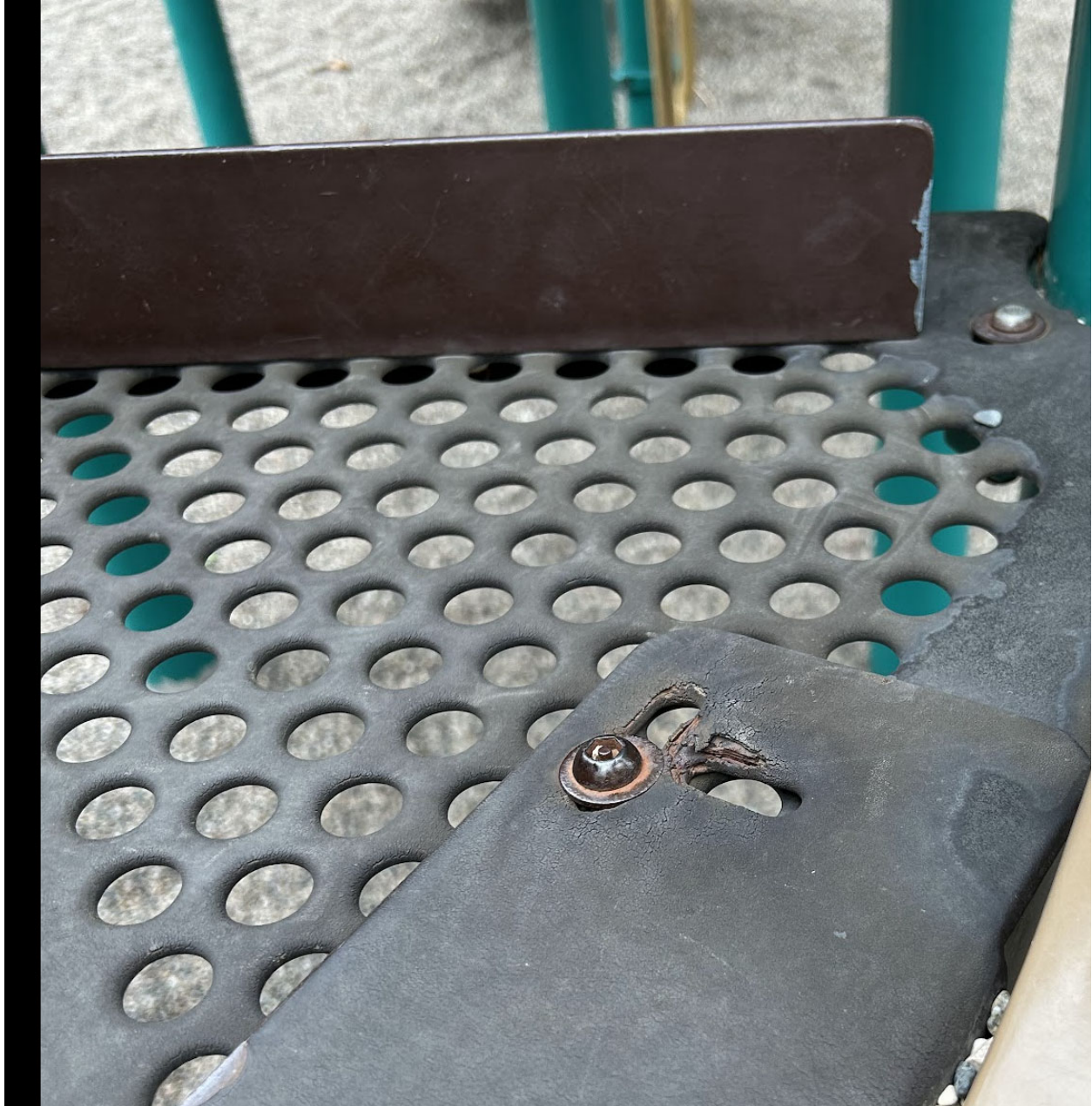




Chain ladder is broken on the bottom.



Rusty and sharp edges near one of the slides



### **Park Facilities**

1. Is equipment and are all amenities, as outlined in this packet, accounted for and in good condition? Items to inspect and report on include picnic tables, grills, etc.

Yes \_\_\_\_\_ No x \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

Not sure if these are city maintained, but on Cleveland Ave there is a bike maintenance stop. The tools are there, but the air pump is broken. There is no valve to connect to a bike.





The accessibility ramp to the picnic shelter in the southwest corner of the park rises up off the ground and moves when you step on it.



Missing signage.

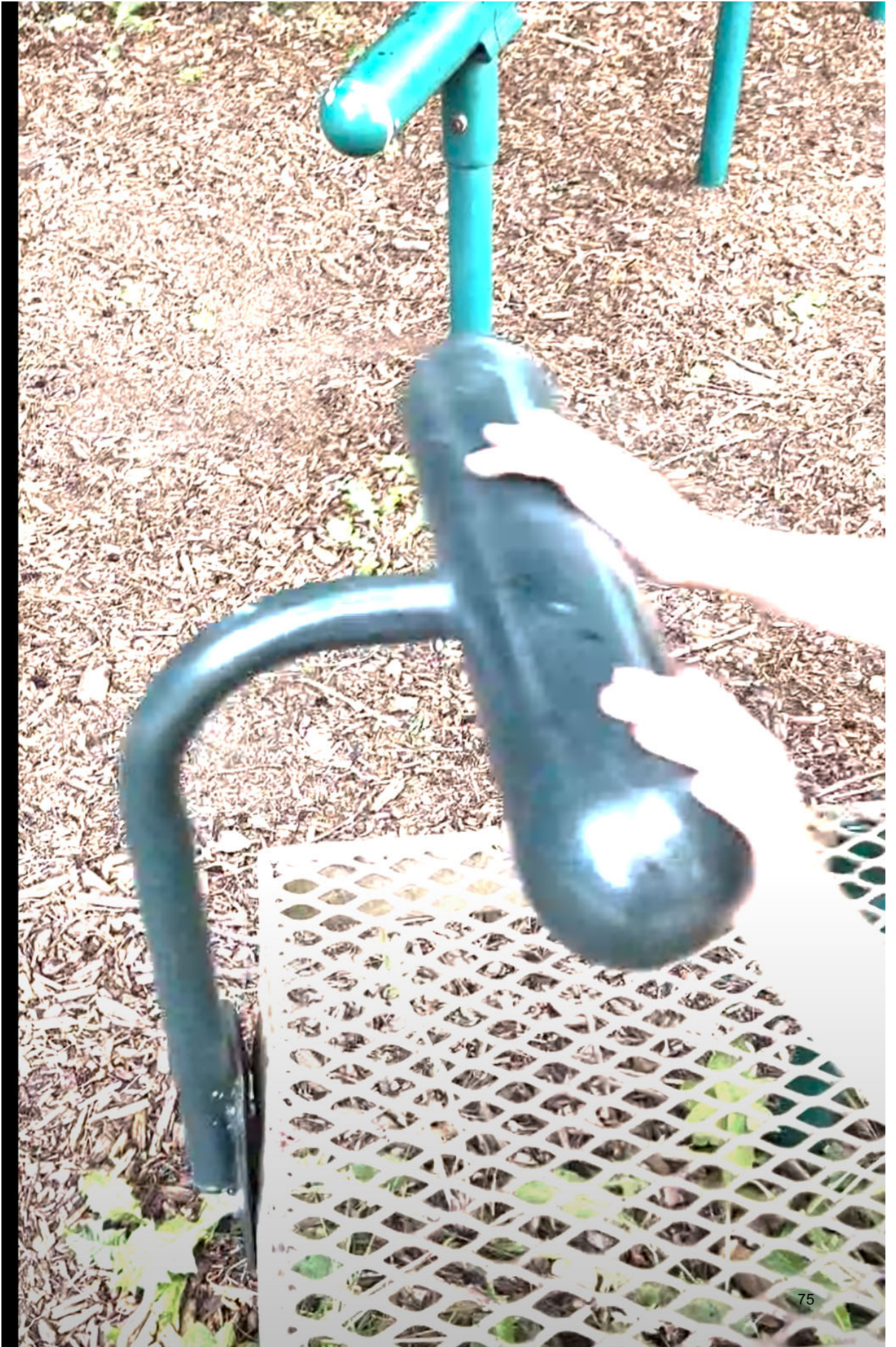




Exercise equipment is stained by mulberry trees that hang above them along the path.



Sit up bar is broken and easily moves.



2. Are courts free of debris and in good condition? Look for cracks in the court, paint flaking, and check condition of nets.

Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

One idea to consider in future designs of the park would be to swap the location of the basketball courts and the gardens. The gardens are now where near residential houses while the basketball courts are very close and could disturb neighbors.



Nets are ripped



Backstop needs fencing repair.



Big cracks in surface



On the east entrance to the tennis court, there is a big gap under which tennis balls can roll under. Not a huge deal, but annoying i'm sure.





Park Name: Grove Park  
Date of Audit: July 11  
Auditor: Jeff Yager

**Landscaping / Grounds**

1. Are weeds absent from grass and surrounding grounds (mulch beds, playground, courts, etc.)? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

2. Is grass in good condition (no excessive wear, brown spots, wet spots, no scalping, no ruts, etc.)? Yes \_\_\_\_\_ No X \_\_\_\_\_ N/A \_\_\_\_\_

Comments: I'd give it a passing grade overall considering the weather conditions this summer. There were some bare spots, but nothing too bad.

3. Is grass properly maintained (grass is cut, has been edged recently, and is trimmed along fence lines, curbs and trees)? Yes x \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

Comments: Grass looked recently mowed

4. Are grounds clean and free of debris (no trash, pine needles, leaves, or other debris)?

Yes x \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

Comments: Good and clean

**Concrete and Pathways**

1. Are concrete pathways and curbs, along with aggregate pathways in good condition (no excessive cracking or heaving, no significant damage or wear and tear)?      **Yes**  **No**  **N/A**

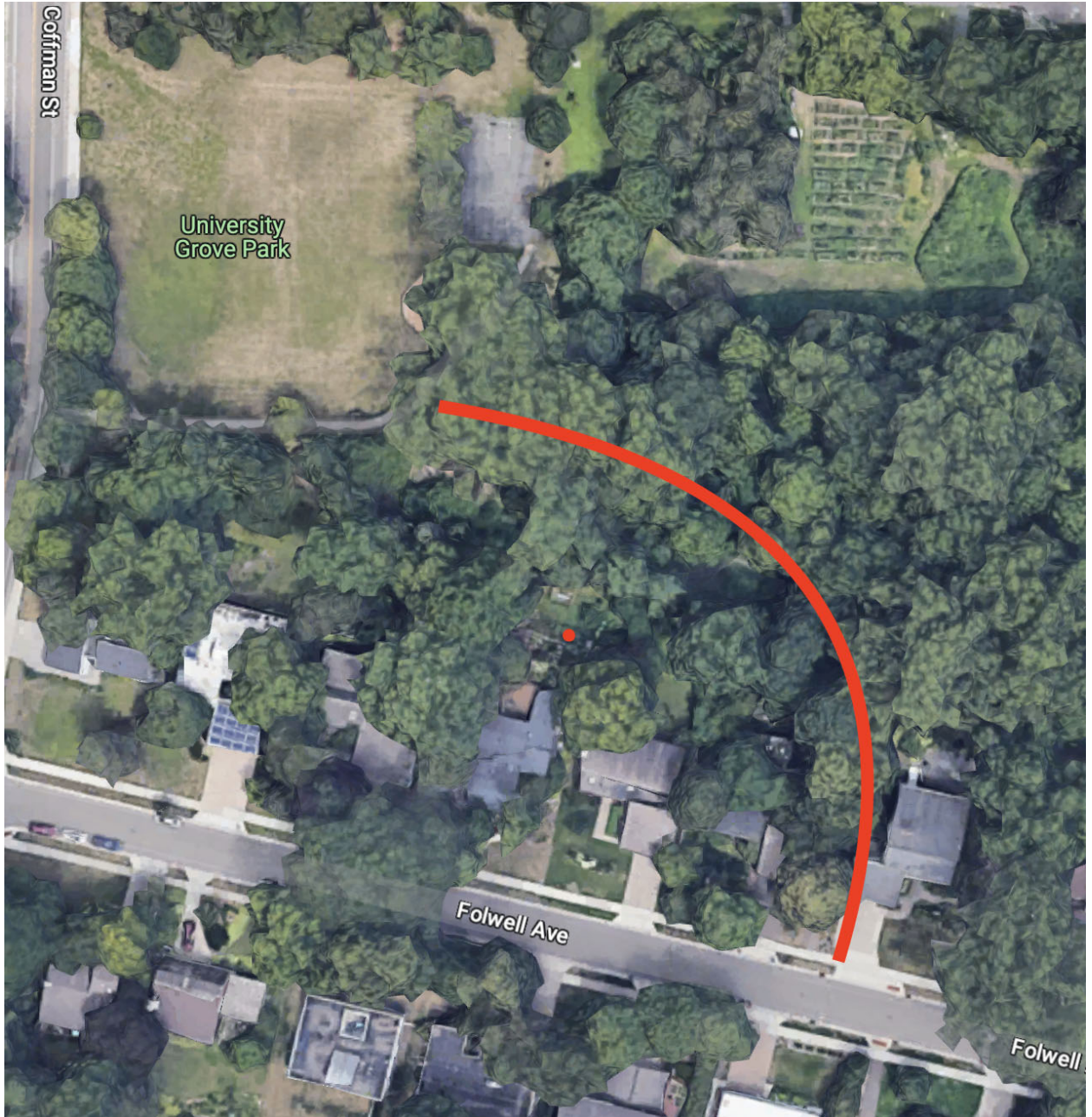
Comments: Good condition.

2. Are trails and pathways properly maintained (pathways are clean - no trash or debris, no washout, no graffiti along walkway, etc.)?      **Yes**  **No**  **N/A**

Comments:

There is a path that looks like it is a right of way from Folwell Ave. Is this maintained by the city? It's not clearly marked so it's confusing.









**Playground**

1. Is surface material in playground area well maintained, clear of debris and in good condition?

Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

2. Is playground equipment in good and working condition?

Yes \_\_\_\_\_ No XX N/A \_\_\_\_\_

Comments:



Many cracks and broken edging on the playgrounds







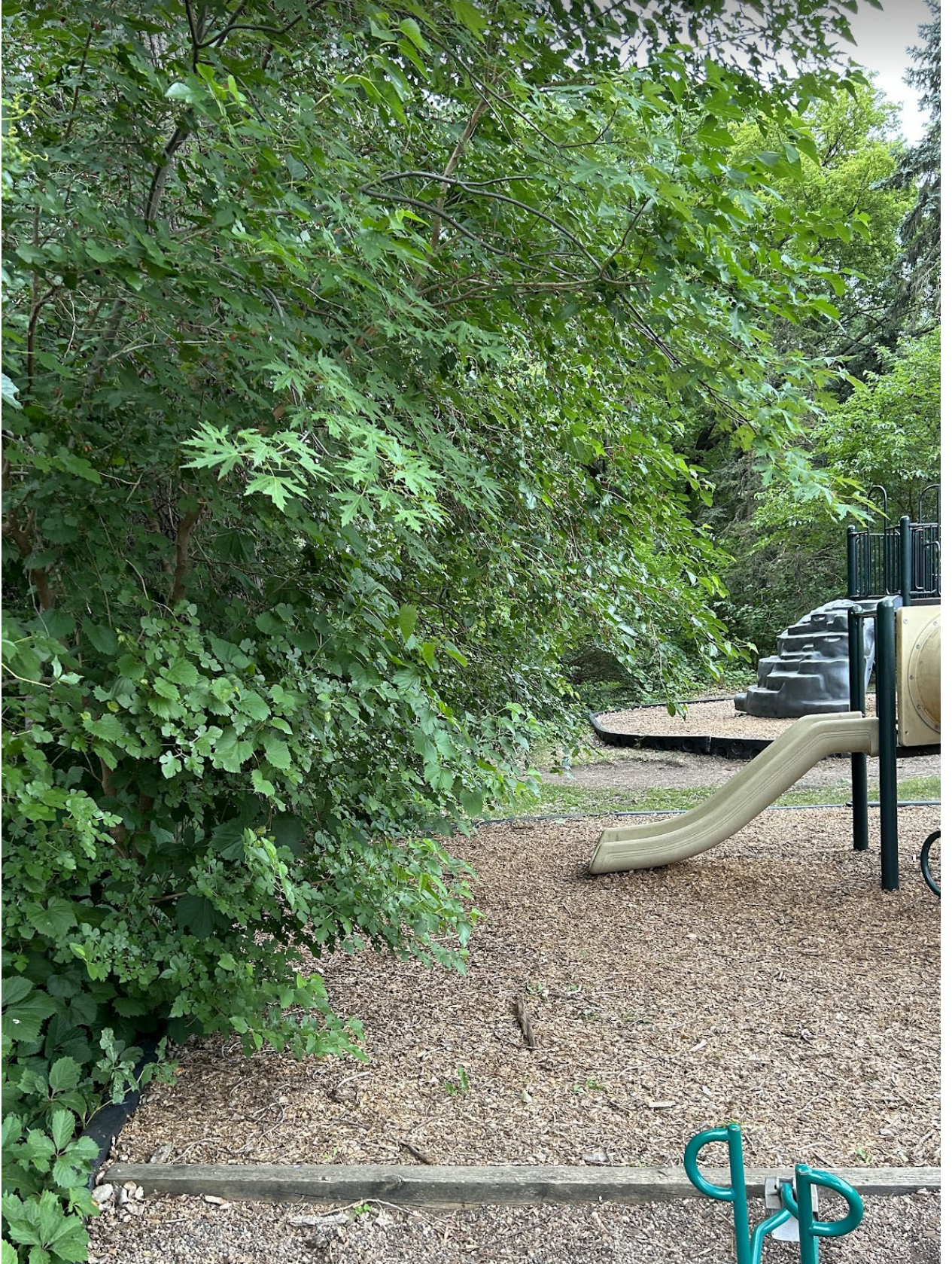
Swing looks like it could break.



The slide and other playground equipment has berry residue from the mulberry tree that hangs over the equipment. This should be trimmed back so that the equipment stays clean and kids don't ruin their clothes.







---

**Park Facilities**

1. Is equipment and are all amenities, as outlined in this packet, accounted for and in good condition? Items to inspect and report on include picnic tables, grills, etc.

Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

Comments:

Broken handle on exercise equipment









This bar is missing screws or bolts and the bar spins freely making it not stable to do the intended exercises.





Is this trash can missing a top to keep rain (and critters) out?



Benches look very weather worn and the area around them could use some trimming up as it looks overgrown.



2. Are courts free of debris and in good condition? Look for cracks in the court, paint flaking, and check condition of nets.

Yes \_\_\_\_\_ No  N/A \_\_\_\_\_

Comments:

Basketball netting is ripped. Not terrible though





Park Name: Curtiss Filed  
Date of Audit: July 20, 2023  
Auditor: Jeff Yager

**Landscaping / Grounds**

1. Are weeds absent from grass and surrounding grounds (mulch beds, playground, courts, etc.)? Yes  No  N/A

Comments:

Looks ok

2. Is grass in good condition (no excessive wear, brown spots, wet spots, no scalping, no ruts, etc.)? Yes  No  N/A

Comments: Brown spots where the hockey rink was

3. Is grass properly maintained (grass is cut, has been edged recently, and is trimmed along fence lines, curbs and trees)? Yes  No  N/A   
\_\_\_\_\_

Comments:

Grass looked cut recently

4. Are grounds clean and free of debris (no trash, pine needles, leaves, or other debris)?

Yes  No  N/A

Comments:

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**Concrete and Pathways**

1. Are concrete pathways and curbs, along with aglime pathways in good condition (no excessive cracking or heaving, no significant damage or wear and tear)?      **Yes**  **No**  **N/A**

Comments:

2. Are trails and pathways properly maintained (pathways are clean - no trash or debris, no washout, no graffiti along walkway, etc.)?      **Yes**  **No**  **N/A**

Comments:

---

**Playground**

1. Is surface material in playground area well maintained, clear of debris and in good condition?

**Yes**  **No**  **N/A**

Comments:

2. Is playground equipment in good and working condition?

Yes  No  N/A

Comments:

I didn't get a chance to look in detail at these equipment. My helpers weren't with me



---

### **Park Facilities**

1. Is equipment and are all amenities, as outlined in this packet, accounted for and in good condition? Items to inspect and report on include picnic tables, grills, etc.

Yes  No  N/A

Comments:

2. Are courts free of debris and in good condition? Look for cracks in the court, paint flaking, and check condition of nets.

Yes  No  N/A

Comments:

**DRAFT**

## **PUBLIC WORKS**

### **RECOMMENDED MAINTENANCE**

#### CURTISS FIELD

Remove weeds and seed areas with excessive wear / brown spots.

Trim trees hanging over north sidewalk, along Idaho and overhang over the pavilion. Public works has completed.

Trim dead branches from the maple tree in front of the playground equipment. Remove birds' nests in the pavilion.

The see-saw and steering wheel on the playground equipment have loose bolts. Tighten them.

Fill large divot lawn by playground equipment (behind portable restroom).

Add mulch under one swing

Hockey rink area creates brown spots on the grass.

#### GROVE

Repair Little Library

Consider trimming mulberry bushes over slide

#### COMMUNITY PARK

Playground area has weeds and needs mulch filled, particularly in the area of the slide.

There are ground wasps living in the sand box

Some weeds along fence of basketball court and in baseball field infield.

Parking lot has potholes -Public Works patched the lot.

Consider moving small ash trees in the area around the pond while they are still small enough.

Fix sign that's leaning on the "Par Course Fit Circuit"

The accessibility ramp to the SW picnic pavilion rises up off the ground and moves when you step on it.

Consider trimming mulberry bushes or trying to remove stains from mulberries on exercise equipment.

The sit up bar is broken and moves.

## **2024 CITY BUDGET RECOMMENDED IMPROVEMENTS / ADDITIONS**

### CURTISS FIELD

Consider replacing missing tether ball and explore options to prevent theft of new ball. Ball is estimated to cost \$25-\$30.

Consider replacing basketball nets (balls get stuck). Estimated to \$14-27 each.

Consider adding a timer to lights.

Consider adding something for upper to middle school students (i.e. GaGa pit). GaGa Pits range from \$2,000 for an inflatable version to over \$7,000.

Are there tobacco-free signs posted? If not, consider adding

Consider adding a bench near the basketball court

### GROVE

Consider adding a park rules sign.

Consider removing and replacing two Vita Course pieces of workout equipment and their signs (outdated and broken)

Consider removing/replacing two wooden benches

Consider replacing playground equipment and adding something for older kids.

Consider purchasing a pickleball net

Consider adding a trash can near the front of the park and a portable restroom if pickleball adds more non-neighborhood park users.

Consider replacing basketball nets.

### COMMUNITY PARK

Consider replacing trail signs

Consider placing a bench on the east side

Consider having dog poop bags near trash bin.

Consider offering ADA portable restroom

Consider replacing basketball nets. Estimated to \$14-27 each.

Consider replacing nets on soccer goals. Estimated \$215 - \$400

Consider replacing bench with broken seat back along the path.

Consider replacing playground equipment (parts are broken or no longer functioning. The Merry-go-round and monkey bars have rust and chipping paint. The chain ladder is broken on the bottom. There are rusty and sharp edges near the slide.

When park improvements are made, consider swapping location of gardens with basketball courts (near residential area).

Baseball field backstop has tears.

Consider adding something so tennis balls cannot roll under the fence on the courts so easily at the east entrance.

## Park and Facility Audit

Venue	Amenities at Park	Findings/Updates
<b>Community Park Building and Upper Picnic Area</b> 2050 Roselawn Ave. (corner of Roselawn and Cleveland)	Portable bathroom 2 BBQ Grills 9 Outdoor picnic tables Parking lot (50 spots); there's also on street parking	Portable bathroom <b>(near tennis court)</b> 2 BBQ Grills <b>5</b> Outdoor picnic tables Parking lot (50 spots); there's also on street parking
<b>East Picnic Area (near playground)</b>	2 Picnic Tables Trash receptacles Portable bathroom Parking lot (50 spots); there's also on street parking	2 Picnic Tables Trash receptacles Portable bathroom <b>(near tennis court)</b> Parking lot (50 spots); there's also on street parking
<b>Lower Picnic Area (Southwest corner of park)</b>	2 Picnic Tables 1 BBQ Grill Trash receptacles Portable bathroom Parking lot (50) and on street parking	2 Picnic Tables 1 BBQ Grill Trash receptacles Portable bathroom <b>(near tennis court)</b> Parking lot (50) and on street parking
<b>Curtiss Field</b> 1551 W. Iowa Ave.	Playground Basketball hoop and half court 3 picnic tables Portable bathroom Parking lot (10 spots); there's also on street parking 1 BBQ Grill	<b>Findings:</b> <b>2 Toddler Swings</b> <b>1 belt swing</b> <b>1 ADA swing</b> <b>Playground (includes teeter totter)</b> <b>1 grill</b> <b>3 picnic tables</b> <b>Portable ADA bathroom</b> <b>Parking lot of approx. 10 spaces</b> <b>4 benches up at playground Tether ball pole</b> <b>Basketball court with one regular hoop and one mini court/hoop</b>

<p><b>The Grove</b> 1600 Coffman Street</p>	<p>Playground Basketball hoop and half court 2 picnic tables On street parking NO restroom</p>	<p><b>Playground that is outdated</b> <b>3 benches scattered throughout park</b> <b>2 picnic tables</b> <b>One grill</b> <b>NO restroom</b> <b>On street parking</b> <b>Basketball court with two hoops; pickleball court lines painted.</b> <b>Mini library</b></p>
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<b>Meeting Date</b>	August 7, 2023
<b>Agenda Item</b>	E4
<b>Attachment</b>	Chapter 34 of City Code; Surrounding Cities' Policies
<b>Submitted By</b>	Kelly Nelson, Assistant to the City Administrator

<b>Item</b>	Sleeping in Parks; Homeless Encampments
<b>Description</b>	Staff recommends that commissioners discuss current policy and procedures in place for handling homeless sleeping in parks / homeless encampments to determine if any additional suggestions should be made.
<b>Budget Impact</b>	N/A
<b>Attachment(s)</b>	Chapter 34 of City Code Homeless Encampment Policy Info. from Mpls and St. Paul
<b>Action(s) Requested</b>	Staff recommends commission members discuss homeless encampments / sleeping in parks to determine if the commission has further recommendations to make for updating policy and / or procedures.

## **Chapter 34 - PARKS AND RECREATION<sup>1</sup>**

### *Article/Division/Section:*

ARTICLE I	IN GENERAL
34-1 – 34-18	<i>Reserved</i>
ARTICLE II	PUBLIC CONDUCT IN PARKS
34-19	Purpose
34-20	Hours and access; permits
34-21	Operation of bicycles; animals; camps; tennis court permits
34-22	Unlawful conduct
34-23 – 34-54	<i>Reserved</i>
ARTICLE III	TOBACCO-FREE PARKS
34-55	Purpose
34-56	Definitions
34-57	Prohibited activities
34-58	Posting of signs
34-59	Enforcement

### **ARTICLE I - IN GENERAL**

*Secs. 34-1 – 34-18 - Reserved*

### **ARTICLE II - PUBLIC CONDUCT IN PARKS**

*Sec. 34-19 - Purpose*

It is the purpose of this article to protect and promote the public health, safety, and general welfare of the people of the city by regulating the use of and management of public parks and facilities within the city. This section is in addition to all other sections, statutes and regulations that might be applicable to the city.

(Code 1993, § 3-4.01(A))

***Sec. 34-20 - Hours and access; permits***

- (a) *Hours.* The parks shall be open to the public between the hours of 6:00 a.m. and 10:00 p.m. No person shall remain, stop, use or be present in any park between the hours of 10:00 p.m. and 6:00 a.m. Exceptions may be made when special use permits have been authorized and issued.
- (b) *Permits.* The city shall require permits for the exclusive use of all or portions of specific areas, buildings, and other facilities and for conducting events of a cultural, educational, political, religious or recreational nature; and for specific exemption from any provision of

this article. Any person, group or association of persons required to obtain a permit shall file an application for such permit with the clerk.

- (1) The holder of a permit shall be liable for any loss, damage, or injury sustained by the parks or by any person resulting from the negligence of the person or persons to whom such permits are issued.
- (2) The grantee of a permit shall not transfer or relinquish said permit to another person or group without the written permission of the clerk.
- (3) The council shall have the authority to revoke a permit upon evidence of good cause.
- (4) Council may, by resolution, adopt rules, policies, and procedures from time to time for issuance of exclusive use permits.

(Code 1993, § 3-4.01(B); Ord. No. 0-94-10, § 1, 9-28-1994)

***Sec. 34-21 - Operation of bicycles; animals; camps; tennis court permits***

- (a) No person shall ride or operate a bicycle in any park except for designated bikeways or surfaces normally provided for vehicular traffic.
- (b) People are prohibited from bringing animals in public parks, except:
  - (1) Dogs accompanying a person engaged in search or rescue activities;
  - (2) Service dogs as provided in Minnesota Statutes § 256C.02;
  - (3) Dogs on a leash six feet or less in length except leashed dogs are prohibited in playgrounds, tennis and basketball courts, park shelters, ice rinks and areas with a sign prohibiting dogs.
- (c) No person shall establish or maintain any camp or other temporary lodging or sleeping place in any park.
- (d) Any person with a tennis court permit has the right to use the court for the time specified on the permit.

(Code 1993, § 3-4.01(C); Ord. No. 0-94-10, § 1, 9-28-1994; Ord. No. 09-04, § 1, 10-28-2010)

***Sec. 34-22 - Unlawful conduct***

- (a) *Defacement and destruction of property.* No person shall tamper with, climb on, deface, destroy or remove any part of any park building, structure, sign, light pole, drinking fountain, plantings, table, grill, equipment, or other property.
- (b) *Fires.* No person shall start or maintain a fire in any park site, except small recreational fires in designated grills provided or intended for that purpose.
- (c) *Alcoholic and intoxicating beverages.* No person shall transport, possess, offer for sale, consume or be under the influence of any beer, wine, liquor or other alcoholic or intoxicating beverage in any park site. Notwithstanding any other provisions of this Code, the only sanction to be taken against a person who violates this subsection by being

intoxicated shall be ejection from the park; provided, that nothing in this subsection prohibits prosecution of such person for trespass should the person refuse to leave the park.

- (d) *Unlawful sales.* No person shall sell or offer for sale, any object, merchandise or service or conduct any commercial enterprise except concessions invited by the city in conjunction with city-sponsored events or activities.

(Code 1993, § 3-4.01; Ord. No. 97-04, § 1, 6-25-1997)

***Secs. 34-23 – 34-54 - Reserved***

## **ARTICLE III - TOBACCO-FREE PARKS**

***Sec. 34-55 - Purpose***

The City of Falcon Heights believes that there is sufficient medical evidence showing that the use of tobacco and secondhand smoke is a danger to the health, safety and general welfare of the community. Numerous studies have found that tobacco smoke is a cause for diseases and second hand smoke is particularly hazardous for children and the elderly. Discarding of tobacco products on the ground can result in litter and pose a risk of harm by, among other things being ingested by young children. The purpose of this article is to set forth rules banning the use of tobacco products in city parks, thereby making such areas cleaner, safer and more enjoyable for residents and the general public.

(Ord. No. 12-06, § 1, 6-27-2012)

***Sec. 34-56 - Definitions***

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

*City parks* means any open or enclosed land improvements or facility which is owned, leased and operated by the City of Falcon Heights and which is reserved, designated or used for a playground, picnic area, garden area, bike or walking path, trail, nature preserve, green space, tennis court, sports or athletic field, skating rink, warming house, or other recreational open space area, and includes city-owned parking areas serving city parks or city facility and sidewalks located directly adjacent to a city park or facility.

*Tobacco* means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any tobacco product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a

tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

*Use* means smoking, inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, weed, or plant in any manner of in any form, chewing, sniffing, and spitting.

(Ord. No. 12-06, § 1, 6-27-2012)

***Sec. 34-57 - Prohibited activities***

(a) *Tobacco use prohibited in certain areas.* Tobacco use is prohibited in the following areas:

- (1) City parks;
- (2) Inside motor vehicles owned or operated by the city;
- (3) Inside motor vehicles at city parks.

(b) *Exceptions.* Notwithstanding any other provision to the contrary, the following areas are exempt from the provisions of this article:

- (1) City streets, easements, and sidewalks unless located adjacent or within city parks.

(Ord. No. 12-06, § 1, 6-27-2012)

***Sec. 34-58 - Posting of signs***

"Tobacco-Free Grounds" sign or signs with a similar designation will be clearly and conspicuously displayed at city parks to notify the public that smoking and other tobacco use is prohibited.

(Ord. No. 12-06, § 1, 6-27-2012)

***Sec. 34-59 - Enforcement***

(a) *Complaints.* Any citizen who desires to register a complaint under this article may initiate enforcement with the city administrator or his/her designee.

(b) *Violation and penalty.* It shall be a petty misdemeanor for any person to use tobacco in an area where tobacco use is prohibited by the provisions of this article.

(c) *Other applicable laws.* This article shall not be interpreted or construed to permit tobacco use where it is otherwise restricted by other applicable laws.

(Ord. No. 12-06, § 1, 6-27-2012)

Footnotes:

<sup>1</sup> **State Law reference** – General authority relative to parks, Minn. Stats. § 412.221, subd. 6; parks generally, Minn. Stats. ch. 448.

## (Minneapolis Park and Recreation Board Info.)

### Current Encampment Response

Public complaints about tents or encampments on park property are taken by MPRB Customer Service Department by phone (612-230-6400) or email (info@minneapolisparcs.org). If there is no indication of crime or immediate safety concerns, the complaint is referred to the MPRB Community Connections and Violence Prevention Department for follow-up. If there are any indications of violence, crime, or information that a person is a threat to themselves or others, that complaint is referred to the MPRB Park Police Department or 911.

The MPRB Community Connections and Violence Prevention Department is responsible for:

- Responding to and evaluating reports of tents/encampments on park property
- Engaging encampment occupants about rules, regulations, and expectations
- Connecting encampment occupants to service providers
- Offering encampment occupants shelter alternatives
- Coordinating encampment clean-up
- Issuing notices and communications to tents/encampments on behalf of the MPRB

The Park Police Department's role in encampment response is limited to the following:

- Preventing, responding to, and investigating crime
- Responding to and investigating suspicious behavior (reasonable, articulable suspicion)
- Responding to situations where a person may be a threat to themselves or others (legal requirement for a transportation hold)
- Supporting the work of other internal and external staff, as requested (Community Connections and Violence Prevention Department, Asset Management Department, social service providers, etc.)



(St. Paul Info.)

## **Our Ongoing Response to Support Individuals Experiencing Homelessness**

Like communities across our nation, Saint Paul is experiencing a housing crisis along the full housing continuum. This has created challenges for those in our community in need of stable, accessible, fair, and equitable housing, and for those experiencing unsheltered homelessness. Efforts such as the City of Saint Paul's [Housing Trust Fund](#), developed by Mayor Melvin Carter to produce, preserve, and protect housing affordability for residents and our [Families First Pilot Program](#) have helped respond to the many housing needs of our community.

### **Our Coordinated Response to Unsheltered Homelessness During COVID-19**

Since 2018, the City has been actively responding to encampments through coordination and outreach in collaboration with Ramsey County, and nonprofit partners. Protocols are in place to monitor the safety and health of encampment residents, and ensure access to services. The City acts to restrict and close encampments when necessary to protect the health, safety or security of encampment residents. Before any action is taken on an encampment the City works with Ramsey County and nonprofit partners to find safe, stable housing for encampment residents. Our guiding principles:

- Everyone experiencing unsheltered homelessness is deserving of being treated with dignity and respect and in accordance with their rights.
- Every effort must be made to connect people to housing, shelter, and services.
- Encampments do not provide a safe, healthy or secure living environment.

The COVID-19 pandemic has had a significant impact on the numbers of people who are experiencing homelessness, and starting in 2020 the related economic impacts led to more residents sheltering in unsafe conditions in tents, under bridges, in caves. The pandemic also affected the way local jurisdictions respond to encampments. With the goal of limiting the spread of COVID-19, Governor Tim Walz's peacetime emergency and subsequent Executive Orders in 2020 outlined the conditions under which local jurisdictions could restrict, limit or close encampments. Those orders allowed encampments to be cleared if a local governmental entity either provided sufficient alternate housing, shelter or encampment space that complies with public health guidance, or if an encampment reached a size or status that posed a documented threat to the health, safety or security of residents.

Working in collaboration with Ramsey County and our outreach partners, we gather information and make decisions on a case-by-case basis to ensure our efforts align with our guiding principles. Our efforts remain focused on supporting the safety and health of unsheltered residents amid the pandemic and beyond. Our strategies include responding to the increased need for shelter, housing supports, and housing options, and expanding access to healthcare, mental/chemical health assessments, day space,

and shelter options for women, youth, LGBTQ, and other specific needs. The rising number of encampments during the pandemic has led at times to friction with nearby neighbors and businesses. One response has been City support of the "Block by Block" program, which employs Ambassadors to not only help maintain clean and welcoming streets in the downtown area but also to assist individuals experiencing homelessness access services. Ambassadors may also provide crime prevention information. When a law enforcement response is called for, Saint Paul Police call upon specialized units and increased patrols in targeted areas.

Learn more about our response to support the safety and health of unsheltered residents from [this presentation](#) to the Saint Paul City Council.

Learn more about Ramsey County efforts here:

- [Housing Stability in Ramsey County](#)
- [Preventing & Ending Homelessness](#)
- [Housing Services & Support](#)

#### Site Closures

The City's experience in 2020 confirmed that homeless encampments do not provide a safe, healthy, or secure living environment. A City cross-departmental team regularly visited encampment sites to assess each location and plan how to address challenges brought on by harsh weather and other conditions. Those visits included wellness checks, engaging our Neighbors Helping Neighbors volunteers and ensuring every person experiencing homelessness was aware of the additional capacity for emergency shelter and how to access resources. The City went from a count of nearly 400 individuals in encampment sites in 2020 to less than 50.

In addition to its hotel program Ramsey County began post-COVID to add shelter program capacity, Luther Seminary, Mary Hall, Bethesda Hospital and the Provincial House at Carondelet (for families with minor children), which are now open. Freedom House in downtown Saint Paul, operated by Listening House, is also open for drop-in referral and other services during the day. In partnership with Ramsey County, we have created options to serve families and couples, including LGBTQ couples, provide storage of belongings, and meet transportation needs.

The City has thoughtfully closed approximately 60 unique encampments (many multiple times), aligning resources and services with occupants before and during closures. Many occupants are now in new low-barrier shelters, established through City-County partnerships, and have access to programming that leads to more permanent housing and supports. We will continue to close encampments based on safety risks as long as low-barrier shelter beds are available.

While these efforts help respond to the urgent needs brought on by this pandemic, we share an ongoing commitment to long-term permanent, affordable, and supportive housing to address housing instability in our community. Going forward our goals include: Connecting residents to longer-term supportive community resources; de-

escalating situations without risk of resident harm; and providing a supportive and appropriately trained response team of City staff.

#### Frequently Asked Questions

##### **Q. What indoor options are provided for residents of the encampments?**

In addition to the hotel program Ramsey County began in 2020 to add shelter program capacity, Luther Seminary, Mary Hall, the former Bethesda Hospital and the Provincial House at Carondelet are now open. These provide individual housing units with options to serve couples, including LGBTQ couples. Families are also provided individual housing units in additional locations.

City staff have been engaging residents staying at encampments throughout the City to ensure they know about and have access to the indoor options available. In advance of a closing, the city and county confirm availability of indoor housing units for all residents.

Freedom House in downtown Saint Paul, operated by Listening House, is open for drop-in referral and other services during the day.

##### **Q. What about safety and security in shelter?**

All options in the Ramsey County shelter program have 24/7 on-site staff. The staff reflect the residents and have diverse experiences. They work to build relationships with residents and are CPR and Narcan trained. Wraparound services are provided in all programs: 3 meals per day; on-site mental health services; transportation services; health care and nursing. The goal is to provide pathways to housing stability with on-site benefit and housing navigation provided as well as support to remove barriers for housing readiness. Trauma-informed security, rooted in de-escalation, is provided 24/7 at all locations.

##### **Q. What about concerns regarding COVID?**

All shelter operations are following the CDC and [MDH guidance](#) to protect clients and staff from COVID.

##### **Q. What is the long-term plan for residents experiencing homelessness?**

While these efforts are a response to the urgent needs brought on by this pandemic, our ongoing commitment is to long-term permanent, affordable, and supportive housing to address the housing needs in our community.

#### How to help

We ask concerned residents who wish to help to let us know when they see a new encampment in their area. It is our intention to support individuals experiencing homelessness in taking the steps needed to transition to a more stable housing option.

We work with numerous community partners on unsheltered and COVID-19 relief efforts. Visit [stpaul.gov/neighbors](http://stpaul.gov/neighbors) to [learn more about volunteering with Neighbors Helping Neighbors.](#)

Outreach partners [People Incorporated](#) and [RADIAS Health](#) accept financial contributions to support their work providing access to services. Listening House of Saint Paul has an "Amazon Wish List" from which needed clothing, personal hygiene and other items may be purchased and shipped to its locations for distribution to guests. Visit the [Listening House website](#) or call 651-227-5911.

In addition to your preferred homeless service providers, other City nonprofit partners include [Model Cities of Saint Paul](#); Catholic Charities of St. Paul and Minneapolis/[Higher Ground Saint Paul Shelter](#); and [Union Gospel Mission](#).

Project Home of Interfaith Action of Greater Saint Paul is located at the Provincial House, owned by Sisters of St Joseph of Carondelet. Project Home provides an important transitional space for homeless families, offering financial and job coaching as well as other services. Visit this website [Project Home at the Provincial House](#) to learn more.

Voice of East African Women, with culturally specific programming and family shelter services for victims of domestic violence and abuse, may be reached by calling 651-528-6040, or [visit its website](#)

If you see concerning conditions in encampments that threaten the health or safety of encampment or nearby residents, call the City's Information and Complaint line at 651-266-8989. If you observe behavioral or security issues, please call the Saint Paul Police Department's non-emergency number 651-291-1111. These reports assist us in making informed decisions about sites going forward.

**Last Edited:** May 31, 2023

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<b>Meeting Date</b>	August 7, 2023
<b>Agenda Item</b>	E5
<b>Attachment</b>	Draft of City Code Chapter 34 - Ordinance 23-05
<b>Submitted By</b>	Kelly Nelson, Assistant to the City Administrator

<b>Item</b>	Tobacco and Cannabis-Free Parks
<b>Description</b>	The City Code currently states that city parks are tobacco-free. Staff recommends that commissioners read the attached ordinance, which would propose amending code to also include banning cannabis and cannabinoid products from our city parks.
<b>Budget Impact</b>	N/A
<b>Attachment(s)</b>	Draft of Ordinance 23-05 Suggested Amendments to City Code Sec. 34-55
<b>Action(s) Requested</b>	Staff recommends commission members further discuss the proposed changes and need for updated park signage, etc.

**Chapter 34 - PARKS AND RECREATION<sup>1</sup>**

*Article/Division/Section:*

ARTICLE I	IN GENERAL
34-1 – 34-18	<i>Reserved</i>
ARTICLE II	PUBLIC CONDUCT IN PARKS
34-19	Purpose
34-20	Hours and access; permits
34-21	Operation of bicycles; animals; camps; tennis court permits
34-22	Unlawful conduct
34-23 – 34-54	<i>Reserved</i>
ARTICLE III	<b>USE OF TOBACCO, AND CANNABIS AND HEMP —FREE IN CITY</b> PARKS
34-55	Purpose
34-56	Definitions
34-57	Prohibited activities
34-58	Posting of signs
34-59	Enforcement

**ARTICLE I - IN GENERAL**

*Secs. 34-1 – 34-18 - Reserved*

**ARTICLE II - PUBLIC CONDUCT IN PARKS**

*Sec. 34-19 - Purpose*

It is the purpose of this article to protect and promote the public health, safety, and general welfare of the people of the city by regulating the use of and management of public parks and facilities within the city. This section is in addition to all other sections, statutes and regulations that might be applicable to the city.

(Code 1993, § 3-4.01(A))

*Sec. 34-20 - Hours and access; permits*

- (a) *Hours.* The parks shall be open to the public between the hours of 6:00 a.m. and 10:00 p.m. No person shall remain, stop, use or be present in any park between the hours of 10:00 p.m. and 6:00 a.m. Exceptions may be made when special use permits have been authorized and issued.
- (b) *Permits.* The city shall require permits for the exclusive use of all or portions of specific areas, buildings, and other facilities and for conducting events of a cultural, educational, political, religious or recreational nature; and for specific exemption from any provision of

this article. Any person, group or association of persons required to obtain a permit shall file an application for such permit with the clerk.

- (1) The holder of a permit shall be liable for any loss, damage, or injury sustained by the parks or by any person resulting from the negligence of the person or persons to whom such permits are issued.
- (2) The grantee of a permit shall not transfer or relinquish said permit to another person or group without the written permission of the clerk.
- (3) The council shall have the authority to revoke a permit upon evidence of good cause.
- (4) Council may, by resolution, adopt rules, policies, and procedures from time to time for issuance of exclusive use permits.

(Code 1993, § 3-4.01(B); Ord. No. 0-94-10, § 1, 9-28-1994)

***Sec. 34-21 - Operation of bicycles; animals; camps; tennis court permits***

- (a) No person shall ride or operate a bicycle in any park except for designated bikeways or surfaces normally provided for vehicular traffic.
- (b) People are prohibited from bringing animals in public parks, except:
  - (1) Dogs accompanying a person engaged in search or rescue activities;
  - (2) Service dogs as provided in Minnesota Statutes § 256C.02;
  - (3) Dogs on a leash six feet or less in length except leashed dogs are prohibited in playgrounds, tennis and basketball courts, park shelters, ice rinks and areas with a sign prohibiting dogs.
- (c) No person shall establish or maintain any camp or other temporary lodging or sleeping place in any park.
- (d) Any person with a tennis court permit has the right to use the court for the time specified on the permit.

(Code 1993, § 3-4.01(C); Ord. No. 0-94-10, § 1, 9-28-1994; Ord. No. 09-04, § 1, 10-28-2010)

***Sec. 34-22 - Unlawful conduct***

- (a) *Defacement and destruction of property.* No person shall tamper with, climb on, deface, destroy or remove any part of any park building, structure, sign, light pole, drinking fountain, plantings, table, grill, equipment, or other property.
- (b) *Fires.* No person shall start or maintain a fire in any park site, except small recreational fires in designated grills provided or intended for that purpose.
- (c) *Alcoholic and intoxicating beverages.* No person shall transport, possess, offer for sale, consume or be under the influence of any beer, wine, liquor or other alcoholic or intoxicating beverage in any park site. Notwithstanding any other provisions of this Code, the only sanction to be taken against a person who violates this subsection by being



intoxicated shall be ejection from the park; provided, that nothing in this subsection prohibits prosecution of such person for trespass should the person refuse to leave the park.

- (d) *Unlawful sales.* No person shall sell or offer for sale, any object, merchandise or service or conduct any commercial enterprise except concessions invited by the city in conjunction with city-sponsored events or activities.

(Code 1993, § 3-4.01; Ord. No. 97-04, § 1, 6-25-1997)

***Secs. 34-23 – 34-54 - Reserved***

**ARTICLE III – USE OF TOBACCO, ~~AND CANNABIS, AND HEMP-FREE~~  
IN CITY PARKS**

***Sec. 34-55 - Purpose***

The City of Falcon Heights believes that there is sufficient medical evidence showing that the ~~use smoking~~ of tobacco, ~~cannabis, hemp~~ and secondhand smoke is a danger to the health, safety and general welfare of the community. Numerous studies have found that tobacco, ~~cannabis, and hemp~~ smoke is a cause for diseases and second-hand smoke is particularly hazardous for children and the elderly. Discarding of tobacco, ~~cannabis, hemp, and cannabinoid~~ products on the ground can result in litter and pose a risk of harm by, among other things being ingested by young children. The purpose of this article is to set forth rules ~~banning~~ **concerning** the use of tobacco, ~~cannabis, hemp and cannabinoid~~ products in city parks, thereby making such areas cleaner, safer and more enjoyable for residents and the general public.

(Ord. No. 12-06, § 1, 6-27-2012; **Ord. No. 23-05, § 1, X-XX-2023**)

***Sec. 34-56 - Definitions***

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

*City parks* means any open or enclosed land improvements or facility which is owned, leased and operated by the City of Falcon Heights and which is reserved, designated or used for a playground, picnic area, garden area, bike or walking path, trail, nature preserve, green space, tennis court, sports or athletic field, skating rink, warming house, or other recreational open space area, and includes city-owned parking areas serving city parks or city facility and sidewalks located directly adjacent to a city park or facility.

*Tobacco* means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any tobacco product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a

tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

*Cannabis* means any product containing, made, or derived from cannabis that is intended for human consumption, including but not limited to flowers, seeds, resins, extracts, oils, tinctures, and edible forms whether consumed by smoking, vaporizing, eating, drinking, or any other means.

*Cannabinoid products* mean any products infused with any cannabinoids, including but not limited to tetrahydrocannabinol (THC) and cannabidiol (CBD).

*Electronic Delivery Device* means any product containing or delivering nicotine, lobelia or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. Electronic delivery device includes, but is not limited to, devices manufactured, marketed or sold as e-cigarettes, e-cigars, e-pipes, vape pens, mods, tank systems, or under and other product name or descriptor.

*Hemp* means any product contained the harvested flower, bud, leaves, or stems of a plant of the genus Cannabis that has a delta-9 tetrahydrocannabinol concentration of no more than 0.3 percent on a dry weight basis. Hemp includes any derivative, concentrate, extract, resin, or other product made from a hemp plant.

*Smoking* means inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe or any other lighted or heated product containing, made or derived from nicotine, cannabis, hemp, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking will also include using an electronic delivery device.

~~*Use* means smoking, inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, weed, or plant in any manner of in any form, chewing, sniffing, and spitting.~~

(Ord. No. 12-06, § 1, 6-27-2012; Ord. No. 23-05, § 1, X-XX-2023)

### ***Sec. 34-57 - Prohibited activities***

~~(a) Smoking is prohibited in all city parks, in all public parking lots that are adjacent to City Parks, and inside all motor vehicles located in any city park or adjacent to public parking lot. *Tobacco and cannabis use prohibited in certain areas.* Tobacco, cannabis. And cannabinoid product use is prohibited in the following areas:~~

~~(1) City parks;~~

~~(2) Inside motor vehicles owned or operated by the city;~~

~~(3) Inside motor vehicles at city parks.~~

~~(b) *Exceptions.* Notwithstanding any other provision to the contrary, the following areas are exempt from the provisions of this article:~~

~~(1) City streets, easements, and sidewalks unless located adjacent or within city parks.~~

(Ord. No. 12-06, § 1, 6-27-2012; Ord. No. 23-05, § 1, X-XX-2023)

***Sec. 34-58 - Posting of signs***

“No Smoking” ~~“Tobacco and Cannabis Free Grounds”~~ sign or signs with a similar designation will be clearly and conspicuously displayed at city parks to notify the public that smoking ~~and other~~ tobacco, cannabis, hemp and ~~cannabinoid product~~ other plant use is prohibited.

(Ord. No. 12-06, § 1, 6-27-2012; Ord. No. 23-05, § 1, X-XX-2023)

***Sec. 34-59 - Enforcement***

- (a) *Complaints.* Any citizen who desires to register a complaint under this article may initiate enforcement with the city administrator or his/her designee.
- (b) *Violation and penalty.* It shall be a petty misdemeanor for any person to ~~use~~ discard tobacco, cannabis, hemp or any cannabinoid product ~~in an area where tobacco use is prohibited by the provisions of this article~~ a city park or parking lot adjacent to a city park, except in a designated trash receptacle.
- (c) *Other applicable laws.* This article shall not be interpreted or construed to permit tobacco, cannabis, hemp, or cannabinoid product use where it is otherwise restricted by other applicable laws.

(Ord. No. 12-06, § 1, 6-27-2012; Ord. No. 23-05, § 1, X-XX-2023)

Footnotes:

<sup>1</sup> **State Law reference** – General authority relative to parks, Minn. Stats. § 412.221, subd. 6; parks generally, Minn. Stats. ch. 448.

**DRAFT**

ORDINANCE NO. 23-0X

**CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING THE FALCON HEIGHTS CITY CODE  
CONCERNING USE OF TOBACCO, AND CANNABIS AND HEMP IN FREE  
PARKS CITY PARKS**

THE CITY COUNCIL OF THE CITY OF FALCON HEIGHTS ORDAINS:

Section 1. Article III of Chapter 34 of the Falcon Heights City Code is amended ~~by adding Article III in its entirety~~ to read as follows:

**Article III – USE OF TOBACCO, AND CANNABIS, AND HEMP IN FREE  
CITY PARKS**

34-55 PURPOSE. The City of Falcon Heights believes that there is sufficient medical evidence showing that the ~~use-smoking~~ of tobacco, cannabis, cannabinoid products and second-hand smoke is a danger to the health, safety and general welfare of the community. Numerous studies have found that tobacco, ~~and cannabis, and hemp~~ smoke is a cause for diseases and second-hand smoke is particularly hazardous for children and the elderly. Discarding of tobacco, cannabis, hemp, and cannabinoid products on the ground can result in litter and pose a risk of harm by, among other things being ingested by young children. The purpose of this Ordinance is to set forth rules ~~banning concerning~~ the use of tobacco, cannabis, hemp and cannabinoid products in city parks, thereby making such areas cleaner, safer and more enjoyable for residents and the general public.

34-56 DEFINITIONS. For the purpose of this code section, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

*City Parks* means any open or enclosed land improvements or facility which is owned, leased and operated by the City of Falcon Heights and which is reserved, designated or used for a playground, picnic area, garden area, bike or walking path, trail, nature preserve, green space, tennis court, sports or athletic field, staking rink, warming house, or other recreational open space area, and includes city owned parking areas serving city parks or city facility and sidewalks located directly adjacent to a city park or facility.

*Tobacco* means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings,

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cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any tobacco product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

Cannabis means any product containing, made, or derived from cannabis that is intended for human consumption, including but not limited to flowers, seeds, resins, extracts, oils, tinctures, and edible forms, whether consumed by smoking, vaporizing, eating, drinking, or any other means.

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Cannabinoid products mean any products infused with any cannabinoids, including but not limited to tetrahydrocannabinol (THC) and cannabidiol (CBD).

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Electronic Delivery Device means any product containing or delivering nicotine, lobelia or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. Electronic delivery device includes, but is not limited to, devices manufactured, marketed or sold as e-cigarettes, e-cigars, e-pipes, vape pens, mods, tank systems, or under any other product name or descriptor.

Hemp means any product containing the harvested flower, bud, leaves, or stems of a plant of the genus Cannabis that has a delta-9 tetrahydrocannabinol concentration of no more than 0.3 percent on a dry weight basis. Hemp includes any derivative, concentrate, extract, resin, or other product made from a hemp plant.

Smoking means inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe or any other lighted or heated product containing, made or derived from nicotine, cannabis, hemp, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking will also include using an electronic delivery device.

~~Use means smoking, inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, weed, or plant in any manner of in any form, chewing, sniffing, and spitting.~~

#### 34-57 PROHIBITED ACTIVITIES.

~~A. Smoking is prohibited in all city parks, in all public parking lots that are adjacent to City Parks, and inside all motor vehicles located in any city park or adjacent public parking lot. Tobacco and cannabis use prohibited in certain areas. Tobacco, cannabis, and cannabinoid product use is prohibited in the following areas:~~

- ~~(1) City Parks;~~
- ~~(2) Inside motor vehicles owned or operated by the City;~~

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~~(3) Inside motor vehicles at City Parks.~~

~~B. *Exceptions.* Notwithstanding any other provision to the contrary, the following areas are exempt from the provisions of this chapter:~~

~~(1) City streets, easements, and sidewalks unless located adjacent or within city parks.~~

#### 34-58 POSTING OF SIGNS

A. ~~“No Smoking Tobacco and Cannabis Free Grounds”~~ sign or signs with a similar designation will be clearly and conspicuously displayed at City Parks to notify the public that ~~smoking~~ smoking including and other tobacco, cannabis, hemp and cannabinoid product or other plant use is prohibited.

#### 34-59 ENFORCEMENT

A. *Complaints.* Any citizen who desires to register a complaint under this chapter may initiate enforcement with the City Administrator or his/her designee.

B. *Violation and Penalty.* It shall be a petty misdemeanor for any person to ~~use~~ discard tobacco, cannabis, or any hemp or any cannabinoid product ~~in an area where tobacco such use is prohibited by the provisions of this chapter a city park or parking lot adjacent to a city park, except in a designated trash receptacle.~~

C. Other applicable laws. This chapter shall not be interpreted or construed to permit tobacco, cannabis, hemp or cannabinoid product use where it is otherwise restricted by other applicable laws.

Section 2. This ordinance is effective immediately upon its passage and publication.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: \_\_\_\_\_  
Randall C. Gustafson, Mayor

ATTEST:

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Jack Linehan, City Administrator

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