

MORRISON COUNTY

MORRISON COUNTY ORDINANCE

RECREATIONAL TRAIL RULES AND REGULATIONS

REGULATING THE USE OF COUNTY OWNED TRAILS WITHIN MORRISON COUNTY

**Department of Public Works
213 1st Avenue Southeast
Little Falls, MN 56345**

February 7, 2017

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WHEREAS, Morrison County owns the abandoned railroad right-of-way (ROW) within county boundaries, and

WHEREAS, a minimum 100 foot width right-of-way, being at least 50 feet or more in width on both sides of the former tracks of the Soo Line Railroad, is deemed necessary for operation by the county of a recreational trail; and

WHEREAS, it is deemed advisable that use of the trail be regulated and managed to ensure the safety of all users of the right-of-way and the general public, and to protect and benefit the people, economy, and natural resources of the county, allowing the most beneficial uses thereof.

NOW, THEREFORE, the County Board of Commissioners of Morrison County, Minnesota, ordains as follows:

SECTION I. JURISDICTION

A. WEST:

The rules and regulations herein govern the management and safety of the paved recreational trail developed on abandoned Soo Line Railroad right-of-way from U.S. Highway 10, at the Soo Line – Highway 10 Park 'n Ride, west to the Morrison/ Stearns County boundary.

B. EAST: The rules and regulations herein govern the management and safety of the recreational trail developed on abandoned Soo Line Railroad right-of-way from the 160th Avenue Ramp (ramp located at 160th Avenue) east traversing through to the unpaved recreational trail on the east side of U.S. Highway 10, at the Soo Line from U.S. Highway 10, continuing east to the Morrison/Mille Lacs County boundary.

SECTION II. AUTHORIZED USES

A. The west, paved portion of trail, as defined in Section I, JURISDICTION, A. WEST, may be used for the following purposes without special permit from the County:

1. From April 1st through October 31st of each year by pedestrians, in-line skaters, and bicyclers. An individual who chooses to use the trail to walk their animals will be responsible for cleaning up animal waste and all animals are required to be leashed.
2. From December 1st in any year to March 31st of the following year, as long as there is an adequate snow cover of three or more inches on the trail, by snowmobiles, "fat-tire" bicycles, and cross-country skiers. Snowmobiles may not use the trail if equipped with a studded track of any kind. An individual who chooses to use the trail for cross-country skiing or fat-tire bicycling activities must recognize certain given paved portions of the Soo Line Recreational Trail are shared for multiple authorized uses.

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3. From April 1 through October 31 of each year, the segment of the West trail from US Highway 10, at the Soo Line – Highway 10 Park ‘n Ride, west to the 160th Avenue Ramp (ramp located at 160th Avenue), by all-terrain vehicles (ATV) of both classes (class 1 and 2) as defined in MN Statute 84.92, subd. 8.
- B.** The east portion of trail, as defined in Section I, JURISDICTION, B. EAST, may be used for the following purposes without special permit from the County:
1. From April 1st through October 31st of each year by pedestrians, bicyclers, horseback riders and all-terrain vehicles (ATV) of both classes (class 1 & class 2) as defined in MN Statute 84.92, Subdivision. 8.
 2. From December 1st in any year to March 31st of the following year by snowmobiles, “fat-tire” bicycles, and cross country skiers, as long as an adequate snow cover of three or more inches remains on the trail. An individual who chooses to use the trail for cross country skiing and fat-tire bicycling activities must recognize certain given unpaved portions of the Soo Line Recreational Trail are shared for multiple authorized uses.
 3. The east portion of trail may be used by all-terrain vehicles (ATV) of both classes (Class 1 & Class 2) as defined in MN Statute 84.92, Subdivision. 8, between dates December 1st in any year, to March 31st of the following year, provided the time period **does not** fall within the snowmobile grooming window, and the access points along the trail **have not** been posted “**CLOSED TO ATV USE**” by the Morrison County Department of Public Works. The snowmobile grooming window is the time period between the first and last grooming of the snow cover on the trail that takes place between dates December 1st in any year, to March 31st of the following year.
- C.** Both East and West portions may, at any time be used:
1. By emergency vehicles including fire, rescue, or law enforcement vehicles for emergency and law enforcement purposes;
 2. As a roadway or crossing for farm purposes when property on both sides of the right-of-way is owned or leased by the same person;
 3. By adjacent landowners for fence building or repair.
 4. As a crossing for a public road right-of-way.
 5. In accordance with the requirements of the 1990 Americans with Disabilities Act (ADA) regulations, and associated revisions, and the U.S. Department of Justice (DOJ) rules for accessibility.
 6. By officials of Morrison County, or other individuals authorized by the Public Works Director, while operating in an official capacity.

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7. By other individuals as authorized by the Public Works Director.
8. As an emergency alternate temporary public roadway if determined necessary by the Morrison County Public Works Director.
9. As an access road for the installation and maintenance of utilities such as electric lines, telephone or other communication lines, gas, oil, and other transmission lines; as authorized by the Public Works Director.
10. As an access road for maintenance work on public drainage systems and on the trail system, as authorized by the Public Works Director.

SECTION III. UNAUTHORIZED USES

A. No person may use either the East or West portions of the trail for any purpose except as identified in Section II above. Any use of the trail property not authorized by Section II shall be considered a trespass and a violation of this ordinance.

B. No person shall deposit any garbage, rubbish, offal, or the body of any dead animal or other litter in or upon the right-of-way.

C. The trail is closed and may not be used for any purpose from November 1st thru November 30th of each year, except that hunters may make direct crossings of the trail if they have authority or permission to hunt on property on both sides of the trail right-of-way.

SECTION IV. TRAIL GROOMING

At least three inches of snow shall be left upon the surface of the right-of-way of the trail after grooming between December 1st and March 31st of each winter.

SECTION V. HUNTING PROHIBITED

No hunting is permitted upon or across the trail right-of-way, except a hunter during hunting season, may make a direct crossing of the trail, if the hunter has permission to hunt on property on both sides of the trail right-of-way. Under no circumstances may a hunter discharge any firearm or bow and arrow across the trail right of way.

SECTION VI. SIGNS

Morrison County Public Works Director shall be responsible for determining the proper placement of trail signs within the public road right-of-ways.

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SECTION VII. FENCES

Upon written request and approval of the MC Public Works Department, of a person who owns property adjacent to the trail right-of-way, and after completion of the work, Morrison County will pay one-half of the actual cost of materials used to build or repair a fence along the trail right-of-way if the fence is built according to criteria to be established by the Morrison County Board of Commissioners. Adjacent landowners are responsible for building the fence. Receipts showing the actual cost of material must be submitted to the Public Works Department before these costs will be paid.

SECTION VIII. SAFETY

All traffic safety regulations applicable to highways, streets and trails within the State of Minnesota shall be applicable to the utilization of this trail; however, the county reserves the right to provide for more limited and stringent safety and traffic regulations. Unless otherwise posted, the maximum snowmobile speed limit on the right-of-way shall be 50 miles per hour except that no snowmobile shall be operated in excess of 30 miles per hour within the city limits of the city of Bowlus or Genola or on the bridge across the Mississippi River or on the bridge across U.S. Hwy 10. All equipment used in the lawful and authorized uses of the recreational trails must still meet County and State of Minnesota rules and regulations for operation, in particular appropriate headlamps/lighting, as well as general rules of the trail.

SECTION IX. ENFORCEMENT

The Morrison County Sheriff's Department and Public Works Department shall cooperate in monitoring the use of the trail to ensure compliance with this ordinance. The Morrison County Sheriff's Department, agents of the Department of Natural Resources, and all other licensed law enforcement personnel may enforce state laws and regulations and the terms of this ordinance upon the right-of-way.

SECTION X. VIOLATION AND PENALTY

Any person who violates any provision of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed \$1,000.00 and/or imprisonment not to exceed 90 days. These penalty provisions are in addition to any other remedy or action available in the law or as a matter of right to Morrison County.

SECTION XI. VALIDITY

Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

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SECTION XII. EFFECTIVE DATE

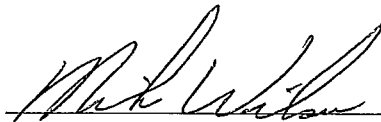
This ordinance shall be effective immediately upon the approval and adoption by the Morrison County Board of Commissioners.

SECTION XIII. REPEAL

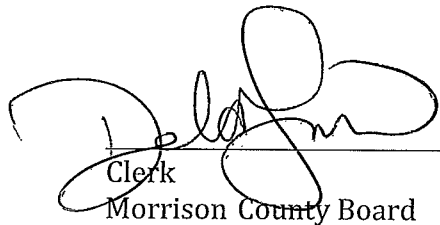
Upon enactment of this ordinance, previous Soo Line Ordinances and amendments passed by the County respectively for these same sections of recreational trail, are hereby inclusively repealed.

These changes are effective February 7, 2017.

Adopted this 7th Day of February, 2017.



Chairperson
Morrison County Board



Clerk
Morrison County Board

RESOLUTION #2017-009

CHANGES TO THE MORRISON COUNTY ORDINANCE

Recreational Trail Rules and Regulations
Regulating the Use of County Owned Trails within Morrison County

WHEREAS, it is deemed advisable that use of the trails within Morrison County jurisdiction be regulated and managed to ensure the safety of all users of the right-of-way and the general public, and to protect and benefit the people, economy, and natural resources of the county, allowing the most beneficial uses thereof, and;

WHEREAS, the County Board of Commissioners of Morrison County, Minnesota, has ordained Recreational Trail rules and regulations specific to Regulating the use of County-owned Trails within Morrison County, and;

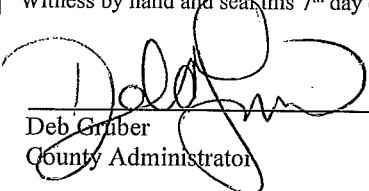
WHEREAS, additional consideration was provided towards a language change to allow for additional use of the Trail by all-terrain vehicles (ATVs) of both Classes 1 & 2, during additional specified times of the year, providing for a Subparagraph B. 3. to be added to the Ordinance under **SECTION II. AUTHORIZED USES** of the Ordinance;

NOW, THEREFORE, BE IT RESOLVED Morrison County enacts the proposed update and changes to the Morrison County Ordinance regarding Recreational Trail Rules and Regulations regulating the use of County-owned Trails within Morrison County.

Adopted this 7th day of February, 2017.

STATE OF MINNESOTA }
COUNTY OF MORRISON }

I, Deb Gruber, County Administrator, Morrison County, Minnesota hereby certify that I have compared the foregoing copy of the resolution of the County Board of said County with the original record thereof on file in the Administration Office of Morrison County in Little Falls, Minnesota as stated in the minutes of the proceedings of said board at a meeting duly held on this 7th day of February, 2017, and that the same is a true and correct copy of said original record and of the whole thereof, and that said resolution was duly passed by said board at said meeting.
Witness by hand and seal this 7th day of February, 2017.



Deb Gruber
County Administrator

Commissioner	Yes	No	Abs	Mot	2nd
Wilson	X				
Jelinski	X				
Johnson	X			✓	
LeMieur	X				X
Winscher	X				