

CHAPTER 87

PRIVATE LANDS AND WATERS, PUBLIC USE

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87.01 POLICY. It is the policy of the state, in furtherance of the public health and welfare, to encourage and promote the use of privately owned lands and waters by the public for beneficial outdoor recreational purposes, and the provisions of sections 87.01 to 87.04 are enacted to that end.

[1961 c 638 s 1]

87.02 DEFINITIONS. Subdivision 1. The definitions given in this section shall obtain for the purposes of sections 87.01 to 87.04, except as otherwise specified or indicated by the context.

Subd. 2. "Outdoor recreational use" includes, without limitation, hunting, fishing, boating, swimming, walking, climbing, skating, skiing on land or water, snowshoeing, riding, camping, picnicking, participating in outdoor sports or games, nature study, and other pursuits for the purpose of outdoor recreation.

Subd. 3. "Free recreational area" means any privately owned area of land or water which the owner or the person having the right of possession and control thereof has made subject to any recreational use or uses by the public without compensation, evidenced by any of the following methods:

(1) By written declaration describing the area and specifying the free public uses permitted therein, executed by such owner or person as provided by law for a conveyance of land, and recorded in the office of the register of deeds of the county wherein the area is situated. Such declaration shall run with the land and remain in effect until modified or revoked by written instrument executed by the fee owner and recorded in like manner.

(2) By posting printed notices at reasonable intervals upon the boundaries of the area, which notices shall contain the following statement: "Open for recreational use under Minnesota Statutes, Chapter 87," and be signed by the owner or the person having the right of possession and control of the area.

(3) Lands listed or registered under the provisions of sections 270.31 to 270.39, or 88.47 to 88.53.

[1961 c 638 s 2; 1963 c 207 s 1]

87.03 DEDICATION. No dedication of any free recreational area or part thereof to any outdoor recreational use by the public specified pursuant to section 87.02, subdivision 3, shall take effect in consequence of the exercise of such use for any length of time hereafter except as expressly permitted or provided by the owner. No dedication of any road, path, trail, portage, waterway, or other passageway through or over any such area for the purpose of or in connection with any outdoor recreational use by the public specified pursuant to section 87.02, subdivision 3, shall take effect in consequence of the exercise of such use for any length of time hereafter except as expressly permitted or provided by the owner or as otherwise expressly provided by sections 160.05 and 160.06, or other legislative act.

[1961 c 638 s 3; 1963 c 207 s 2]

87.04 LIABILITY FOR INJURIES. No liability or cause of action for any injury to person or property occurring in the course of or in connection with any outdoor recreational use of any free recreational area specified pursuant to section 87.02, subdivision 3, shall lie against the owner or the person having the right of possession and control of the area except as could be maintained by a trespasser.

[1961 c 638 s 4; 1963 c 207 s 3]