

**CHAPTER 10
SUB-ANALYSIS**

PUBLIC PROTECTION, CRIMES AND OFFENSES

Section	Title	Page
Section 10.01	STORAGE, DEPOSIT AND DISPOSAL OF REFUSE	10-2
10.02	TOILET INSTALLATION REQUIRED	10-3
10.03-10.09	RESERVED.....	10-3
10.10	DANGEROUS WEAPONS AND ARTICLES.....	10-4
10.11	ANIMAL LICENSING AND REGULATION.....	10-5
10.12	ANIMALS AND FOWL - KEEPING, TRANSPORTING, TREATMENT, HOUSING	10-8
10.13	ANIMAL WASTE.....	10-9
10.14	CURFEW.....	10-9
10.15	DISORDERLY CONDUCT.....	10-10
10.16	BIRD FEEDER REGULATIONS.....	10-11
10.17-10.29	RESERVED.....	10-11
10.30	STORAGE AND TREATMENT OF ELM WOOD	10-12
10.31	MINNESOTA UNIFORM FIRE CODE.....	10-12
10.32	MAINTENANCE OF PRIVATE PROPERTY.....	10-13
10.33	STORAGE OF WOOD	10-13
10.34	ABANDONING A MOTOR VEHICLE.....	10-13
10.35	PHRENOLOGISTS, CLAIRVOYANTS, ASTROLOGISTS AND FORTUNE TELLING –PRACTICES PROHIBITED.....	10-13
10.36	WEAPONS/FIREARMS PROHIBITED ON CITY PROPERTY.....	10-14
10.37-10.98	RESERVED.....	10-14
10.99	VIOLATION A MISDEMEANOR.....	10-14

CHAPTER 10

PUBLIC PROTECTION, CRIMES AND OFFENSES

SECTION 10.01. STORAGE, DEPOSIT AND DISPOSAL OF REFUSE.

Subd. 1. Definitions. The following terms, as used in this Section, shall have the meanings stated:

A. "Refuse" - Includes all organic material resulting from the manufacture, preparation or serving of food or food products, and spoiled, decayed or waste foods from any source, bottles, cans, glassware, paper or paper products, crockery, ashes, rags, and discarded clothing, tree or lawn clippings, leaves, weeds and other waste products, except human waste or waste resulting from building construction or demolition.

B. "Residential Dwelling" - Any single building consisting of one through four dwelling units with individual kitchen facilities for each.

C. "Multiple Dwelling" - Any building used for residential purposes consisting of more than four dwelling units with individual kitchen facilities for each.

D. "Commercial Establishment" - Any premises where a commercial or industrial enterprise of any kind is carried on, and shall include restaurants, clubs, churches, and schools where food is prepared or served.

Subd. 2. Storage.

A. It is unlawful for any person to store refuse on residential dwelling premises for more than one week. All such storage shall be in five to thirty gallon metal or plastic containers with tight-fitting covers, which shall be maintained in a clean and sanitary condition; provided, that tree leaves, weeds and grass clippings may be stored in plastic bags and tree limbs must be stored in bundles weighing no more than seventy-five pounds and no longer than four feet.

B. It is unlawful for any person to store refuse on multiple dwelling premises for more than one week. Such storage shall be in containers as for residential dwelling premises, except that so-called "dumpsters" with close-fitting covers may be substituted.

C. It is unlawful for any person to store refuse on commercial establishment premises for more than forty-eight hours. Such storage shall be in containers as for residential dwelling premises, except that so-called "dumpsters" with close-fitting covers may be substituted.

D. It is unlawful to store organic refuse unless it is drained and wrapped.

Subd. 3. Deposit. It is unlawful for any person to deposit refuse from any source, rubbish, offal, or the body of a dead animal, in any place other than a sanitary landfill.

Subd. 4. Fire Danger. It is unlawful for any person to store, deposit or dispose of any refuse which is in flames or heated to the point where it could cause danger of fire in other refuse.

Subd. 5. Disposal. The Council may, by resolution, adopt, and from time to time amend, adjust and revise such rules, regulations, rates and charges as it deems necessary or proper for the operation and management of the sanitary landfill. It may give notice of any such action as it deems necessary.

SEC. 10.02. TOILET INSTALLATION REQUIRED. It is the duty of every owner or occupant of any property within the City, having a dwelling house or business building situated thereon, which property is abutting a street in which there are City water and sewer mains, to install a toilet in such dwelling or business building and make connection thereof with such water and sewer mains. The City shall serve written notice upon said owner or occupant requiring the installation of toilet facilities upon premises described in said notice, and connection thereof with the sewer and water mains, all of which shall be done within thirty days after service of such written notice. Whenever any owner or occupant shall default in compliance with such written notice the Council may by resolution direct that a toilet be installed and connection made with the water and sewer mains and that the actual cost of such installation be paid in the first instance out of the General Revenue Fund, and assessed against the property so benefited. After such installation and connection is completed by order of the Council, the City shall serve a written notice of intention to make an assessment therefor. If such assessment is not paid within ten days the City shall certify the amount thereof to the County Auditor in the same manner as with other special assessments, provided that the Council may by resolution provide that the assessment be spread over a term of five (5) years upon written request by the owner of the property.

Source: City Code
Effective Date: 3-1-88

(Sections 10.03 through 10.09, inclusive, reserved for future expansion.)

SEC. 10.10. DANGEROUS WEAPONS AND ARTICLES.

Subd. 1. Acts Prohibited. It is unlawful for any person to:

A. Recklessly handle or use a gun or other dangerous weapon or explosive so as to endanger the safety of another; or,

B. Intentionally point a gun of any kind, capable of injuring or killing a human being and whether loaded or unloaded, at or toward another; or,

C. Manufacture or sell for any unlawful purpose an, weapon known as a slung-shot or sand club; or,

D. Manufacture, transfer or possess metal knuckles or a switch blade knife opening automatically; or,

E. Possess any other dangerous article or substance for the purpose of being used unlawfully as a weapon against another; or,

F. Sell or have in his possession any device designed to silence or muffle the discharge of a firearm; or,

G. Permit, as a parent or guardian, any child under fourteen years of age to handle or use, outside of the parent's or guardian's presence, a firearm or air gun of any kind, or any ammunition or explosive; or,

H. Furnish a minor under eighteen years of age with a firearm, air gun, ammunition, or explosive without the written consent of his parent or guardian or of the Police Department.

I. Possess, sell, transfer, or have in possession for sale or transfer, any weapon commonly known as a throwing star or nun chuck. For the purposes of this Subparagraph, (1) a "throwing star" means a circular metallic device with any number of points projecting from the edge, and (2) a "nun chuck" means a pair of wood sticks or metallic rods separated by chain links attached to one end of each such stick or rod.

Subd. 2. Exception. Nothing in Subdivision 1 of this Section shall prohibit the possession of the articles therein mentioned if the purpose of such possession is for public exhibition by museums or collectors of art.

Subd. 3. Discharge of Firearms and Explosives. It is unlawful for any person to fire or discharge any cannon, gun, pistol or other firearm, firecracker, sky rocket or other fireworks, air gun, air rifle, or other similar device commonly referred to as a B-B gun.

Subd. 4. Exception. Nothing in Subdivision 3 of this Section shall apply to a display of fireworks by an organization or group of organizations authorized in writing by the Council, or to a peace officer in the discharge of his duty, or to a person in the lawful defense of his person or family. This Section shall not apply to the discharge of firearms in a range authorized in writing by the Council.

Subd. 5. Possession and Sale of Fireworks. It is unlawful for any person to sell, possess or have in possession for the purpose of sale, except as allowed in Subdivision 4 of this Section, any firecrackers, sky rockets or other fireworks.

Subd. 6. Exposure of Unused Container. It is unlawful for any person, being the owner or in possession or control thereof, to permit an unused refrigerator, ice box, or other container, sufficiently large to retain any child and with doors which fasten automatically when closed, to expose the same accessible to children, without removing the doors, lids, hinges or latches.

Subd. 7. Use of Bow and Arrow. It is unlawful for any person to shoot a bow and arrow except in the Physical Education Program in a school supervised by a member of its faculty, a community-wide supervised class or event specifically authorized by the Chief of Police, or a bow and arrow range authorized by the Council.

SEC. 10.11. ANIMAL LICENSING AND REGULATION.

Subd. 1. Definition. For the purpose of this Section:

- A. "Owner" means a person who owns an animal hereby regulated.
- B. "Own" means to have a property interest in, or to, harbor, feed, board, keep, or possess.
- C. "Dangerous Animal" means an animal which has caused damage to property or injury to a person, or which animal, by its actions, exhibits a propensity for causing imminent danger to persons.
- D. "Dog" means both male and female and includes any animal of the dog kind.
- E. "Animal" means a dog or a cat.
- F. "Cat" means both male and female and includes any animal of the feline kind.

Subd. 2. Running at Large Prohibited. It is unlawful for the owner of any animal to permit such animal to run at large. Any animal shall be deemed to be running at large with the permission of the owner unless it is on a durable leash secured to an object which it cannot move or on the premises of the owner, or on a leash and under the control of an accompanying person of suitable age and discretion, or effectively confined within a motor vehicle, building or enclosure. Animals can be unleashed for purposes of exercising the animal 200 feet from a residential area unless otherwise prohibited by law. Prohibited areas will be posted. (Amended 6/15/08)

Subd. 3. Animal License Required and Number Restricted. It is unlawful for any owner of an animal over six months of age, to fail to obtain a proper City license therefor. The number of animals permitted shall not exceed three (3) per dwelling unit, or four (4) per multi-dwelling structure, whichever is the lesser. This Subdivision shall not apply to a kennel licensed under the City Code.

Subd. 4. License Issuance, Term and Renewal. All animal licenses shall be issued only upon presentation of a certificate issued by a veterinarian, licensed to practice veterinary medicine in the State of Minnesota, showing rabies immunization of the animal for at least the term of the license. All animal licenses shall expire on December 31. Application for license renewal, accompanied by a veterinarian's certificate, shall be made at least thirty (30) days prior to expiration of the license.

Subd. 5. Adoption of Fees. All fees for the licensing, impounding and maintenance of animals, including penalties for late application, may be fixed and determined by the Council, adopted by resolution, and uniformly enforced. Such fees may from time to time be amended by the Council by resolution. A copy of the resolution setting forth currently effective fees shall be kept on file in the office of the City Clerk and open to inspection during regular business hours.

Subd. 6. Tag Required. All licensed animals shall wear a collar and have a tag firmly affixed thereto evidencing a current license and vaccinations. Tags shall include the name and current address and telephone number of the owner of the animal. A duplicate for a lost tag may be issued by the City upon presentation of the receipt showing the payment of the duplicate license fee. Tags shall not be transferable and no refund shall be made on any license fee because of leaving the City or death of the animal before the expiration of the license. (Amended 6/15/08)

Subd. 7. Animal Pound. Any animal found in the City without a license tag, running at large, or otherwise in violation of this Section, shall be placed in the Animal Pound, and an accurate record of the time of such placement shall be kept on each animal. Every animal so placed in the Animal Pound shall be held for redemption by the owner for at least five regular business days. A "regular business day" is one during which the Pound is open for business to the public for at least four hours between 8:00 o'clock A.M. and 7:00 o'clock P.M. Impoundment records shall be preserved for at least six months and shall show (1) the description of the animal by specie, breed, sex, approximate age, and other distinguishing traits; (2) the location at which the animal was seized; (3) the date of seizure; (4) the name and address of the person from whom any animal three months of age or over was received; and, (5) the name and address of the person to whom any animal three months of age or over was transferred. If unclaimed, such animal shall be humanely destroyed and the carcass disposed of. Provided also that any impounded animal, after the five-day holding-period, may be released to an agency of the Minnesota Humane Society for adoption upon written certification that if the adopting individual is a resident of the City, he will apply for and obtain a City license. (Amended 12/13/88)

Subd. 8. Notice of Impounding. Upon the impounding of any animal, the owner shall be notified by the most expedient means, or if the owner is unknown, written notice shall be posted for five days at the City Hall describing the animal and the place and time of taking.

Subd. 9. Release From Animal Pound. Animals shall be released to their owners, as follows:

A. If such animal is owned by a resident of the City, after purchase of a license, if unlicensed, and payment of the impounding fee and maintenance.

B. If such animal is owned by a person not a resident of the City, after immunization of any such animal for rabies, and payment of the impounding fee, maintenance, and immunization fee.

Subd. 10. Seizure by a Citizen. It is lawful for any person to seize and impound an animal so found running at large and shall within six hours thereafter notify the poundmaster of said animal in the City Pound. If the name of the owner of such animal so seized is known to the person who first takes such animal into custody, he or she shall inform the Poundmaster of the name of the owner, and the address if known.

Subd. 11. Immobilization of Animals. For the purpose of enforcement of this Section any peace officer, or person whose duty is animal control, may use a so called tranquilizer gun or other instrument for the purpose of immobilizing and catching an animal.

Subd. 12. Other Unlawful Acts. It is unlawful for the owner of any animal to (1) fail to have the license tag issued by the City firmly attached to a collar worn at all times by the licensed animal, or (2) own a dangerous animal, or (3) interfere with any police officer, or other City employee, in the performance of his duty to enforce this Section, or (4) fail to keep his/her dog from barking, howling or whining, or (5) fail to keep his/her cat from emitting loud or unusual noise, or (6) fail to have the owner's name, current address and telephone number on the animal collar, or (7) fail to pick up animal waste in or on all Virginia properties including those areas 200 feet outside of residential areas deemed as off-leash exercise areas, or (8) fail to have an adequate number of dog bags on his/her person at all times. (Amended 6/15/08)

Subd. 13. Summary Destruction. If an animal is diseased, vicious, dangerous, rabid or exposed to rabies and such animal cannot be impounded after a reasonable effort or cannot be impounded without serious risk to the person attempting to impound, such animal may be destroyed in a humane manner. Impoundment records as provided for in this Section shall be kept as to any animal summarily destroyed.

Subd. 14. Rabies Control - Generally.

A. Every animal which bites a person shall be promptly reported to the Chief of Police or Poundmaster and shall thereupon be securely quarantined at the direction of the Chief of Police or Poundmaster for a period of fourteen (14) days, and shall not be released from such quarantine except by written permission of the City. In the discretion of the Chief of Police, such quarantine may be on the premises of the owner or at the veterinary hospital of his choice. If the animal is quarantined on the premises of the owner, the City shall have access to the animal at any reasonable time for study and observation of rabies symptoms. In the case of a stray animal or in the case of an animal whose ownership is not known, such quarantine shall be at the animal pound, or at the discretion of the Chief of Police the animal may be confined in a veterinary hospital designated by him.

B. The owners, upon demand made by the Poundmaster or by any other City employee empowered by the Council to enforce this Section, shall forthwith surrender any animal which has bitten a human, or which is suspected as having been exposed to rabies, for the purpose of supervised quarantine. The expenses of the quarantine shall be borne by the owner and the animal may be reclaimed by the owner if adjudged free of rabies upon payment of fees set forth in this Section and upon compliance with licensing provisions set forth in this Section.

C. When an animal under quarantine and diagnosed as being rabid or suspected by a licensed veterinarian as being rabid dies or is killed, the City shall immediately send the head of such animal and rabies data report to the State Health Department for pathological examination and shall notify all persons concerned of the results of such examination.

D. The City shall issue such proclamation and take such action when rabies is suspected or exists as is required by Minnesota Statutes.

Subd. 15. Reports of Bite Cases. It is the duty of every physician, or other practitioner, to report to the Chief of Police the names and addresses of persons treated for bites inflicted by animals, together with such other information as will be helpful in rabies control.

Subd. 16. Responsibility of Veterinarians. It is the duty of every licensed veterinarian to report to the Chief of Police his diagnosis of an animal observed by him as a rabies suspect.

Subd. 17. Police Dogs, Seeing-Eye Dogs. The provisions of this Section shall not apply to the ownership or use of seeing eye dogs by blind persons, or dogs used in police activities of the City, such as canine corps or tracking dogs used by or with the permission of the Police Department.

Subd. 18. Animals in Heat. Except for controlled breeding purposes, every female animal in heat shall be kept confined in a building or secure enclosure, or in a veterinary hospital or boarding kennel, in such manner that such female animal cannot come in contact with other animals.

Subd. 19. Animal Control Officer. Any animal control officer employed by the Mesabi Humane Society shall have the authority to write tickets for all violations under this ordinance. A fine schedule shall be a graduated schedule established by the City Council as follows: \$25.00 for the first violation; \$50.00 for the second violation; \$75.00 for the third violation and any violation beyond a third violation shall be charged as a misdemeanor and subject to the sanctions of the District Court. (Added 6/15/08)

SEC. 10.12. ANIMALS AND FOWL - KEEPING, TRANSPORTING, TREATMENT, HOUSING.

Subd. 1. Definitions. As used in this Section, the following definitions shall apply.

A. "Farm Animals" - Cattle, horses, mules, sheep, goats, swine, ponies, ducks, geese, turkeys, chickens, guinea hens and honey bees.

B. "Animals" - Includes farm animals and all other animals, reptiles and feathered birds or fowl except dogs, cats, gerbils, hamsters and caged household birds.

Subd. 2. Keeping. It is unlawful for any person to keep or harbor any animal, not in transit, except (1) animals kept as part of a show licensed under the City Code, or, (2) animals used in a parade for which a permit has been issued, or, (3) animals kept in a laboratory for scientific or experimental purposes, or, (4) animals kept in an animal hospital or clinic for treatment by a licensed veterinarian.

Subd. 3. Animals in Transit. It is unlawful for any person to transport animals unless they are (1) confined within a vehicle, cage or other means of conveyance, or, (2) farm animals being transported in a portion of the City zoned for agricultural purposes, or, (3) restrained by means of bridles, halters, ropes or other means of individual restraint.

Subd. 4. Treatment. It is unlawful for any person to treat any animal as herein defined, or any other animal, in a cruel or inhumane manner.

Subd. 5. Housing. It is unlawful for any person to keep any animal as herein defined, or any other animal, in any structure infested by rodents, vermin, flies or insects, or inadequate for protection against the elements. A dog's house shall meet the requirements outlined in Minnesota Statutes Section 343.40, Subdivision 2 regarding doghouses. During the months June to September an area of total shade must be provided throughout the day. The dog house shall not be considered as an adequate source of shade.

(Amended 8/23/94)

Subd. 6. Trespasses. It is unlawful for any person to herd, drive or ride any animal over and upon any grass, turf, boulevard, City park, cemetery, garden or lot without specific permission therefor from the owner.

SEC. 10.13. ANIMAL WASTE.

Subd. 1. Definitions. For the purpose of this Section:

A. "Owner" means any person who harbors, feeds, boards, possesses, keeps or has custody of an animal.

B. "Animal" means a dog, cat or other animal.

Subd. 2. Unlawful Acts. It is a petty misdemeanor for any owner to:

A. Suffer or permit an animal to defecate upon public property, or the private property of another, without immediately removing the excrement and disposing of it in a sanitary manner.

B. Suffer or permit an animal to be upon public property, or the private property of another, unless such animal is in the custody of a person of suitable age and discretion having in his possession equipment and supplies for excrement removal.

C. Permit animal excrement to accumulate for a period in excess of seven (7) days on premises occupied by him without removal and sanitary disposal.

SEC. 10.14. CURFEW.

Subd. 1. Definition. As used in this Section "minor" means a person under the age of sixteen (16) years.

Subd. 2. Unlawful Acts.

A. It is unlawful for any minor person to be or loiter upon the streets or public places between the hours of 11:00 o'clock P.M. and 5:00 o'clock A.M. of the day following.

B. It is unlawful for any parent, guardian, or other person having the legal care or custody of any minor to allow or permit such minor to be or loiter upon the streets or public places in violation of this Section unless such minor is accompanied by a person of lawful age having such minor in charge.

C. It is unlawful for any person operating, or in charge of, any place of amusement, entertainment or refreshment, or other place of business, to allow or permit any minor to be or loiter in such place in violation of this Section unless such minor is accompanied by a person of lawful age having such minor in charge. This Subparagraph shall not be construed to permit the presence, at any time, of any person under age in any place where his presence is otherwise prohibited by law.

Subd. 3. Exceptions. Such curfew shall not apply to any minor student who is lawfully attending, going to or returning from school, church or community sponsored athletic, musical or social activities or events.

SEC. 10.15. DISORDERLY CONDUCT. It is unlawful for any person, in a public or private place, knowing, or having reasonable grounds to know, that it will, or will tend to, alarm, anger or disturb others or provoke any assault or breach of the peace, to do the following: (1) engage in brawling or fighting; or, (2) disturb an assembly or meeting, not unlawful in its character; or, (3) engage in offensive, obscene or abusive language or in boisterous and noisy conduct tending reasonably to arouse alarm, anger or resentment in others; or, (4) willfully and lewdly expose his person or the private parts thereof, or procure another to so expose himself; and any open or gross lewdness or lascivious behavior, or any act of public indecency; or, (5) whether or not posted with signs so prohibiting, voluntarily enter the waters of any river or public swimming pool at any time when said waters are not properly supervised by trained life-saving personnel in attendance for that purpose, or enter such waters without being garbed in a bathing suit sufficient to cover his person and equal to the standards generally adopted and accepted by the public; or, (6) urinate or defecate in a place other than (a) if on public property then in a plumbing fixture provided for that purpose, or (b) if on the private property of another then in a plumbing fixture provided for that purpose, or (c) if on private property not owned or controlled by another, then within a building; or, (7) cause the making or production of an unnecessary noise by shouting or by any other means or mechanism including the blowing of any automobile or other vehicle horn; or, (8) use a sound amplifier upon streets and public property without prior written permission from the City; or, (9) use a flash or spotlight in a manner so as to annoy or endanger others; or, (10) cause defacement, destruction, or otherwise damage to any premises or any property located thereon; or, (11) strew, scatter, litter, throw, dispose of or deposit any refuse, garbage, or rubbish unto any premises except into receptacles provided for such purpose; or, (12) enter any motor vehicle of another without the consent of the owner or operator; or, (13) fail or refuse to vacate or leave any premises after being requested or ordered, whether orally or in writing, to do so, by the owner, or person in charge thereof, or by any law enforcement agent or official; provided, however, that this provision shall not apply to any person who is owner or tenant of the premises involved nor to any law enforcement or other government official who may be present thereon at that time as part of his official duty, nor shall it include the spouse, children, employee or tenant of such owner or occupier.

SEC. 10.16. BIRD FEEDER REGULATIONS.

Subd. 1. Findings and Purpose. It is found that feeding wild birds out-of-doors during the winter season is a recognized and commendable practice. It is further found that, uncontrolled, the practice of bird feeding can attract large numbers of birds in a concentrated area and droppings on public and private property can thereby become a nuisance and result in a health hazard. Also, the indiscriminate practice of scattering bird feed on the ground or unprotected places can attract wild birds to a place where they are vulnerable to predators. The purposes of this Section are (1) to assure the enjoyment of neighborhood properties by avoiding a nuisance, (2) to protect the health of persons present, and (3) to protect birds from predators.

Subd. 2. Definition and Description. As used in this Section, "bird feeder" means a container used or intended to contain, and dispense bird feed of any kind, out-of-doors. All bird feeders shall be at least five feet above the surrounding ground or structural surface, and supported (1) if from below, by a metal pole or pole of other material completely and continuously covered on all vertical surfaces by metal for at least three feet, and which pole shall have a circular concave metal protector at least twelve inches in diameter, arched downward, or (2) if from above, by a straight, smooth, all-metal hanger at least three feet long. All bird feeders shall be equipped with a cover or roof to protect the contents from natural precipitation. As to all limitations on bird feeder capacity stated in this Section, where there are multiple bird feeders on the same premises, such limitations shall refer to the aggregate of all bird feeders and not to each such facility.

Subd. 3. Unlawful Acts.

A. It is unlawful to place feed intended for birds upon the ground or any other surface or in a container other than a bird feeder as defined and described in this Section.

B. It is unlawful to place a bird feeder on public property, on premises occupied by or used for a commercial or industrial purpose, on premises occupied by another, or on residential property less than twenty feet from any lot line or other ownership boundary.

C. It is unlawful for any owner, or other person in possession of a single-family residential property, to place or maintain thereon a bird feeder(s) having a capacity in excess of 300 cubic inches.

D. It is unlawful for any owner, or other person in possession of a two-family residential property, to place or maintain thereon a bird feeder(s) having a capacity in excess of 350 cubic inches.

E. It is unlawful for any owner, or other person in possession of a multiple family, other than two-family, residential property, to place or maintain a bird feeder(s) having a capacity in excess of 400 cubic inches.

Source: City Code

Effective Date: 3-1-88

(Sections 10.17 through 10.29, inclusive, reserved for future expansion.)

SEC. 10.30. STORAGE AND TREATMENT OF ELM WOOD.

Subd. 1. Declaration of Policy. The City has determined that the holder of bark-intact elm wood, in any form, is forbidden. Furthermore, elm bark beetles breed and multiply in firewood, logs, branches and bark-on stumps. Hereafter, all elm wood with bark on shall be termed hazardous wood.

Subd. 2. Procedure; Storage and Removal of Hazardous Wood.

A. The inspection of hazardous wood on public and private properties shall be an on-going activity of the City by and through its Park Commission.

B. All hazardous wood being stored on private or public property within the City shall be stored in plain view and shall be stored outdoors and not within any enclosed structure that prohibits easily accessible inspection.

C. If hazardous wood is found on public or private property, the Park Commission shall give written notice to said property.

D. If hazardous wood is found between March 11 and September 30, said owner of wood shall have five (5) days from the date of notification to completely debark the wood, burn the wood under proper City burning regulations, or deposit the wood in a proper manner at the City Elm Wood Disposal Site.

E. If hazardous wood is found between October 1 and March 10, said owner shall have twenty (20) days to comply with the above mentioned procedures.

F. Failure to comply with these regulations set forth shall result in the removal of the hazardous wood by the City or its contractor and all resulting costs shall be billed directly to the owner or assessed on his taxes.

Source: Ordinance No. 119

Effective Date: 9-29-79

SEC. 10.31. MINNESOTA UNIFORM FIRE CODE.

Subd. 1. Adoption. The 1982 Edition of the Minnesota Uniform Fire Code is hereby adopted as though set forth verbatim herein. One copy of said Code shall be marked CITY OF VIRGINIA OFFICIAL COPY and kept on file in the office of the City Clerk and open to inspection and use by the public.

Subd. 2. Storage of Flammable and Explosives Material. No bulk plants for storage of flammable or combustible liquids, or bulk storage of liquefied petroleum gas, not established on the effective date of this Section, shall be permitted. No storage of explosives or blasting agents shall be permitted.

SEC. 10.32. MAINTENANCE OF PRIVATE PROPERTY.

Subd. 1. It is the primary responsibility of any owner or occupant of any lot or parcel of land to maintain any weeds or grass growing thereon at a height of not more than six inches; to remove all public health or safety hazards therefrom; to install or repair water service lines thereon; and to treat or remove insect-infested or diseased trees thereon.

Subd. 2. If any such owner or occupant fails to assume the primary responsibility described in Subdivision 1 of this Section, and after notice given by the City Clerk has not within seven days of such notice complied, the City may cause such work to be done and the expenses thus incurred shall be a lien upon such real estate. The City Clerk shall certify to the County Auditor of St. Louis County a statement of the amount of the cost incurred by the City. Such amount together with interest shall be entered as a special assessment against such lot or parcel of land and be collected in the same manner as real estate taxes.

SEC. 10.33. STORAGE OF WOOD.

Subd. 1. Wood Defined. The term "wood" as used in this Section, means wood kept for use as a heating fuel.

Subd. 2. Unlawful Acts. It is unlawful to keep or store wood on private property: (1) for more than thirty days which has not been cut and neatly piled in stacks not exceeding ten feet in length and twelve inches in width; (2) which is infested with, or inhabited by, rats, rodents or other vermin; (3) piled higher than four and one-half feet unless the same has been cut in lengths not exceeding eighteen inches and stacked in a solid circular stack.

SEC. 10.34. ABANDONING A MOTOR VEHICLE. It is unlawful for any person to abandon a motor vehicle on any public or private property without the consent of the person in control of such property. For the purpose of this Section, a "motor vehicle" is as defined in Minnesota Statutes, Chapter 169.

SEC. 10.35. PHRENOLOGISTS, CLAIRVOYANTS, ASTROLOGISTS AND FORTUNE TELLING - PRACTICES PROHIBITED.

Subd. 1. Unlawful Act. It is unlawful for any person to accept a fee, compensation, or thing of value from another in the course of practicing phrenology, clairvoyance, fortune telling or astrology. It is also unlawful for any person to, in any manner or by any device, hold himself out as a phrenologist, clairvoyant, astrologist, or fortune teller, or as having the ability to foretell past, present or future events, happenings or conditions of or to an individual natural person.

Subd. 2. Exception. This Section does not apply to a bona fide historian making a written record of past or present events, whose only compensation will be from the publication and sale of such record to the public, nor does it apply to an occupation specifically licensed, regulated, allowed, or permitted by statute or provisions of the City Code.

Source: City Code
Effective Date: 3-1-88

SEC. 10.36. WEAPONS/FIREARMS PROHIBITED ON CITY PROPERTY (For State law allowing governmental subdivisions to regulate the discharge of firearms, see Minnesota Statutes 471.633(a). The possession of rifles and shotguns is prohibited in a public place, see Minnesota Statutes Section 624.7181.)

Subd. 1 Policy. It is the policy of the City of Virginia to protect the public health, safety and welfare; to protect employees of the City of Virginia from fear of serious injuries or death caused by pistols; to protect City employees by reducing the potential for discharge of firearms at City work sites; and to reduce the potential for discharge of firearms on City property by prohibiting the carrying and possession of pistols on City property where members of the public may be present, in public areas, or at public activities and by prohibiting the carrying and possession of pistols at City work sites.

Subd. 2 Definitions.

A. City Property. Any building or recreation center that is owned, operated or controlled by the City of Virginia, possessed or controlled by a City authority which was created and exists pursuant to a State or Federal law.

B. Pistol. A pistol means a weapon designed to be fired with the use of a single hand and as defined in Minnesota Statutes Section 624.712, Subd. 2, or its successor.

C. Prohibited Acts. No person shall possess a pistol or otherwise be in possession or control of a pistol on City property, nor shall a person carry a pistol on City property, whether or not that person has been issued a permit pursuant to Minnesota Statutes Sections 624.711 through 624.717, and whether or not that person engages in activities for which such permit has been issued. No activities or ceremonies involving pistols shall be held on City property.

D. Exceptions. The prohibitions paragraph C above shall not apply to any member of the Armed Forces of the United States while engaged in the performance of a duty in compliance with a Statute, Regulation, Rule or Order duly promulgated and issued under the authority of the Federal Government; to any member of the militia of the State while engaged in the performance of a duty prescribed by law; not to any licensed peace officer authorized by State Law to possess or carry firearms, nor to a person duly licensed and permitted to possess a pistol who is on duty performing security services as part of his or her employment as a security guard.

The prohibitions of paragraph C above shall not apply to any federal agent who is authorized to carry a pistol nor to any person possessing, transporting or carrying a pistol in commerce in accordance with applicable federal law. (Adopted June 24, 2003)

(Sections 10.37 through 10.98, inclusive, reserved for future expansion.)

SEC. 10.99. VIOLATION A MISDEMEANOR. Every person violates a section, subdivision, paragraph or provision of this Chapter when he performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, or performs an act prohibited or declared unlawful or fails to act when such failure is prohibited or declared unlawful by a Code adopted by reference by this Chapter, and upon conviction thereof, shall be punished as for a misdemeanor except as otherwise stated in specific provisions hereof.

Source: City Code

Effective Date: 3-1-88