

**CHAPTER 5  
NUISANCE AND OFFENSES**

**Section 500 - Nuisances**

**500.01 Public Nuisance Defined.** Whoever does any of the following is guilty of maintaining a public nuisance, which is a misdemeanor:

- A. Maintains or permits a condition which unreasonably annoys, injures or endangers the safety, health, morals, comfort or repose of any of members of the public; or
- B. Interferes with, obstructs, or deposits garbage or refuse upon or otherwise renders dangerous for passage, any public highway or right-of-way, or waters used by the public; or
- C. Is guilty of any other act or omission declared by law or this Code to be a public nuisance and for which no sentence is specifically provided.

**500.02 Public Nuisances Affecting Health.** The following are declared to be nuisances affecting health:

- A. Exposed accumulation of decayed or unwholesome food or vegetable matter, and/or the accumulation of manure; except that a compost pile otherwise permitted by this code shall not be considered a violation of this section;
- B. All diseased animals running at large;
- C. Carcasses of animals not buried or destroyed within 24 hours after death;
- D. Accumulations of refuse, or other debris;
- E. Privy vaults and garbage cans which are not rodent free or fly-tight or which are so maintained as to constitute a health hazard or to emit foul and disagreeable odors;
- F. The pollution of any public or private well or cistern, stream or lake, canal or body of water by sewage, industrial waste, or other substances;
- G. All noxious weeds and other rank growths of vegetation upon public or private property;
- H. Dense smoke, noxious fumes, gas and soot, or cinders, in unreasonable quantities;
- I. Open or controlled burning in violation of state statutes, regulations and City Ordinances; or
- K. Any offensive trade or business as defined by statute not licensed by the Council.

**500.03 Public Nuisances Affecting Morals and Decency.** The following are, by this Section, declared to be nuisances affecting public morals and decency:

- A. All gambling devices, slot machines and punch boards kept in violation of law;
- B. Betting, bookmaking and all apparatus used in such occupations;

- C. All houses kept for the purpose of prostitution or promiscuous sexual intercourse, gambling houses, houses of ill fame and bawdy houses;
- D. All places where intoxicating liquor and illegal drugs are manufactured or dispensed, sold, stored, consumed, or used in violation of law; or
- E. Any vehicle used for the transportation of intoxicating liquor, illegal drugs, or for promiscuous sexual intercourse, or any other immoral or illegal purpose.

**500.04 Public Nuisances Affecting Peace and Safety.** The following are declared to be nuisances affecting public peace and safety:

- A. All snow and ice not removed from public sidewalks 24 hours after the snow or other precipitation causing the condition has ceased to fall; ice build-ups and snow accumulations on the roof of any building which could fall onto any street or sidewalk.
- B. All trees, hedges, billboards or obstructions other than which prevent persons from having a clear view of all traffic approaching an intersection;
- C. All wires and limbs of trees which are so close to the surface of a sidewalk or street as to constitute a danger to pedestrians or vehicles;
- D. All unnecessary noises and annoying vibrations;
- E. Obstructions and excavations affecting the ordinary use by the public of streets, alleys, sidewalks or public grounds except under such conditions as are permitted by this Code or other applicable law;
- F. Radio aerials, television antennae, or satellite dishes erected or maintained in a dangerous manner;
- G. Any use of property abutting on a public street or sidewalk or any use of a public street or sidewalk which, obstructs traffic and the free use of the streets or sidewalks;
- H. All dangerous machinery or equipment left unattended or unguarded which may attract the public;
- I. Waste water permitted to flow upon streets or other public property;
- J. Accumulations on public or private property of discarded or disused machinery, household appliances, furniture, automobile bodies or other material, which constitute a public eyesore or promotes the harboring of rats, mice, snakes, or vermin, or which constitute fire, health or safety hazards promotes the rank growth of vegetation among the items so accumulated;
- K. Any well, hole or similar excavation which is left uncovered or in such other condition as to constitute a hazard to any person coming on the premises where it is located;
- L. Obstruction to the free flow of water in a natural waterway or a public street drain, gutter, or ditch with trash or other materials;

- M. The placing or throwing on any street, sidewalk or other public property of any glass, tacks, nails, bottles or other substance which may injure any person or animal or damage any pneumatic tire when passing over such substance;
- N. The depositing of garbage, construction debris or other refuse generated from any retail or commercial business, or any rental or leased property into a public trash receptacle.
- O. The depositing of garbage, construction debris or other refuse on a public right-of-way or on adjacent private property;
- P. The emission of exhaust fumes from a motorized vehicle in a residential zone for more than fifteen minutes; or
- Q. All other conditions or things which are likely to cause injury to the person or property of anyone.

**500.05 Nuisances Affecting Public Property.** Any person operating any vehicle, equipment, object, or contrivance upon any street, road, highway or structure shall be liable for all damages which the surface or structure may sustain as a result of any illegal operation of the equipment. This illegal operation includes vehicles weighing in excess of the maximum weight permitted by statute or this Code. When the operator is not the owner of the vehicle, equipment, object, or contrivance, but is operating, driving, or moving the same with the express or implied permission of the owner, then the owner and the driver shall be jointly and severally liable for any damage. Any person who acts or fails to exercise due care and by that act damages any public property shall be liable for the amount. This amount shall be collectable by action or as a lien under Minn. Statute §514.67, et. seq.

**500.06 Duties of City Officers.** The Chisago County Sheriff's Department or other designated officials shall enforce the provisions relating to nuisances affecting public safety. Such officers shall have the power to inspect private premises and take all reasonable precautions to prevent the commission and maintenance of public nuisances.

**500.07 Abatement.**

**Subd. 1 Notice.** Written notice of violation; notice of the time, date, place and subject of any hearing before the Council; notice of Council order; and notice of motion for summary enforcement hearing shall be given as set forth in this Section.

- A. Notice of Violation. Written notice of violation shall be served by the enforcing officer upon the owner of record or occupant of the premises either in person or by certified or registered mail. If the premises are not occupied, the owner of record is unknown, or the owner of record or occupant refuses to accept notice of violation, notice of violation shall be served by posting it on the premises.
- B. Notice of Council Hearing. Written notice of any Council hearing to determine or abate nuisance shall be served on the owner of record and occupant of the premises either in person or by certified or registered mail. If the premises are not occupied, the owner of record is unknown, or the owner of record or occupant refuses to accept notice of Council hearing, notice of Council hearing shall be served by posting it on the premises.

- C. Notice of Council Order. Except for those cases determined by the City to require summary enforcement, written notice of any Council order shall be made as provided in Minn. Statute § 463.17 (Hazardous and Substandard Building Act).
- D. Notice of Motion for Summary Enforcement. Written notice of any motion for summary enforcement shall be made as provided for in Minn. Statute § 463.17 (Hazardous and Substandard Building Act).

**Subd. 2 Procedure.** Whenever the officer charged with enforcement determines that a public nuisance is being maintained or exists on premises in the City, the officer shall notify in writing the owner of record or occupant of the premises of this fact and order that the nuisance be terminated or abated. If the notice of violation is not complied with within the time specified, the enforcing officer shall report that fact immediately to the Council. Thereafter, the Council may, after notice to the owner or occupant and an opportunity to be heard, determine that the condition identified in the notice of violation is a nuisance and further order that if the nuisance is not abated within the time prescribed by the Council, the City may seek injunctive relief by serving a copy of the Council order and notice of motion for summary enforcement.

**Subd. 3 Emergency Procedure; Summary Enforcement.** In cases of emergency, where delay in abatement required to complete the notice and procedure requirements set forth in Section 500.06, Subds. 1 and 2, will permit a continuing nuisance to unreasonably endanger public health, safety or welfare, the Council may order summary enforcement and abate the nuisance. To proceed with summary enforcement, the officer charged with enforcement shall determine that a public nuisance exists or is being maintained on premises in the City and that delay in abatement of the nuisance will unreasonably endanger public health, safety or welfare. The enforcement officer shall notify in writing the occupant or owner of the premises of the nature of the nuisance and of the City's intention to seek summary enforcement and the time and place of the Council meeting to consider the question of summary enforcement. The Council shall determine whether or not the condition identified in the notice to the owner or occupant is a nuisance, whether public health, safety or welfare will be unreasonably endangered by delay in abatement required to complete the procedure set forth in Section 500.06, Subd. 1, and may order that such nuisance be immediately terminated or abated. If the nuisance is not immediately terminated or abated, the Council may order summary enforcement and abate the nuisance.

**Subd. 4 Immediate Abatement.** Nothing in Section 500.06 shall prevent the City, without notice or other process, from immediately abating any condition, which poses an imminent and serious hazard to human life or safety.

#### **500.08 Recovery of Cost.**

**Subd. 1 Personal Liability.** The owner of premises on which a nuisance has been abated by the City shall be personally liable for the cost to the City of the abatement, including administrative costs. As soon as the work has been completed and the cost determined, the City Clerk-Treasurer or other officer designated by the Council shall prepare a bill for the cost and mail it to the owner. The amount shall be immediately due and payable at the office of the City Clerk-Treasurer. If the nuisance is a public health or safety hazard on private property, the accumulation of snow and ice on public sidewalks, the growth of weeds on private property or outside the traveled portion of streets, or unsound or insect-infected trees, any unpaid charges by the City for the cost of elimination of the nuisance may be collected as a special assessment pursuant to Section 501 of this Code.

### **Section 501 - Personal Liability**

**501.01 Responsibility.** The owner of property on which, or adjacent to which, a current service has been performed shall be personally liable for up to 100% of the cost of such service. As soon as the service has been completed and the cost determined, the Clerk-Treasurer, or other designated official, shall prepare a bill and mail it to the owner and the amount shall be immediately due and payable at the office of the Clerk-Treasurer.

### **Section 502 - Assessable Current Services; Obligation of Property Owners and Occupants**

**502.01 Assessment.** On or before September 1 of each year, the Clerk-Treasurer shall list all the total unpaid charges for nuisances' abatement and for each type of current service and charges described hereunder against each separate lot or parcel to which they are attributable under this Section. The Council may then spread the charges against property benefited as a special assessment under Minn. Statute §429.101 and other pertinent statutes for certification to the county auditor and collection along with current taxes the following year in annual installments, not exceeding ten, as the Council may determine in each case. Assessments may be levied for charges, including, but not limited to:

- A. Abatement of public nuisances affecting health, morals and decency, peace and safety, and public property as described above.
- B. Removal of treatment of snow, ice, dirt, rubbish, weeds, diseased trees or public health and safety as described below.
- C. Installation or repair of water service lines; street sprinkling, street flushing, light street oiling or other dust treatment of streets; repair of sidewalks and alleys; and the operation of a street lighting system.

### **Section 503 - Snow, Ice, Dirt and Rubbish.**

**503.01 Duty of Owners and Occupants.** The owner and the occupant of any property adjacent to a public sidewalk shall use diligence to keep such walk safe for pedestrians. No such owner or occupant shall allow snow, ice, dirt or rubbish to remain on the walk longer than 24 hours after its deposit. Failure to comply with this Section shall constitute a violation.

**503.02 Removal by City.** The City Public Works Supervisor may cause removal from all public sidewalks all snow, ice, dirt and rubbish as soon as possible beginning 24 hours after any such matter has been deposited or after the snow has ceased to fall. The City Public Works Supervisor shall keep a record showing the cost of the removal adjacent to each separate lot and parcel.

### **Section 504 - Weed Elimination.**

**504.01 Weeds as a Nuisance.** Any weeds, whether noxious as defined by law or not, growing upon any lot or parcel of land outside the traveled portion of any public street or alley in the City to a greater height than six (6) inches or which have gone or are about to go to seed are a nuisance. The owner

and the occupant shall abate or prevent the nuisance on the property and on land outside the traveled portion of the public street or alley abutting on the property.

**504.02 Notice.** On or before June 1 of each year and at other times as ordered by resolution of the Council, the Clerk-Treasurer shall publish once in the official newspaper a notice directing owners and occupants of property within the City to destroy all weeds declared by 503.01 to be a nuisance and stating that if not destroyed within 10 days after publication of the notice, the weeds shall be destroyed by City employees at the expense of the owner and that, if not paid, the charge for such work shall be made a special assessment against the property concerned.

**504.03 Removal by City.** If the owner or occupant of any property in the City fails to comply with the notice within 10 days after its publication, City employees may cut and remove such weeds. The Clerk-Treasurer shall keep a record showing the cost of such work attributable to each separate lot and parcel.

### **Section 505 - Public Health and Safety Hazards**

**505.01 Removal by City.** When the City removes or eliminates public health or safety hazards from private property under City ordinance, the administrative officer responsible for doing the work shall keep a record of the cost of the removal or elimination against each parcel of property affected and annually deliver the information to the Clerk-Treasurer.

### **Section 506 - Repair of Sidewalks and Alleys**

**506.01 Duty of Owner.** The owner of any property within the City abutting a public sidewalk or alley shall keep the sidewalk or alley in repair and safe for pedestrians. Repairs shall be made in accordance with the standard specifications approved by the Council.

**506.02 Inspections; Notice.** The Council or its designee shall make inspections as are necessary to determine that public sidewalks and alleys within the City are kept in repair and safe for pedestrians or vehicles. If it is found that any sidewalk or alley abutting on private property is unsafe and in need of repairs, the Council shall cause a notice to be served, by registered or certified mail or by personal service, upon the record owner of the property, ordering the owner to have the sidewalk or alley repaired and made safe within 30 days and stating that if the owner fails to do so, the City shall do so. The expense must be paid by the owner, and if unpaid, it shall be made a special assessment against the property concerned for up to 100% of the cost of the repair.

**506.03 Repair by City.** If the sidewalk or alley is not repaired within 30 days after receipt of the notice, the Clerk-Treasurer shall report the facts to the Council and the Council shall, by resolution or motion, order the work done by contract in accordance with law. The Clerk-Treasurer shall keep a record of the total cost of the repair attributable to each lot or parcel of property and report such information to the Clerk-Treasurer.

### **Section 507 - Emergency Services/Fire Calls**

**507.01 Charges for Service.** Pursuant to Minnesota Statutes §366.011 and 415.01, the City hereby imposes a service charge for emergency services, including fire, rescue, medical and related

services provided by the City of Taylors Falls Fire Department, or contracted for with the City.

**507.02 Collection.** Pursuant to Minnesota Statutes §366.011 and 415.01, the City or its contractor on behalf of the City may use any lawful means allowed to a private party for the collection of an unsecured delinquent debt if the service charge remains unpaid 30 days after a notice of delinquency is sent to the recipient of the service or the recipient's representative or estate.

**507.03 Fees.** The fee for the said service shall be established in Section 305.05 of this Code of Ordinances.

APPROVED BY THE TAYLORS FALLS CITY COUNCIL ON JANUARY 8, 2001  
PUBLISHED JANUARY 17, 2001

### **Section 508 - Tree Diseases**

**508.01 Declaration of Policy.** The health of the elm and oak trees within the municipal limits is threatened by fatal diseases known as Dutch elm and oak wilt diseases, and other trees may be threatened by other epidemic diseases of shade trees. It further determines that the loss of elm, oak and other trees growing upon public and private property would substantially depreciate the value of property within the City and impair the safety, good order, general welfare, and conveniences of the public. It is declared to be the intention of the Council to control and prevent the spread of those diseases and this Section is enacted for that purpose.

#### **508.02 Forester.**

**Subd. 1 Position .** The position of Forester is held by the City Public Works Street Worker as part of his or her job description.

**Subd. 2 Duties of Forester.** It is the duty of the Forester to coordinate, under the direction and control of the Council, all activities of the municipality relating to the control and prevention of Dutch elm disease and oak wilt disease and other epidemic diseases of shade trees. The Forester shall recommend to the Council the details of a program for the control of the disease; and perform the duties incident to such a program adopted by the Council.

#### **508.03 Nuisances Declared**

**Subd. 1 Trees Constituting Nuisances.** The following are public nuisances whenever they may be found within the City:

- A. Any living or standing elm tree or part of the tree infected to any degree with the Dutch elm disease fungus *Ceratocystis Ulmi* (Buisman) Moreau or which harbors any of the elm bark beetles *Scolytus Multistriatus* (Eichh.) or *Hylungopinus Rufipes* (Marsh);
- B. Any dead elm tree or part of the tree, including branches, stumps, firewood or other elm material from which the bark has not been removed and burned or sprayed with an effective elm bark beetle insecticide;
- C. Any living or standing oak tree or part of the tree infected to any degree with the oak wilt fungus *Ceratocystis fagacearum*;

- D. Any dead oak tree or part which, in the opinion of the forester, constitutes a hazard including but not limited to, logs, branches, stumps, roots, firewood or other oak material, which has not been stripped of its bark and burned or sprayed with an effective fungicide;
- E. Any other shade trees with an epidemic disease.

**Subd. 2 Abatement.** It is unlawful for any person to permit any public nuisance as defined in Subd. 1 to remain on any premises the person owns or controls within the City. Such nuisances may be abated in the manner prescribed by this Section.

#### **508.04 Inspection and Investigation.**

**Subd. 1 Inspection.** As often as practicable, the Forester shall inspect all public and private premises within the City which might harbor any plant pest as defined in Minn. Statute §18.46, Subd. 13 to determine whether any condition described in Section 505.03 of this Code exists. The Forester shall investigate all reported incidents of infestation by Dutch Elm fungus, elm bark beetles, oak wilt fungus, or any other epidemic disease of shade trees.

**Subd. 2 Entry on Private Premises.** The Forester or the duly authorized agents of the Forester may enter upon private premises at any reasonable time for the purpose of carrying out any of the duties assigned under this Code.

**508.05 Abatement of Diseases Creating Nuisance.** In abating a nuisance defined in Section 505.03, the Forester shall cause the infected tree or wood to be sprayed, removed, burned or otherwise effectively treated so as to destroy and prevent as fully as possible the spread of epidemic diseases including Dutch elm disease and oak wilt disease. The Forester shall also take such steps as are necessary to prevent root graft transmission of the diseases. The abatement procedures shall be carried out in accordance with current technical and expert opinions and plans as may be designated by the commissioner of agriculture.

#### **508.06 Procedure for Removal of Infected Trees and Wood**

**Subd. 1 Action by Forester.** Whenever the Forester finds with reasonable certainty that the infestation defined in Section 505.03 exists in any tree or wood in any public or private place in the City, the Forester shall in writing notify the owner of the existence of a nuisance. The notice shall state that the owner has 60 days to abate the nuisance and avoid City action. A copy of the notice shall be transmitted to the City Clerk-Treasurer for the information of the Council. If within the 60-day period the property owner has not abated the nuisance, the Forester shall report all the facts surrounding the unabated nuisance to the Council.

**Subd. 2 Action by Council.** Upon receipt of the Forester's report required in Subd. 1, the Council shall by resolution order the nuisance abated. Before action is taken on the resolution, the Council shall publish notice of its intention to meet to consider taking action to abate the nuisance. This notice shall be mailed to affected property owners and published once no less than one week prior to such meeting. The notice shall state the time and place of the meeting, the streets affected, action proposed, the estimated cost of the abatement, and the proposed basis of assessment of costs, if any. At such hearing or adjournment, the Council shall hear property owners with reference to the scope and desirability of the proposed project. The Council shall thereafter adopt a resolution confirming the original resolution with such modifications, as it considers desirable and provide for the doing of the work by day labor or by contract.

**Subd. 3 Record.** The Forester shall keep a record of the costs of abatement done under this Section and shall report monthly to the City Clerk-Treasurer all work done for which assessments are to be made stating and certifying the description of the land, lots, parcels involved and the amount chargeable to each.

**Subd. 4 Assessment.** On or before November 30 of each year the Clerk-Treasurer shall list the total unpaid charges for each abatement against each separate lot or parcel to which they are attributable under this Section. The Council may then spread the charges or any portion against the property involved as a special assessment under Minn. Statute §429.101 and other pertinent statutes for certification to the county auditor and collection the following year along with current taxes.

**508.07 Interference Prohibited.** It is unlawful for any person to prevent, delay or interfere with the Forester or the Forester's agents while they are engaged in the performance of duties imposed by this Section.

**508.08 Penalty.** Violations of this Section (508) shall constitute a petty misdemeanor.

### **Section 510 - Weapons**

**510.01 Intent.** It is the intent of this Section to regulate the carrying and shooting of firearms in order to safeguard the resident of this community. It is not the intent of this Section to regulate ownership of firearms by law-abiding citizens.

**510.02 State Statutes Adopted.** Minnesota Statutes, Sections 97 through 97C, as amended, and Sections 624.71 through 624.714, as amended, are hereby adopted and made a part of this ordinance by reference as if fully set forth herein.

**510.03 Definitions.** The following terms shall apply in the interpretation and enforcement of this ordinance:

- a. "Bow and arrow" -- includes all hand bows, foot bows, or cross bows as defined in Minn. Stat. Chapter 97B.
- b. "Firearms" -- includes all rifles, shotguns, handguns, weapons using black or smokeless powder, pellet weapons (whether gas, pneumatic, or spring powered).
- c. "Shotgun" -- shoulder weapon with smooth-bored barrel or barrels and normally discharging more than one pellet at a time, including when using a single slug.
- d. "Handgun" -- a hand held weapon with a rifled barrel.
- e. "Weapon" -- all bows and arrows, firearms, shotguns, handguns, wrist rockets, slingshots, or any type of propelled weapon notwithstanding that the projectile of any weapon remains attached to the weapon by wire.
- f. "Person" -- any natural individual, corporation, firm, partnership, trust, estate, club, association or other organization, including members of any such organization.
- g. "Landowner" - - any person, group, firm or corporation leasing or legally controlling any lands within the corporate limits of the City of Taylors Falls.

**510.04 Permitted Use of Firearms.** The shooting and carrying of firearms which are not encased or dismantled is permitted under the following circumstances unless prohibited by State or Federal law:

- Subd. 1** By law enforcement officers in the line of duty or military personnel in the line of duty.
- Subd. 2** By any person to resist or prevent an offense that that person reasonably believes exposes himself or another to great bodily harm or death.
- Subd. 3** By any person to prevent the commission of a felony in his home.
- Subd. 4** By a certified Firearms Safety Training Instructor in connection with a Department of Natural Resources approved Firearms Safety Program.
- Subd. 5** By any person in connection with a Department of Natural Resources approved Firearms Safety Program.
- Subd. 6** By any person who is the private landowner, or with written private landowner approval on their person in the Agriculture-Residential (A-R) Zoning District within the Corporate Limits of Taylors Falls; provided, however, no discharge passes beyond the boundaries of that property; and, provided further that the shooting occurs at least five-hundred (500) feet from any land or building not owned by that landowner and that no one is endangered.
- Subd. 7** For the destruction of diseased, injured or dangerous birds, animals or reptiles by persons authorized to do so by the City Council in compliance with published State regulations.
- Subd. 8** Persons in the business of raising animals for commercial purposes may discharge a firearm upon their property for the purpose of slaughtering animals in the course of the operation of their business so long as the discharge is done in a safe and reasonable manner under such conditions and circumstances so as not to endanger any person or property.
- Subd. 9** Qualified participants eighteen (18) years or older, are exempt from this section to the extent necessary to comply with the program established by the Deer Management Task Force in conjunction with the Department of Natural Resources. This subsection shall not be construed as in any way authorizing any violation of state laws regulating deer hunting, and to the extent the program established by the Deer Management Task Force conflicts with state law, it shall be modified to comply therewith.

The Deer Management Task Force shall evaluate the effectiveness of each hunt and prepare a written report to the City Council.

- Subd. 10** The possession, transportation or carrying of handguns as specifically allowed by State law.

**510.05 Civil Liability.** This section does not authorize the use of a weapon in a manner that will endanger any human being or property. A permit or license granted hereunder does not relieve the person acting thereunder from civil liability for any damage resulting from such use of the weapon.

**510.06 Prohibited Use of Firearms.** Except as specifically allowed in this Section:

**Subd. 1** The carrying of a firearm in a motor vehicle, place or area open to the public or any private place or area unless the private place or area is owned by the person carrying the firearm or with the owner's permission which is not encased or dismantled is prohibited.

**Subd. 2** The shooting of a firearm is prohibited.

**Subd. 3** By any person participating in a special hunting season, which season may not conflict with State law or regulations, established by the City Council for the purpose of wildlife management. The season shall be determined by the City Council when, based upon competent professional advice such as a conservation officer, a season is needed to reduce an animal population.

The discharge of weapons shall be according to the conditions and limitations established by the City Council for that season.

ADOPTED BY THE CITY COUNCIL ON SEPTEMBER 13, 2004  
PUBLISHED ON SEPTEMBER 15, 2004

### **Section 515 - Curfew**

**515.01 Curfew Imposed.** Except as provided in Section 515.02, no person under the age of 17 years shall be on any public street or alley or in any park or other public ground or building, place of amusement, entertainment, or refreshment, vacant lot, or any other unsupervised place between the hours of 11:00 p.m. and 5:00 a.m.

**515.02 Exceptions.** The restrictions of Section 515.01 do not apply when the minor:

- a. Is accompanied by parent, guardian, or other person having the minor's lawful care, custody or control;
- b. Is returning home by a direct route from and within 30 minutes after a school, religious, or other activity sponsored by a voluntary association and prior notice of the activity and its place and probable time of termination have been given to the police department by an adult authorized by the school, religious, or voluntary association to do so;
- c. Is carrying a certified card of employment and is on the way to or from the minor's place of employment; or
- d. Is upon an emergency errand or other legitimate business directed by parent, guardian, or other adult having the lawful custody of the minor.

**515.03 Responsibility of Parent or Guardian.** No parent, guardian, or other adult having custody and control of a minor under 17 years of age shall knowingly permit the minor to violate these provisions.

**515.04 Responsibility of Other Persons.** Whenever the owner or person in charge or control of any place of amusement, entertainment, refreshment or other place of business shall find any person under the age of 17 in such place in violation of Section 515.01, the owner or person in charge shall immediately order the minor to leave, and if the minor refuses to leave, the owner or person in charge shall immediately inform the police department of the violation.

**515.05 Penalties.** Any person under the age of 17 who is found to be violating Section 515.01 shall be ordered to go home immediately. After investigation, if responsible City authorities determine that court action should be initiated, the minor shall be dealt with in accordance with juvenile court law and procedure. Any minor who is convicted of a violation of this Section after the case has been referred for prosecution in the trial court under Minn. Statute § 260.15 and any person who is convicted of a violation of the provisions of this Ordinance is guilty of a petty misdemeanor.

## **Section 518 - Loitering**

### **518.01 Definitions.**

**Subd. 1.** “Loitering” includes:

1. standing around or moving slowly about or lingering, so that such conduct:
  - a. obstructs the free and unhampered passage of pedestrians or vehicles on the streets, sidewalks, or other public places or premises within the City of Taylors Falls; or
  - b. interferes with any person lawfully on the premises by obstructing passage.
2. refusing to move on when so requested by a peace officer when such peace officer reasonably makes such request to preserve or promote public peace and order.

**Subd. 2.** “Premises” is defined as any land, lot, parcel, sidewalk, boulevard, street, highway, alley, thoroughfare, park, playground, restaurant, café, church, school, car or parking lot or parking space, drive-in, any building used for business purposes, commercial or industrial purposes, or any other place, washroom or toilet, apartment hallway, or other location whether public or private in the City of Taylors Falls.

### **518.02 Loitering Prohibited.**

**Subd. 1.** Loitering on any of the premises in the City of Taylors Falls is prohibited:

1. When such conduct results in the making of any noise, riot, disturbance or improper diversion to the annoyance or disturbance of another; or
2. When such conduct tends reasonably to or is likely to arouse alarm, anger, fear, or resentment in another; or
3. When such conduct is with intent to do any mischief or to commit any crime or unlawful act; or
4. When such person or persons shall collect in groups or crowd in, upon, or near any street, sidewalk or public place in the City of Taylors Falls so as to interfere with or obstruct public travel or movement or parking; or
5. When such conduct results in the defacement or destruction of or causes any damage to any part of the premises or to any property located thereon; or

6. When such person or persons scatters, litters, throws, or otherwise disposes or deposits any refuse, garbage, or rubbish onto the premises except into receptacles provided for such purpose, or
7. When such person or persons shall use profane, abusive, indecent or threatening language towards any person or persons, including peace officers; or
8. When such person or persons shall collect singly or in groups at or about a business premises which is closed; or
9. When such person or persons shall stand or linger about the doorway of any building in such a manner as to obstruct or partially obstruct the free and uninterrupted ingress or egress to or from such building or in such manner as to annoy the owner or occupant of such building or the owner or occupant of any adjacent premises.

**518.03 Responsibility of Parents.** It shall be unlawful for the parent, guardian, or other adult person having the care and custody of a minor under the age of sixteen (16) years to knowingly permit such minor to loiter in the City of Taylors Falls on any premises as described in this ordinance. This restriction shall not apply to a minor who is accompanied by his or her parent, guardian or other adult person having care and custody of the minor or where the minor is upon a legitimate business activity or errand directed by his parent, guardian or custodian.

**518.04 Penalties.** Any person violating any provision of this Section is guilty of a misdemeanor.

APPROVED BY THE TAYLORS FALLS CITY COUNCIL ON NOVEMBER 13, 2000  
PUBLISHED NOVEMBER 22, 2000

### **Section 520 - Impounded and Abandoned Property**

**520.01 Impoundment and Sale.** The following property may be impounded when impoundment is necessary and in the public interest or in the interest of preservation of the private right in the property:

**520.02 Definitions.**

- A. Any vehicle parked in violation of the ordinances and regulations of the City.
- B. Any watercraft docked or moored in violation of the ordinances and regulations of the City.
- C. Any property which unlawfully interferes with, obstructs or tends to obstruct or render dangerous for passage or unsafe any public street, lands or waters.
- D. Any property lawfully coming into possession of the City and remaining unclaimed by the owners.

- 520.03 Abandoned Motor Vehicles.** All abandoned motor vehicles as defined by Minnesota Statutes, §168B.02, which are impounded by the City shall be dealt with as provided in Minnesota Statutes, Chapter 168B, and this Section shall not apply to these vehicles.
- 520.04 Care.** Impounded property shall be stored and cared for to reasonably insure its preservation and shall be returned to the owner at the earliest opportunity. Any cost of storage or care shall be paid by the owner before return of the property. If the cost of care and storage exceeds the value of the property, or the property is of no value, it may be disposed of after reasonable efforts have been made to locate the owner. City staff handling the property shall record the efforts made to locate and notify the owner.
- 520.05 Found Property.** When found property or money is delivered to the City, a receipt shall be issued to the finder. The found property or money shall be held by the City for a period of six months unless claimed by the true owner, during which period the officer charged with enforcement shall attempt to locate the owner. The officer charged with police enforcement shall deliver the property or money to the true owner upon proof of ownership satisfactory to the chief, but only after 10 days notice by mail to any other person who has submitted to the City a written claim of ownership. If the true owner does not claim the property or money during the six month period, the Sheriff's Department shall deliver it to the person (other than an officer or City employee) who delivered it to the City if, within thirty (30) days after delivery to the City, such person indicated in writing that the person wished to assert a claim to the property or money as a finder. If found money is not claimed by the true owner or the finder within the six month period, the money shall be deposited in the City's general fund. If found property is not claimed by the true owner or finder within the six month period, it may be sold by the City in the same manner as impounded property.
- 520.06 Public Sale.** Impounded property may be sold at public auction to the highest bidder for cash after ten (10) days posted notice of the sale and after mailing a copy of the sale notice to the owner of the property by certified mail no less than five days before the sale, at the owner's last known address if this address can reasonably be ascertained.
- 520.07 Private Sale.** Impounded property may be sold at a private sale after it has been in the possession of the City for at least three months. The sale may occur after publication of a notice of sale in the official newspaper once not less than ten (10) days before the date of the sale and after mailing a copy of the sale notice to the owner of the property by certified mail not less than five days before the sale, at the owner's last known address if this address can reasonably be ascertained.
- 520.08 Notice.** The required notice shall state the time and place of sale, a description of the property, the cost of removal and storage for which the sale shall be held and that the sale is pursuant to this Section.
- 520.09 Conduct of Sale.** The Chisago County Sheriff's Department shall conduct the sale and execute and deliver to the purchaser a certificate of sale.
- 520.10 Proceeds of Sale.** The proceeds of the sale shall be applied to expenses of sale, then to the costs of impounding, including removal, storage and care. Any balance remaining shall be placed in the general fund of the City subject to the right of the owner to claim it upon application and satisfactory proof of ownership within six months after the sale.

## Section 522 - Inoperative Motor Vehicles

**522.01 Additional Controls Upon Junk Vehicles.** The remedies contained herein may be exercised independently or in conjunction with those remedies provided for in Section 168A of the Minnesota Code and Section §520.02 of the Taylors Falls Code.

- A. **“Motor Vehicle”** means any vehicle normally propelled by an engine and authorized to be driven upon a public street.
- B. **“Vital Component Parts”** means those parts of a motor vehicle, which are essential to the mechanical functioning of the vehicle, including, but not limited to the motor, drive train, wheels, and tires.
- C. **“Inoperative Motor Vehicle”** means a motor vehicle lacking any of its vital component parts, or not capable of being driven or propelled under its own power in a safe and legal manner as required by state law, or not currently registered for driving upon a public street or highway as required by state law.

**Subd. 3. Nuisance.** Inoperative motor vehicles are hereby declared a public nuisance in Taylors Falls.

**Subd. 4. Unlawful Storage.** It is unlawful for any person, firm, partnership, or cooperation to pile, store, or keep an inoperative motor vehicle on private property unless said vehicle is completely contained within fully enclosed garage or building.

**Subd. 5. Warning.** Any person or entity deemed by the City to be in violation of this ordinance shall be warned of the violation, in writing, and given at least thirty, but no more than ninety days to come into full compliance with the provision of Subd. 4.

**Subd. 6. Misdemeanor.** Any person, or the president, partner, or responsible employee of any entity who fails to comply with the provisions of subdivision 4 within the time limit set forth in the warning provided in subdivision 5 shall be guilty of a misdemeanor, punishable by incarceration of up to ninety days and a fine of up to \$1,000.00 or both.

**Subd. 7. Separate Violations for Each Vehicle.** A person shall be guilty of a separate misdemeanor for each inoperative motor vehicle stored or kept in violation of subdivision 4.

## Section 525 - Skateboard and Bicycle Regulation

**525.01 Skateboard Regulations.** No person shall operate a skateboard:

- A. On the sidewalks of any business district.
- B. In any manner so as to present a danger to him/herself or others.
- C. In a manner which interferes with the flow of traffic on any street, alley, park, or parking lot.
- D. On private property without permission of the owner or lessee.

**525.02 Bicycle Regulations.** No person shall operate a bicycle on City sidewalks, streets, alleys, or parking lots in any manner so as to present a threat of danger to him/herself or others.

### **Section 530 - Feeding of Deer**

**530.01 Purpose.** This Section is intended to promote the public health, safety, and general welfare and its purpose is to prohibit the feeding of deer during certain months, consequently diminishing the attraction and retention of a high deer population within the City limits during the entire year. An abnormally high deer population plays a prominent role in the need for costly landscape replacement, destruction of song bird habitat, deer/vehicle accidents and the increased exposure of humans and domestic pets to deer tick-borne Lyme disease.

#### **530.02 Definitions.**

**Subd. 1** “Deer food” means a salt lick, any grain, corn, fruit, vegetables, nuts, pelletized animal food, hay, alfalfa, or other edible material equal to the amount that will fill one three (3) gallon pail, placed either on the ground or at a height of less than five (5) feet above the ground, in a manner that attracts deer on a regular basis.

**Subd. 2** “Ground” means soil, sod, area of grass or area of packed snow, whichever is higher.

**Subd. 3** Food sources, such as trees, shrubs and grass, or nuts and fruit which naturally fall off vegetation, shall not be considered deer food as defined in Subd. 1.

#### **530.03 Feeding of deer prohibited.**

**Subd. 1 Prohibition.** A person or organization shall not feed or allow the feeding of deer by placing deer food within any area of the City which is zoned residential, business, commercial or industrial or within three-hundred (300) feet of such districts.

**Subd. 2 Duration of Prohibition.** Feeding of deer is prohibited from November 1 of each year through April 30 of the following year.

#### **530.04 Exceptions.** The prohibition contained in Section 530.03, does not apply to:

**Subd. 1** The feeding of deer by veterinarians, or governmental game officials, who in the course of their duties, have deer in their custody or under their management.;

**Subd. 2** The feeding of deer by persons authorized by the City to implement any deer management program approved by the City Council.

**Subd. 3** The feeding of farm livestock normally raised in the Agricultural (A-R) Zone, which may unintentionally feed deer;

**Subd. 4** Compost piles stored in appropriately maintained enclosures;

**Subd. 5** The storage of deer food which is enclosed in some manner which prohibits access to it by deer; and

**Subd. 6** The placement of deer food in the Agricultural (A-R) Zone which is at least three-hundred (300) feet from the next nearest zoning district.

**530.05 Severability.** If any Section or provision of this Ordinance is declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

**530.06 Penalty.** Any person who violates any of the provisions of this Ordinance shall, upon conviction thereof, be guilty of a misdemeanor. Each day that a violation continues shall be construed to be a separate offense. The costs of prosecution may be charged to the violator.

### **Section 531 – Methamphetamine Labs**

**531.01 Purpose and Intent.** The purpose of this Section is to protect the public health, safety and welfare and to reduce public exposure to health risks where law enforcement officers have determined that hazardous chemicals from a suspected clandestine drug lab or chemical dumpsite may exist. These conditions present health and safety risks to occupants and visitors of such structures and land through fire, explosion and skin and respiratory exposure to chemicals. The City Council finds that such sites may contain hazardous chemicals, substances, or residues that place people, particularly children or adults of child-bearing age, at risk of exposure through inhabiting the property, visiting the property or using or being exposed to contaminated personal property.

**531.02 Definitions.** For the purpose of this section, the terms defined herein shall have the following meaning ascribed to them. These definitions are intended to also include any applicable definitions under Minnesota State Law.

“**Child**” means any person less than 18 years of age.

“**Chemical dump site**” means any place or area where chemicals or other waste materials have been located.

“**Clandestine drug lab**” means the unlawful manufacture or attempt to manufacture controlled substances.

“**Clandestine drug lab site**” means any place or area where law enforcement has determined that conditions associated with the operation of an unlawful clandestine drug lab exist. A clandestine drug lab site includes any dwellings, accessory structures, buildings, a chemical dump site, a vehicle, boat, trailer or other similar appliance or any other area, land or location.

“**Cleanup**” means proper removal and/or containment of substances hazardous to humans and/or the environment at a clandestine drug lab site or chemical dump site.

“**Controlled substance**” means any drug, substance or immediate precursor in Schedules I through V of Minnesota Statutes Section 152.02. The term does not include distilled spirits, wine, malt beverages, intoxicating liquors or tobacco.

**“Owner”** means any person, firm, corporation, or other entity who owns, in whole or in part, the land, building, structure, vehicle, boat, trailer or other location associated with a clandestine drug lab site or chemical dump site.

**“Public Health Nuisance”** means a nuisance as defined under Section 500.02 of the Taylors Falls City Ordinance or under Minnesota Statute Section 145A.02, subdivision 17.

**“Remediation”** means methods such as assessment, evaluation, testing, venting, detergent scrubbing, enclosure, encapsulation, demolition, and/or removal of contaminated materials from a clandestine drug lab site or chemical dump site.

**531.03 Declaration of Property As a Public Health Nuisance.**

**Subd. 1.** Any property containing, or has contained, a clandestine drug lab or chemical dump site will be declared a public health nuisance.

**Subd. 2.** No person may occupy, enter or allow occupancy or entrance to property declared a public health nuisance under this Section until such declaration is vacated or modified to allow occupancy.

**531.04 Law Enforcement Notice to Other Authorities.** Upon identification of a clandestine drug lab site or chemical dump site deemed to place neighbors, visiting public, or present and future occupants of the affected property at risk for exposure to harmful contaminants and other associated conditions, law enforcement officials shall notify the City Health Official and other appropriate municipal, child protection, and public health authorities of the property location, the property owner if known, and conditions found.

**531.05 Seizure of Property.**

**Subd. 1.** If a clandestine drug lab or chemical dump site is located inside a vehicle, boat, trailer, or other form of moveable personal property, law enforcement authorities may immediately seize such property and transport it to a more secure location.

**Subd. 2.** Personal property may not be removed from a clandestine drug lab site or a chemical dump site without the prior consent from the City Health Official.

**531.06 Action by City Health Official.**

**Subd. 1.** Upon notification by law enforcement authorities, the City Health Official or other appropriate municipal or public health authority will issue a Declaration of Public Health Nuisance for the affected property and post a copy of the Declaration at all probable entrances to the dwelling or property.

**Subd. 2.** Removal of the posted Declaration of Public Health Nuisance by anyone other than the Health Official, law enforcement authorities, or their designees, is prohibited.

**Subd. 3.** The City Health Official shall also attempt to notify the following parties of the Declaration of Public Health Nuisance:

- A. Owner of the property;

- B. Occupants of the property;
- C. Neighbors within close proximity that can be reasonably affected by the conditions found;
- D. The Chisago County Sheriff's Department; and
- E. Other state and local authorities, such as the Minnesota Pollution Control Agency and the Minnesota Department of Public Health, which are known to have public and environmental protection responsibilities applicable to the situation

**Subd. 4.** Any rental license issued by the City for the property is immediately suspended upon issuance of the Declaration of Public Health Nuisance. Such license will be reinstated only after full compliance with an abatement order.

**Subd. 5.** After issuance of the Declaration of Public Health Nuisance, the City Health Official will issue an order to the property owner to abate the public health nuisance. The abatement order will include the following:

- A. A copy of the Declaration of Public Health Nuisance;
- B. An order to immediately vacate those portions of the property, including building or structure interiors, which may place the occupants or visitors at risk;
- C. Notification of suspension of the rental license, if applicable;
- D. A summary of the owner and occupant's responsibilities;
- E. Information on locating professional services necessary to remove and abate the public health nuisance status as provided in this Ordinance and Minnesota Statute Section 145A.04; and
- F. Information about the potentially hazardous condition of the clandestine drug lab site or chemical dump site.

**531.07 Responsibilities of Owner.**

**Subd. 1.** Upon receipt of an abatement order by the City's Health Official, the property owner must, at the owner's expense:

- A. Immediately vacate those portions of the property, including building or structure interiors that may place the occupants or visitors at risk. This includes dwellings, buildings, motor vehicles, trailers, boats, appliances or any other affected area or location. No person shall occupy, enter or allow occupancy or entrance to a building or structure declared a Public Health Nuisance until such declaration is vacated or modified to allow occupancy;
- B. Properly secure and post warning signs on the perimeter of any contaminated areas on the property in an effort to avoid exposure to unsuspecting parties;
- C. Promptly contract with one or more acceptable environmental hazard testing and cleaning firms (acceptable firms are those that have provided assurance of appropriate equipment, procedures, and personnel, as determined by the Minnesota Department of Health) to accomplish the following:

1. A detailed on-site assessment of the extent of contamination at the site and the contamination of the personal property therein;
  2. Soil testing of the site and testing of all property and soil in proximity to the site that the environmental hazard testing and cleaning firm determines may have been affected by the conditions found at the site;
  3. A complete cleanup of all property and soil at the site and in proximity to the site that is found to be affected by conditions found at the site (including but not limited to, the cleanup or removal of contaminated plumbing, ventilation systems, fixtures and contaminated soil) or a demolition of the site and a complete cleanup of the demolished site;
  4. Remediation testing and follow-up testing to determine all health risks are sufficiently reduced, according to the Minnesota Department of Health guidelines, to allow safe human occupancy and use of the site and use of the personal property therein.
- D. Regularly notify the City of actions taken and reach agreement with the City on the cleanup schedule. The City shall consider practical limitations and the availability of contractors in approving the schedule for cleanup; and
- E. Provide written documentation to the City of the cleanup process, including a signed, written statement that the property is safe for human occupancy and that the cleanup was conducted in accordance with Minnesota Department of Health guidelines.

**Subd. 2.** The property may not be re-occupied or used in any manner until the City has obtained the written statement in Subdivision (1)(E) and has confirmed that the property has been cleaned in accordance with the guidelines established by the Minnesota Department of Health.

**531.08 Owner's Responsibility for Costs.** The owner is responsible for all costs associated with nuisance abatement and cleanup of the clandestine drug lab site or chemical dump site, including, but not limited to, costs for:

- A. Emergency Response;
- B. Posting and physical security of the site;
- C. Notification of affected parties;
- D. Expenses related to the recovery of costs, including the assessment process;
- E. Laboratory Fees;
- F. Cleanup services;
- G. Administrative fees; and
- H. Other associated costs.

**531.09 City Authority to Initiate Cleanup and Recovery of Costs.**

**Subd. 1.** If, within ten (10) days after service of notice of the Declaration of Public Health Nuisance, the City is unable to locate the property owner or if the City Health Official

determines that the owner refuses to, or cannot pay the costs, or arrange timely assessment and cleanup that is acceptable to the City, the City Health Official is authorized to proceed in a prompt manner to initiate the on-site assessment and cleanup.

**Subd. 2.** The City may abate the nuisance by removing any hazardous structure, building, or otherwise, in accordance with Section 500.07 of this Code of Ordinances, Minnesota Statutes Chapter 463, or by any other means provided under law.

**Subd. 3.** If the City abates the public health nuisance, in addition to any legal remedy, it is entitled to recover all costs associated with such abatement plus an additional 25% of the City's costs for administration. In addition to any other legal remedy, the City may recover costs by civil action against the person or persons who own the property or by assessing such costs as a special tax against the property in the manner that taxes and special assessments are certified and collected pursuant to Minnesota Statutes Section 429.101.

**531.10 Authority to Modify or Remove Declaration of Public Health Nuisance.**

**Subd. 1.** The Health Official is authorized to modify the Declaration conditions or remove the Declaration of Public Health Nuisance.

**Subd. 2.** Such modifications or removal of the Declaration shall only occur after documentation from a qualified environmental or cleaning firm stating that the health and safety risks, including those to neighbors and potential dwelling occupants, are sufficiently abated or corrected to allow safe occupancy of the dwelling.

**531.11 Penalties.**

Any person violating any provision of this Ordinance is guilty of a misdemeanor and upon conviction shall be subject to the penalties set forth in Minnesota Statute Section 609.02, subdivision 3.

**531.12 Severability.**

Should any section, subdivision, clause or other provision of this Ordinance be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or of any part thereof, other than the part held to be invalid.

ADOPTED BY THE CITY COUNCIL ON DECEMBER 13, 2004

PUBLISHED ON DECEMBER 22, 2004

**Section 540 - Sexual Offenders and Sexual Predators**

**540.01 Findings and intent.**

**Subd. 1** Repeat sexual offenders, sexual offenders who use physical violence, and sexual offenders who prey on children are sexual predators who present an extreme threat to the public safety. Sexual offenders are extremely likely to use physical violence and to repeat their offenses, and most sexual offenders commit many offenses, have many more victims than are ever

reported, and are prosecuted for only a fraction of their crimes. This makes the cost of sexual offender victimization to society at large, while incalculable, clearly exorbitant.

**Subd. 2** It is the intent of this article to serve the City's compelling interest to promote, protect and improve the health, safety and welfare of the citizens of the City by creating areas around locations where children regularly congregate in concentrated numbers wherein certain sexual offenders and sexual predators are prohibited from establishing temporary or permanent residence.

**540.02 Definitions.** The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Subd. 1 Designated offender** means any person who has been convicted of a designated sexual offense, regardless of whether adjudication has been withheld, in which the victim of the offense was less than 16 years of age, or has been categorized as a Level III sex offender under Minnesota Statute § 244.052 or successor statute.

**Subd. 2 Designated sexual offense** means a conviction, adjudication of delinquency, commitment under Minnesota Statute §§ 253B, or admission of guilt under oath without adjudication involving any of the following offenses: 609.342; 609.343; 609.344; 609.345; 609.352; 609.365; 617.23; 617.246; 617.247; 617.293; successor statutes; or a similar offense from another state.

**Subd. 3 Permanent residence** means a place where the person abides, lodges, or resides for fourteen (14) or more consecutive days.

**Subd. 4 Temporary residence** means a place where the person abides, lodges, or resides for a period of fourteen (14) or more days in the aggregate during any calendar year and which is not the person's permanent address, or a place where the person routinely abides, lodges, or resides for a period of four or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence.

**540.03 Sexual offender and Sexual Predator Residence Prohibition; Penalties; Exceptions.**

**Subd. 1 Prohibited location of residence.** It is unlawful for any designated offender to establish a permanent residence or temporary residence: a) within 2,000 feet of any school, licensed day care center, park, or playground; or b) within 1,000 feet of any designated public school bus stop, place of worship which provides regular educational programs (i.e. Sunday school), or other places where children are known to congregate.

**Subd. 2 Prohibited activity.** It is unlawful for any designated offender to participate in a holiday event involving children under 18 years of age, such as distributing candy or other items to children on Halloween, wearing a Santa Claus costume on or preceding Christmas, or wearing an Easter Bunny costume on or preceding Easter. Holiday events in which the offender is the parent or guardian of the children involved, and no non-familial children are present, are exempt from this paragraph.

**Subd. 3 Measurement of distance.**

- A. For purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of the permanent residence or temporary residence to nearest outer property line of a school, designated public school bus stop, day care center, park, playground, place of worship, or other place where children regularly congregate.
- B. The City Clerk shall maintain an official map showing prohibited locations as defined by this Ordinance. The Clerk shall update the map at least annually to reflect any changes in the location of prohibited zones.

**Subd. 4 Penalties.** A person who violates this section shall be punished by a fine not exceeding \$1,000.00 or by confinement for a term not exceeding 90 days, or by both such fine and confinement. Each day a person maintains a residence in violation of this ordinance constitutes a separate violation.

**Subd. 5 Exceptions.** A designated offender residing within a prohibited area as described in (540.03 Subd. 1) does not commit a violation of this section if any of the following apply:

- A. The person established the permanent residence or temporary residence and reported and registered the residence pursuant to Minnesota Statute § 243.166, § 243.167, or successor statute, prior to February 13, 2006.
- B. The person was a minor when he/she committed the offense and was not convicted as an adult.
- C. The person is a minor.
- D. The school, designated public school bus stop or day care center within 2,000 feet of the persons permanent residence was opened after the person established the permanent residence or temporary residence and reported and registered the residence pursuant to Minnesota Statute § 243.166 or § 243.167.
- E. The residence is also the primary residence of the person's parents, grandparents, siblings, spouse, or children.
- F. The residence is a property owned or leased by the Minnesota Department of Corrections.

**540.04 Property Owners Prohibited From Renting Real Property To Certain Sexual Offenders And Sexual Predators; Penalties.**

**Subd. 1** It is unlawful to let or rent any place, structure, or part thereof, trailer or other conveyance, with the knowledge that it will be used as a permanent residence or temporary residence by any person prohibited from establishing such permanent residence or temporary residence pursuant to this Chapter, if such place, structure, or part thereof, trailer or other conveyance, is located within a prohibited location zone described in Section (540.03 Subd. 1).

**Subd. 2** A property owner's failure to comply with provisions of this Section shall constitute a violation of this Section, and shall subject the property owner to the code enforcement provisions and procedures as provided in Chapter 5 of this Code, including the provisions of Chapter 5 that allow the City to seek relief as otherwise provided by law.

**Subd. 3** If a property owner discovers or is informed that a tenant is a designated offender after signing a lease or otherwise agreeing to let the offender reside on the property, the owner or property manager may evict the offender.

**540.05 Severability.**

Should any section, subdivision, clause or other provision of this Ordinance be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or of any part thereof, other than the part held to be invalid.

ADOPTED BY THE CITY COUNCIL ON FEBRUARY 13, 2006  
PUBLISHED ON FEBRUARY 22, 2006

**Section 550 – Vandalism and Graffiti Prohibited**

**550.01 Findings and Intent.** The City Council of Taylors Falls finds that vandalism and graffiti are a public nuisance and destructive of the rights and values of property owners as well as the entire community. Unless the City acts to reduce the number of vandalism occurrences and remove graffiti from public and private property, the graffiti tends to remain and the vandalism tends to continue. Other properties then become the target of vandalism and graffiti, and entire neighborhoods are affected and become less desirable places in which to be, all to the detriment of the City.

The City Council intends, through the adoption of this Ordinance, to provide additional enforcement tools to protect public and private property from acts of vandalism, graffiti vandalism and defacement.

**550.02 Definitions**

**Subd. 1** “Graffiti” means any inscription, word, figure, painting or other defacement that is written, marked, etched, scratched, sprayed, drawn, painted, or engraved on or otherwise affixed to any surface of public or private property, not authorized in advance by the owner or occupant of the property or required by the City.

**Subd. 2** “Vandalism” means the willful or malicious destruction, injury, disfigurement, or defacement of any public or private property, real or personal, without consent of the owner or person having control.

**550.03 Prohibition.** It shall be unlawful for any person to vandalize or apply graffiti to any natural or manmade surface on any city-owned property or, without the permission of the owner or occupant, on any non-city-owned property.

**550.04 Penalty.** The City may prosecute violation of the provisions of this Section as a misdemeanor, and a person, if convicted, may be punished by maximum fine and imprisonment provided by Minnesota

Statutes §609.02, Subd. 3, as that Statute may be amended from time to time.

**550.05 Civil Recovery.** It shall be the policy of the City of Taylors Falls to pursue civil remedies under Minn. Statute §617.90, as that Statute may be amended from time to time, against any person identified as vandalizing or having placed graffiti upon City property.

ADOPTED ON AUGUST 27, 2007

PUBLISHED IN THE CHISAGO COUNTY PRESS ON SEPTEMBER 6, 2007

PUBLISHED IN THE INTER-COUNTY LEADER ON SEPTEMBER 5, 2007

## **Section 560 - Rewards**

**560.01 Findings and Intent.** The City Council finds that deterrence and prevention of vandalism and graffiti through increased reporting of such offenses is a valid public purpose to protect the property, safety and welfare of the citizens of Taylors Falls. The Council further finds that reward systems are generally effective at deterring crime and also have been found to reduce vandalism and graffiti activity. The expenditure of funds on deterrence and prevention through a reward system is intended to decrease the overall amount spent by the City and its residents on graffiti removal and restoration of public property.

**560.02 Reward Authorized.** The City shall offer a reward of \$500.00 for information leading to the identification of and legal action against any person who willfully damages or destroys any public or private property by the use of graffiti, or damages any public property by other means. In the event of multiple contributors of information, the reward amount shall be divided by the City in the manner it shall deem appropriate.

**560.03 Claims.** Claims for rewards under this Section shall be filed with the City Clerk. A claimant must have contributed information to either the City or the Chisago County Sheriff's Department concerning the identity of a person committing a graffiti offense or a property damage offense to public property before submitting a claim for reward.

**560.04 Payment.** A claim for a reward shall be paid upon: a) the conviction of a person identified by a claimant's information for a violation of this Section or another crime against property under Minnesota Statutes, Chapter 609; or b) entry of a civil judgment under Minn. Statute §617.90, in favor of the City or a private landowner, against a person identified by the claimant's information. Claims shall be paid out of the City's General Fund, in the same manner as other general obligations of the City.

**560.05 Suspension.** The City Council may, at its full discretion, suspend the reward program created by this Section by Resolution. The Resolution may suspend the program indefinitely or for a specified term.

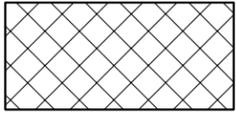
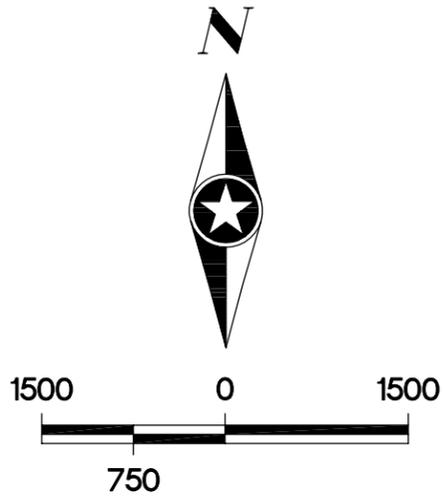
The City shall publish notice of any such resolution in the manner in which notices of public hearing are published. The City shall pay any valid claims for reward filed with the City Clerk prior to adoption of the resolution suspending the program.

**560.06 Severability.** Should any section, subdivision, clause or other provision of this Ordinance be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or of any part thereof, other than the part held to be invalid.

ADOPTED ON AUGUST 27, 2007

PUBLISHED IN THE CHISAGO COUNTY PRESS ON SEPTEMBER 6, 2007

PUBLISHED IN THE INTER-COUNTY LEADER ON SEPTEMBER 5, 2007



AREA PROHIBITING SEXUAL OFFENDERS AND SEXUAL PREDATORS FROM RESIDING.



PARK, SCHOOL PROPERTY, CHURCH PROPERTY, PLAYGROUND, OR DAY CARE CENTER



PUBLIC SCHOOL BUS STOP

CORPORATE LIMITS →

