

CHAPTER 6

PUBLIC PROTECTION AND OFFENSES

Sec. 6.01 MINNESOTA CRIMINAL CODE ADOPTED

Subd. 1. The following provisions of the Minnesota Criminal Code, being M.S.A. Chapter 609 hereby adopted by reference and the provisions thereof thus incorporated shall be as much a part of this ordinance as if they had been set forth in full herein.

M.S.A. 609.22	Assault
M.S.A. 609.27	Coercion
M.S.A. 609.34	Fornication
M.S.A. 609.475	Impersonating an Officer
M.S.A. 609.485	Escape from Custody
M.S.A. 609.50	Obstructing legal process
M.S.A. 609.505	Falsely reporting crime
M.S.A. 609.51	Simulating legal process
M.S.A. 609.52	Theft where the value of the property or service is \$100.00 or less
M.S.A. 609.53	Receiving stolen property
M.S.A. 609.535	Issuance of worthless checks
M.S.A. 609.545	Misusing credit card to secure service.
M.S.A. 609.55	Unauthorized use of motor vehicle except that the penalty is limited to a misdemeanor
M.S.A. 609.565	Simple arson, except the penalty is limited to a misdemeanor
M.S.A. 609.57	Attempted arson, limited to a misdemeanor
M.S.A. 609.575	Negligent fires
M.S.A. 609.595	Damage to property, except that the penalty is limited to a misdemeanor
M.S.A. 609.60	Dangerous trespassing and other acts
M.S.A. 609.605	Trespasses and other acts
M.S.A. 609.615	Defeating security on realty
M.S.A. 609.621	Proof of concealment of property by obligator of secured property
M.S.A. 609.655	Alteration or removal of identification number
M.S.A. 609.66	Dangerous weapons
M.S.A. 609.675	Exposure of unused refrigerator or container to children
M.S.A. 609.68	Unlawful deposit of garbage litter
M.S.A. 609.705	Unlawful assembly

M.S.A. 609.715	Presence at an unlawful assembly
M.S.A. 609.72	Disorderly conduct
M.S.A. 609.725	Vagrancy
M.S.A. 609.74	Public nuisance
M.S.A. 609.755	Acts of or relating to gambling
M.S.A. 609.786	Fraudulent long distance telephone calls
M.S.A. 609.75	Gambling

Subd. 2. One copy of the Criminal Code shall be marked by the City Clerk as an official copy and filed for use and examination by the public in the office of the City Clerk.

Sec. 6.02 TRESPASS

Subd. 1 It shall be unlawful for any person to enter upon the premises of another if he has been given oral or written notice not to, or if the premises are clearly marked with no trespassing signs posted so as to be in plain view along all routes of access to the premises, unless such entry is upon official business of a government agency or public utility.

Sec. 6.03 POSSESSION OF FIREARMS

Subd. 1 It shall be unlawful for any minor under the age of fourteen (14) years of age to handle or have in his possession or under his control, except while accompanied by or under the immediate charge of his parents or guardian, any firearm, air gun, B.B. gun of any kind for hunting or target practice or any other purposes, within the City. Any person aiding or knowingly permitting any such minor, as mentioned above, violate the same, shall be guilty of a misdemeanor.

Sec. 6.04 POINTING OF GUNS PROHIBITED

Subd. 1. No person shall, within the City, aim or point any firearm, air gun, B.B. gun, slingshot, or bow and arrow of any kind, whether loaded or not, at or towards another human being, except it being in defense of person or persons or property against one committing or attempting to commit a felony.

Sec. 6.05 DISCHARGE OF FIREARMS

Subd. 1. No person shall discharge any firearm, air gun, bow and arrow, or B.B. gun of any kind within the City, except at a duly authorized shooting range while such range is supervised or while under reasonable apprehension of

harm to protect person or property against anyone committing or attempting to commit a felony, or after permission to do so granted by the City Council, to protect property against damage by rodent, animals or destructive fowl.

Sec. 6.06      CONCEALED WEAPONS

- Subd. 1.      No person shall carry or otherwise have in his immediate possession a firearm which is in any manner concealed from view, provided that this subsection shall not apply to persons authorized or otherwise legally permitted to do so.

Sec. 6.07      UNCLAIMED AND ABANDONED PROPERTY

All property, except abandoned motor vehicles, lawfully coming into the possession of the City and unclaimed by its owner, shall be disposed of as follows:

- Subd. 1.      The department of the City into whose possession property comes shall arrange for storage of the same. If municipal facilities for storage are unavailable or inadequate, arrangements for storage at privately owned facilities may be arranged.
- Subd. 2.      The owner of the property may claim the same by exhibiting satisfactory proof of ownership and pay the City any storage or maintenance costs incurred by the City. A receipt for the property shall be obtained upon release to the owner.
- Subd. 3.      In the event that the property remains unclaimed in the possession of the City for a period of three months, the property shall thereafter be sold to the highest bidder at a public auction conducted by the Chief of Police of the City, or other authorized person. Such auction shall be held after two weeks published notice setting forth the time and place thereof and the property to be sold.
- Subd. 4.      Net proceeds from the sale of such property after deduction of storage costs incurred, if any, shall be placed in the Treasury of the City, subject to the right of the former owner to payment of the sale price to him from the fund upon application and satisfactory proof of ownership within six months of the sale.

Sec. 6.08      ABANDONED MOTOR VEHICLES

Subd. 1.      DEFINITIONS

The following terms shall be given the meanings herein ascribed to them unless otherwise specified:

- A.      Abandoned motor vehicles. This means a motor vehicle as defined in Minnesota Statutes, Section 169.01 that has remained for a period of more than 48 hours on public property illegally or lacking vital component parts, or has remained for a period of more than 48 hours on private property without consent of the person in control of such property or has remained for a period of more than 48 hours on private property in an inoperable condition such that it has no substantial potential further use consistent with its usual functions unless it is kept in an enclosed garage or storage building. A classic car or pioneer car, as defined in Minnesota Statutes, Section 168.10, shall not be considered an abandoned motor vehicle within the meaning of this ordinance.
  
- B.      Vital component parts. This means those parts of a motor vehicle that are essential to the mechanical functioning of the vehicle, including, but not limited to the motor driven train and wheels.

Subd. 2.      IMPOUNDING

The City Police Department shall take into custody and impound any abandoned motor vehicle.

Subd. 3.      NOTICE TO OWNER OF IMPOUNDMENT, AFFECT

When an abandoned motor vehicle is taken into custody, the Police Department shall give notice of the taking within ten hours. The notice shall set forth the date and place of the taking, the year, make, model and serial number of the abandoned motor vehicle and the place where the vehicle is being held, shall inform the owner and any lienholders of their right to reclaim the vehicle as provided herein and shall state that failure to reclaim the vehicle shall be deemed a waiver of them of all right, title and interest in and to the vehicle and a consent to the sale of the vehicle at a public auction pursuant to this chapter. The notice shall be sent by certified mail to the registered owner, if any, of the abandoned motor vehicle and to all readily identifiable lienholders of record. If it is

impossible to determine with reasonable certainty the identity and address of the registered owner and all lienholders, the notice shall be published once in a newspaper of general circulation in the area where the motor vehicle was abandoned. Published notices may be grouped together for convenience and economy.

Subd. 4. RIGHT TO RECLAIM

The owner or any lienholder of an abandoned motor vehicle shall have a right to reclaim such vehicle from the City, upon payment of all towing and storage charges resulting from the taking the vehicle into custody within 15 days after the date of the notice required in Section 6.08, Subd. 3.

Subd. 5. LIENS PROTECTED

Nothing in Section 6.08, Subd. 2 and Subd. 3 shall be construed to impair any lien of a garagekeeper under the laws of this State, or the right of a lienholder to foreclose. For the purposes of this section, "garagekeeper" is an operator of a parking facility, or an operator of an establishment for the servicing repair, or maintenance of motor vehicles.

Subd. 6. SALE OF ABANDONED MOTOR VEHICLES

An abandoned motor vehicle taken into custody and not reclaimed as permitted herein, shall be sold to the highest bidder at public auction or sale, following two weeks published notice thereof. The purchaser shall be given a receipt which shall be sufficient title to dispose of the vehicle. The receipt shall also entitle the purchaser to register the vehicle and receive a certificate of title, free and clear of all liens and claims of ownership.

Subd. 7. CERTAIN VEHICLES EXEMPTED FROM ABOVE PROCEDURE

When an abandoned motor vehicle is more than seven model years of age, is lacking a vital component part and does not display a license plate currently valid in Minnesota or any other state or foreign country it shall immediately be eligible for sale at public auction, and shall not be subject to notification, reclamation, or title provisions set forth herein.

Subd. 8. DISPOSITION OF SALE PROCEEDS

From the proceeds of the sale of an abandoned motor vehicle, the City shall reimburse itself for the cost of towing, preserving, and storing the vehicle, and all notice and publication costs incurred pursuant to this ordinance. Any remainder from the proceeds of a sale shall be held for the owner of the vehicle or entitled lienholder for 90 days and then shall be deposited in the City Treasury.

Subd. 9. DISPOSITION AFTER NO BID RECEIVED

Where no bid has been received for an abandoned motor vehicle, the City may dispose of it pursuant to contract under M.S.A. 168 B.10

Subd. 10. VIOLATION

Any person who abandons a motor vehicle on any public or private property, without the consent of the person in control of such property, is guilty of a misdemeanor

Sec. 6.09 CURFEW

Subd. 1. HOURS

It shall be unlawful for any minor under the age of seventeen (17) years to loiter, idle, or be in or upon the public streets, highways, parks, playgrounds or other public grounds, public place, places of entertainment, or refreshment or any other unsupervised places within the City between the hours of 11:00 p.m. and 5:00 a.m. the following day; provided, however, that the provisions of this section shall not apply to such minor accompanied by his or her parent, guardian or other person having the care and custody of said minor or when the minor is upon some necessary errand by permission or direction of said parent, which permission shall be in writing and signed by such parent, guardian or other adult having the care and custody of said minor.

Subd. 2. PARENT OR GUARDIAN

It shall be unlawful for the parent, guardian or other adult person having the care and custody of a minor under the age of seventeen (17) years to permit such minor to loiter, idle, or be in or upon the public grounds, street, highways, parks, playgrounds or other public grounds, public places, places of entertainment or refreshment or other unsupervised places within the City between the hours of 11:00 p.m. and 5:00 a.m. of the following day; provided, however, said minor is accompanied by his or

her parent, guardian or other adult person having the care and custody of the minor or when the said minor is upon some necessary errand by permission or direction of his or her parent, guardian or other adult person having the care and custody of the minor.

Subd. 3. EXEMPTIONS

The Mayor may designate certain nights during the school year as "School Nights". The provisions of this ordinance shall not apply to any student under the age of Seventeen (17) years or to his or her Parent, guardian, or other adult person having the care and custody of said minor who is lawfully going to, attending, or returning from any school function or any designated "School Night."

Subd. 4. MISDEMEANOR

Any minor under the age of seventeen (17) years or any parent, guardian or other adult person having the care and custody of a minor under the age of seventeen (17) years who shall violate the provisions of this ordinance shall upon conviction thereof be guilty of a misdemeanor and punished according to law.

Sec. 6.10 SNOWMOBILES AND ALL TERRAIN VEHICLES

Subd. 1. DEFINITIONS

For the purpose of this Ordinance, the terms defined herein shall have the meaning ascribed to them.

1. Person. Includes an individual, partnership, corporation, the State and its agencies and subdivisions, and any body of persons, whether incorporated or not.
2. Snowmobiles. Means a self-propelled vehicle designed for travel on snow or ice steered by skiis or runners.
3. All Terrain Vehicle or ATV refers to "trail bikes", mini bikes and amphibious vehicles and similar devices other than snowmobiles used at least partially for travel on natural terrain but no "special Mobile equipment" defined in Minnesota Statutes 168.011, Subdivision 22.
4. Owner. Means a person, other than a lienholder having the

property in or title to snowmobile or ATV entitled to the use or possession thereof.

5. Operate. Means to ride in or on and control the operation of a snowmobile or ATV.
6. Operator. Means every person who operates or is in actual physical control of a snowmobile or ATV.
7. Deadman Throttle or Safety Throttle Means a device which when pressure is removed from the engine accelerator or throttle causes the motor to be disengaged from the driving mechanism.
8. Natural Terrain Means areas other than roadways or driveways (private or public), parking lots and other areas the surface of which has been intentionally modified for motor vehicle operation thereon.

Subd. 2. USES OF SNOWMOBILES AND ATV's PERMITTED

Except as herein specifically permitted and authorized, it is unlawful for any person to operate a snowmobile or ATV not licensed as a motor vehicle within the limits of the City:

1. On the portion of any right of way of any public highway, street, road, trail or alley used for motor vehicle travel, except that a snowmobile may operate upon the most right hand lane of a municipal street or alley and may in passing or making a left turn operate on other lanes which are used for vehicle traffic in the same direction, for purposes of going to or returning from a non-highway area of permissible operation, by the most direct route. Snowmobiles may also be operated upon the ditch bottom or the outside bank of trunk, county state-aid and county highways where such highways are so configured within the corporate limits.
2. On a public sidewalk provided for pedestrian travel.
3. On boulevards within any public right of way.
4. On private property of another without specific permission of the owner or person in control of said property.
5. On any other public place except as may be specifically permitted



by other provisions of the city.

6. At a speed in excess of ten (10) miles per hour.
7. On Main Street or on State Highway #4
8. On property abutting a “marked” snowmobile trail.

Subd. 3. CROSSING OF STREETS OR HIGHWAYS, SNOWMOBILES

A snowmobile may make a direct crossing of a street or highway, except an interstate highway or freeway provided:

1. The crossing is made at an angle of approximately ninety (90) degrees to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing.
2. The snowmobile is brought to a complete stop before crossing the shoulder or main traveled way.
3. The driver yields the right of way to all oncoming traffic which constitutes an immediate hazard.
4. In crossing a divided street or highway, the crossing is made only at an intersection of such street or highway with another public street or highway.
5. If the crossing is made between the hours of one-half hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on.

Subd. 4. TRAFFIC ORDINANCES APPLICABLE

City traffic ordinances shall apply to the operation of snowmobiles upon streets and highways, except for those relating to required equipment, those which by their nature have no application, and those inconsistent with the provisions herein.

Subd. 5. YIELDING RIGHT OF WAY

No snowmobile shall enter any intersection without yielding the right of way to any vehicles or pedestrians at the intersection, or so close to the intersection as to constitute an immediate hazard.

Subd. 6            OPERATION: PERSONS UNDER 18

No person under fourteen (14) years of age shall operate on streets or the roadway surface of highways or make a direct crossing of a trunk, county state-aid highway, or city streets as the operator of a snowmobile. A person fourteen (14) years of age or older, but less than eighteen (18) years of age may operate a snowmobile on streets and highways as permitted under this ordinance and make a direct crossing of such streets and highways only if he has in his immediate possession a valid snowmobile safety certificate issued by the Commissioner, as provided by M.S.A. Section 84.872.

Subd. 7.           USES SPECIFICALLY PROHIBITED

It is unlawful for any person to operate a snowmobile, ATV not licensed for highway use or ATV licensed for highway use when operating on natural terrain within the limits of the City.

1.        At any place while under the influence of alcohol or drugs as defined in Minnesota Statutes 169.121 which is hereby incorporated herein by reference.
2.        At a rate of speed greater than reasonable or proper under all surrounding circumstances.
3.        At any place in a careless, reckless, or negligent manner or heedlessly in disregard of the rights or safety of others, or in a manner so as to endanger or be likely to endanger or cause injury or damage to any person or property.
4.        During the hours from 11:00 p.m. to 7:00 a.m. of any day, closer than one hundred (100) feet to any dwelling which is usually occupied by one or more persons.
5.        So as to tow any person or thing except through use of a rigid tow bar attached to the rear of the snowmobile or ATV.
6.        Within one hundred (100) feet of any fisherman, pedestrian, skating rink or sliding area where the operation would conflict with use or endanger other persons or property.

Subd. 8            EQUIPMENT REQUIRED

It is unlawful for any person to operate a snowmobile or ATV any place within the limits of the City unless it is equipped with the following:

1. Standard mufflers which are properly attached and which reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, by-pass straight pipe or similar device on a snowmobile or ATV motor.
2. Brakes adequate to control the movement of and to stop and hold the snowmobile or ATV under any condition of operation.
3. A safety or so-called "deadman" throttle in operating condition.
4. When operated between the hours of one-half before sunrise or at time of reduced visibility, at least one clear lamp attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least one hundred (100) feet ahead during the hours of darkness and under normal atmospheric conditions. Such headlamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming snowmobile or ATV operator. It shall also be equipped with at least one red tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of five hundred (500) feet to the road during hours of darkness under normal atmospheric conditions.
5. Reflective material at least sixteen (16) inches square on each side, forward of the handlebars or steering device of a snowmobile or ATV and at the highest practical point on any towed object, as to reflect light at a ninety (90) degrees angle.

Subd. 9. IGNITION LOCK

Every person leaving a snowmobile or ATV on a public place or way shall lock the ignition, remove the key and take the same with him.

Subd. 10. EMERGENCIES, OPERATION PERMITTED

Notwithstanding any prohibitions in this Ordinance, a snowmobile may be operated on a public thoroughfare in an emergency during the period of time and at locations where snow upon the roadway renders travel by automobile impractical.

Subd. 11. USES PROHIBITED: ANIMALS

It is unlawful to intentionally drive, chase, run over or kill any animal with a snowmobile or ATV.

Sec. 6.11      PUBLIC CONSUMPTION OF ALCOHOLIC BEVERAGES

Subd. 1.      It shall be unlawful to consume alcoholic beverages on public streets, sidewalks and alleys within the City of Trimont.

Sec. 6.12      KEEPING OF LIVESTOCK

Subd. 1.      It shall be unlawful for any person to keep or harbor any horses, sheep, goats, pigs, chickens, turkeys or other fowl within the platted portion of the City of Trimont, or to permit the same to be kept upon the premises owned, occupied or controlled by him without first having obtained a permit to do so by the City Council.

Subd. 2.      Where it is deemed advisable to grant a permit, the following regulations must be complied with:

1.      No stable, barn or building in which horses, cattle, sheep, goats, pigs, chickens, turkeys or other fowl are kept may be located within 100 feet of human habitation.
2.      Such stables, barns or other buildings shall be kept clean. Manure and droppings shall be removed with sufficient frequency to avoid nuisance from odors or from breeding of flies.
3.      Manure and droppings shall be removed by hauling beyond the City limits unless used for fertilizer, in which case it shall be spread evenly on the ground and turned under at once or as soon as the frost leaves the ground.
4.      Wherever domestic animals or fowl of any kind are kept within the limits of the platted portion of the City, they shall be securely confined within an enclosure by the owner thereof and no domestic animals at any time shall be allowed to stray from or feed upon the streets or property abutting upon the streets or alleys of this City.

Subd. 3.      That any permit issued by the City Council hereunder shall be subject to revocation or violation of any term and conditions in the connection with

the issuance of such permit and other causes; that upon filing with the City Council a written complaint against the holder of any such permit, hearing of such a complaint shall be held before the City Council on notice to the complainant and the holder of such permit.

Sec. 6.13     OPEN BURNING

- Subd. 1.     The burning of garbage in the City of Trimont including all putrescible animal and vegetable wastes, within the fire limits of the City of Trimont is hereby declared to be a public nuisance and health hazard and is hereby prohibited.
  
- Subd. 2.     The burning of leaves, papers, refuse, or materials on the public streets, or sidewalks within the City limits is hereby prohibited.

Sec. 6.14     DOGS, CATS AND OTHER ANIMALS - Adopted 9-24-97

Subd. 1.     DEFINITIONS

- A.     Running at large - Not under restraint or control as defined in this section.
  
- B.     Dog - any canine animal, male or female, whole or neutered, over six months of age.
  
- C.     Own - Unless otherwise specified, shall be deemed to mean, keep, harbor or have control, charge or custody of an animal for a period of three days or longer.
  
- D.     Owner - Any person owning, or having charge or control of any animal, or permitting any dog or other domestic animal to habitually be or remain on or be lodged or fed within such person's house, yard or premises for a period of three days or longer.
  
- E.     Under Restraint - Controlled by a leash or by a competent person and immediately obedient to that person's command. When within the property limits of its owner, the animal must be confined within an enclosure or fencing or kept on a leash securely fashioned or held to prevent the animal from leaving the owner's property. An unattended domesticated animal on the property of another without consent of such property owner is Arunning at

large and is not under restraint even though it is on a leash.

- F. Under Control - Any animal shall be deemed under control when under restraint, on the premises of its owner, and not otherwise Arunning at large.

Subd. 2. RUNNING AT LARGE

It is unlawful for any person who is the owner, or other person in possession of a dog or other domestic animal, to permit such dog or other domestic animal to run at large. All owners or other persons who are in possession of such animals must keep their animals under restraint or under control at all times when the animal is off the owner's premises.

Subd. 3 NUISANCES

The owner or a person keeping a dog or other domestic animal shall prevent that animal from committing any act which constitutes a nuisance. Such acts shall include, but shall not necessarily be limited to:

- A. Running at large as above defined.
- B. Any animal which habitually and frequently barks, bays, howls or cries. This includes any animal that barks, bays, cries, howls or makes any other noise continuously and/or incessantly for a period of fifteen (15) minutes or makes any such noise intermittently for thirty (30) minutes or more at any time either day or night.
- C. Attacking, molesting or annoying any person or other animal.
- D. Damaging, defiling or destroying public or private property.

Subd. 4. PROHIBITED ANIMALS

No person shall keep, maintain or harbor within the City of Trimont any of the following animals.

- A. Any animal or species prohibited by Minnesota or Federal law.
- B. Any non-domesticated animal or species, include but not limited to the following:
  - 1. Any skunk, whether captured in the wild, domestically

- raised, descended or not descended, vaccinated against rabies or not vaccinated against rabies.
2. Any large cat of the family Felidae such as lions, tigers, jaguars, leopards, cougars and ocelots, except commonly accepted domesticated house cats.
  3. Any member of the family Canidae, such as wolves, foxes, coyotes, dingos and jackals except domesticated dogs.
  4. Any crossbreed such as the crossbreeds between dogs and coyotes or dogs and wolves but does not include crossbred domesticated animals.
  5. Any poisonous pit viper such as a rattlesnake, coral snake, water moccasin or cobra.
  6. Any raccoon.
  7. Any boa constrictor.
  8. Any other animal which is not listed explicitly above, but which can be reasonably defined by the terms in Section 6.15, Subd. 4. of this Ordinance, including bears and badger.

Subd. 5. REMOVAL OF EXCREMENT

It is unlawful for any person to cause or permit an animal to be on any property, public or private, not owned or possessed by such person, unless such person has in his or her immediate possession a device or other equipment or supplies for the removal of excrement and depository for the transmission of excrement to a proper receptacle located upon property owned or possessed by such person.

It is unlawful for any person in control of, causing or permitting any animal to be on any property, public or private, not owned or possessed by such person, to fail to remove excrement left by such animal to a proper receptacle located on property owned or possessed by such person.

The provisions of this Section shall not apply to the ownership or use of seeing eye dogs by blind persons, dogs, when used in police activities by the City or tracking dogs when used by or with the permission of the City.

Subd. 6. OWNER OBLIGATION FOR PROPER CARE

No owner shall fail to provide any animal with sufficient good and wholesome food and water, proper shelter and protection from weather, veterinary care when needed to prevent suffering and with humane care and treatment. No owner shall keep any animal in the City in an

unsanitary place or condition or in a manner resulting in offensive disagreeable or objectionable odors.

Subd. 7. ANIMAL HOUSING/STRUCTURES

Every animal structure, dog house, dog kennel, yard or pen in which animals are kept must be maintained in a clean and sanitary condition and free of rodents, vermin and objectional odors. Manure must be removed with sufficient frequency to avoid nuisance from odors or breeding flies. No such animal structure, dog house, dog kennel, yard or pen in which animals are kept may be maintained in any front yard or closer than five feet to any side or rear property lines.

Subd. 8. NUMBER OF ANIMALS PER HOUSEHOLD OR RESIDENCE

No person shall exceed the number of four (4) domestic animals per household, residence or dwelling unit. A maximum of two dogs per household is permitted.

Subd. 9. MISTREATMENT OF ANIMALS

No person shall beat, treat cruelly, torment or otherwise abuse any animal, or cause or permit any animal fight, and no owner of an animal shall abandon such animal.

Subd. 10. IMPOUNDING

The poundmaster, any police officer, and any animal enforcement officer retained by the City shall impound any animal found, unlicensed or running at large and shall give notice of the impounding to the owner of such dog, if known. In case the owner is unknown, such officer shall post notice at City Hall and at the pound. If the dog is not claimed within five (5) days of the posting of the notice, it will be killed. If such dog is not claimed within the time specified, all fees and charges paid, the poundmaster shall dispose of such dog or shall kill such dog and dispose of its carcass unless it is requested by a licensed educational or scientific institution under Minnesota Statute Section 35.71.

The poundmaster shall house and feed the animal in a humane manner.

An impounding fee in the amount of \$15.00 and a per diem charge for feeding shall be paid before any animal held at the pound may be released. The per diem fee shall be such fee as shall normally be charged by the



pound.

Subd. 11. LICENSE REQUIREMENT

No person shall keep any dog or cat within the City of Trimont without first securing a license therefor from the City Clerk, who shall keep a record of all licenses issued and shall issue a metal tag for each license. ~~The annual license fee shall be \$2.00 for each male dog or spayed female dog, \$5.00 for each unspayed female dog and \$2.00 for each cat, male or female. Licenses shall expire on the 1st day of March, next following their issuance.~~

Subd. 12. PENALTY FOR VIOLATION

Any owner who is found to be in violation of any Section of this Ordinance or combination thereof shall be guilty of a petty misdemeanor and shall be punished accordingly including the payment of all appropriate costs as prescribed in this Ordinance.

Sec. 6.15 NOISE - Adopted 4-28-99

Subd. 1. It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise, or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace or safety of others within the limits of the city.

Subd. 2. The following acts are unlawful:

- (a) The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street, public place, or private property within the city except as a danger warning.
- (b) The creation by means of any such signaling device of any unreasonably loud or harsh sound.
- (c) The sounding of any such device for an unnecessary and unreasonable period of time.
- (d) The use of any signaling device except one operated by hand or electricity.
- (e) The use of any horn, whistle or other device operated by engine exhaust.

- (f) The use of any such signaling device when traffic is held for any reason.
- (g) The use, operation or permitting the playing, use, or operation of any radio receiving set, musical instrument, phonograph, or other machine or device for the production or reproduction of sound in such manner as to disturb the peace, quiet, and comfort of the neighboring inhabitants or at any time at a louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle, or chamber in which such machine or device is operated and who are voluntary listeners thereto.
- (h) The use, operation, or permitting the playing, use, or operation of any radio receiving set, musical instrument, phonograph, loud speaker, sound amplifier, or other machine or device for the production or reproduction of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure.
- (i) Yelling, shouting, hooting, whistling, or singing upon the public streets, at any time or place so as to annoy or disturb the quiet, comfort, or repose of any persons in any office, dwelling, hotel, or other type of residence, or of any persons in the vicinity.
- (j) The keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comfort or repose of any persons in the vicinity.
- (k) The discharge in the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat, or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom. Mufflers of the type commonly known as "Hollywood Mufflers" shall not be permitted.
- (l) The discharge of truck "jake brakes".

Section 6.16.

CONTROL OF GRASS AND WEEDS

Subd. 1.

GRASS AND WEEDS

It is unlawful for any owner, occupant, or agent of any lot or parcel of land in the City of Trimont to allow any weeds or grass growing upon any such lot or parcel of land to grow to a greater height than six inches or to allow

such weeds or grass to go to seed.

- Subd. 2. If any such owner, occupant, or agent fails to comply with this height limitation and after notice given by the weed inspector, has not complied with such notice, the City shall cause such weeds or grass to be cut and the expense thus incurred shall be a lien on such real estate. The City Council shall certify to the County Auditor of Martin County Minnesota, 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.