

TITLE IX: GENERAL REGULATIONS

Chapter

- 90. ANIMALS**
- 91. FIRE PREVENTION**
- 92. STREETS AND SIDEWALKS**
- 93. NUISANCES**
- 94. BLIGHT**
- 95. VOLUNTEER AMBULANCE SERVICE**
- 96. TRAILER HOUSES**

CHAPTER 90: ANIMALS

Section

- 90.01 Definitions
- 90.02 Dogs and cats
- 90.03 Non-domestic animals
- 90.04 Farm animals
- 90.05 Impounding
- 90.06 Kennels
- 90.07 Nuisances
- 90.08 Seizure of animals
- 90.09 Animals presenting a danger to health and safety of city
- 90.10 Diseased animals
- 90.11 Dangerous animals
- 90.12 Dangerous animal requirements
- 90.13 Basic care
- 90.14 Breeding moratorium
- 90.15 Enforcing officer
- 90.16 Pound
- 90.17 Interference with officers

- 90.99 Penalty

Cross-reference:

Drainage; pollution control; restrictions on confined animal facilities, see ' 151.07

' 90.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ANIMAL. Any mammal, reptile, amphibian, fish, bird (including all fowl and poultry) or other member commonly accepted as a part of the animal kingdom. Animals shall be classified as follows:

(1) **DOMESTIC ANIMALS.** Those animals commonly accepted as domesticated household pets. Unless otherwise defined, such animals shall include dogs, cats, caged birds, gerbils, hamsters, guinea pigs, domesticated rabbits, fish, non-poisonous, non-venomous and nonconstricting reptiles or amphibians, and other similar animals.

Watkins - General Regulations

(2) **NON-DOMESTIC ANIMALS.** Those animals commonly considered to be naturally wild and not naturally trained or domesticated, or which are commonly considered to be inherently dangerous to the health, safety, and welfare of people. Unless otherwise defined, such animals shall include:

(a) Any member of the large cat family (family felidae) including lions, tigers, cougars, bobcats, leopards and jaguars, but excluding commonly accepted domesticated house cats;

(b) Any naturally wild member of the canine family (family canidae) including wolves, foxes, coyotes, dingoes, and jackals, but excluding commonly accepted domesticated dogs;

(c) Any crossbreeds such as the crossbreed between a wolf and a dog, unless the crossbreed is commonly accepted as a domesticated house pet;

(d) Any member or relative of the rodent family including any skunk (whether or not descended), raccoon, squirrel, or ferret, but excluding those members otherwise defined or commonly accepted as domesticated pets;

(e) Any poisonous, venomous, constricting, or inherently dangerous member of the reptile or amphibian families including rattlesnakes, boa constrictors, pit vipers, crocodiles and alligators;

(f) Any other animal which is not explicitly listed above but which can be reasonably defined by the terms of this subpart, including but not limited to bears, deer, monkeys and game fish.

(3) **FARM ANIMALS.** Those animals commonly associated with a farm or performing work in an agricultural setting. Unless otherwise defined, such animals shall include members of the equestrian family (horses, mules), bovine family (cows, bulls), sheep, poultry (chickens, turkeys), fowl (ducks, geese), swine (including Vietnamese pot-bellied pigs), goats, bees, and other animals associated with a farm, ranch, or stable.

AT LARGE. Off the premises of the owner and not under the custody and control of the owner or other person, either by leash, cord, chain, or otherwise restrained or confined.

CAT. Both the male and female of the felidae species commonly accepted as domesticated household pets.

DOG. Both the male and female of the canine species, commonly accepted as domesticated household pets, and other domesticated animals of a dog kind.

OWNER. Any person or persons, firm, association or corporation owning, keeping, or harboring an animal.

(Ord 2001-3, passed - -)

' 90.02 DOGS AND CATS.

(A) *Running at large prohibited.* It shall be unlawful for the dog or cat of any person who owns, harbors, or keeps a dog or cat, or the parents or the guardians of any such person under 18 years of age, to run at large. A person who owns, harbors, or keeps a dog or cat which runs at large shall be guilty of a misdemeanor. Dogs or cats on a leash and accompanied by a responsible person or accompanied by and under the control and direction of a responsible person so as to be effectively restrained by command as by leash, shall be permitted in streets or on public land unless the city has posted an area with signs reading ADogs or Cats Prohibited.@

(B) *License required.*

(1) All dogs over the age of six months kept, harbored, or maintained by their owners in the city, shall be licensed and registered with the city. Dog licenses shall be issued by the City Clerk upon payment of the license fee. The owner shall state, at the time application is made for the license and upon forms provided for such purpose, his or her name and address and the name, breed, color, and sex of each dog owned or kept by him or her. No license shall be granted for a dog which has not been vaccinated against distemper and rabies, as provided in this section. Vaccination shall be performed only by a doctor qualified to practice veterinary medicine in the state in which the dog is vaccinated. A veterinarian who vaccinates a dog to be licensed in the city shall complete a certificate of vaccination. One copy shall be issued to the dog owner for affixing to the license application.

(2) It shall be the duty of each owner of a dog subject to this section to pay to the City Clerk the license fee as imposed by the Council by resolution.

(3) Upon payment of the license fee, the City Clerk shall issue to the owner a license certificate and metallic tag for each dog licensed. The tag shall have stamped on it the number corresponding with the number on the certificate. Every owner shall be required to provide each dog with a collar to which the license tag must be affixed, and shall see that the collar and tag are constantly worn. In case a dog tag is lost or destroyed, a duplicate shall be issued by the City Clerk. A charge of \$2 shall be made for each duplicate tag. Dog tags shall not be transferable from one dog to another and no refunds shall be made on any dog license fee or tag because of death of a dog or the owner=s leaving the city before the expiration of the license period.

(4) The licensing provisions of this section shall not apply to dogs whose owners are non-residents temporarily within the city, nor to dogs brought into the city for the purpose of participating in any dog show, nor shall this provision apply to Aseeing eye@ dogs properly trained to assist blind persons for the purpose of aiding them in going from place to place.

(5) The funds received by the City Clerk from all dog licenses and metallic tags fees shall first be used to defray any costs incidental to the enforcement of this subsection; including, but not restricted to, the costs of licenses, metallic tags, and impounding and maintenance of the dogs.

Watkins - General Regulations

(C) *Cats*. Cats shall be included as controlled by this division insofar as running at large, pickup, impounding, boarding, licensing and proof of anti-rabies vaccine is concerned. All other provisions of this section shall also apply to cats unless otherwise provided.

(D) *Vaccination*.

(1) All dogs and cats kept, harbored, maintained, or transported within the city shall be vaccinated by a licensed veterinarian for rabies and distemper.

(2) A certificate of vaccination must be kept on which is stated the date of vaccination, owner's name and address, the animal's name (if applicable), sex, description and weight, the type of vaccine, and the veterinarian's signature. Upon demand made by the City Clerk or a police officer, the owner shall present for examination the required certificate of vaccination for the animal. In cases where certificates are not presented, the owner or keeper of the animal shall have seven days in which to present the certificate to the City Clerk or police officer. Failure to do so shall be deemed a violation of this section. (Ord 2001-3, passed - -)

' 90.03 NON-DOMESTIC ANIMALS.

It shall be illegal for any person to own, possess, harbor, or offer for sale, any non-domestic animal within the city limits. Any owner of such an animal at the time of adoption of this code shall have 30 days in which to remove the animal from the city after which time the city may impound the animal as provided for in this chapter. An exception shall be made to this prohibition for animals specifically trained for and actually providing assistance to the handicapped or disabled, and for those animals brought into the city as part of an operating zoo, veterinarian clinic, scientific research laboratory, or a licensed show or exhibition. (Ord 2001-3, passed - -)

' 90.04 FARM ANIMALS.

Farm animals shall only be kept in an agricultural district of the city, or on a residential lot of at least ten acres in size provided that no animal shelter shall be within 300 feet of an adjoining piece of property. An exception shall be made to this section for those animals brought into the city as part of an operating zoo, veterinarian clinic, scientific research laboratory, or a licensed show or exhibition. (Ord 2001-3, passed - -)

' 90.05 IMPOUNDING.

(A) *Running at large*. Any unlicensed animal running at large is hereby declared a public nuisance. Any police officer or dog catcher may impound any dog or other animal found unlicensed or any animal

found running at large and shall give notice of the impounding to the owner of such dog or other animal, if known. In case the owner is unknown, the officer or dog catcher shall post notice at the city office that if the dog or other animal is not claimed within the time specified in division (C), it will be sold or otherwise disposed of. Except as otherwise provided in this section, it shall be unlawful to kill, destroy, or otherwise cause injury to any animal, including dogs and cats running at large.

(B) *Biting animals.* Any animal that has not been inoculated by a live modified rabies vaccine and which has bitten any person, wherein the skin has been punctured or the services of a doctor are required, shall be confined in the City Pound for a period of not less than ten days, at the expense of the owner. The animal may be released at the end of such time if healthy and free from symptoms of rabies, and by the payment of all costs by the owner. However, if the owner of the animal shall elect immediately upon receipt of notice of need for such confinement by the officer to voluntarily and immediately confine the animal for the required period of time in a veterinary hospital of the owner's choosing, not outside of the county in which this city is located, and provide immediate proof of such confinement in such manner as may be required, the owner may do so. If, however, the animal has been inoculated with a live modified rabies vaccine and the owner has proof of the vaccination by a certificate from a licensed veterinarian, the owner may confine the dog or other animal to the owner's property.

(C) *Reclaiming.* All animals conveyed to the pound shall be kept, with humane treatment and sufficient food and water for their comfort, at least five regular business days, unless the animal is a dangerous animal as defined under ' 90.11 in which case it shall be kept for seven regular business days or the times specified in ' 90.11, and except if the animal is a cruelly-treated animal in which case it shall be kept for ten regular business days, unless sooner reclaimed by their owners or keepers as provided by this section. In case the owner or keeper shall desire to reclaim the animal from the pound, the following shall be required, unless otherwise provided for in this code or established from time to time by resolution of the City Council:

- (1) Payment of a \$25 release fee; and
- (2) Payment of maintenance costs, as provided by the pound, per day or any part of day while animal is in the pound; and
- (3) If a dog is unlicensed, payment of a regular license fee and valid certificate of vaccination for rabies is required.

(D) *Unclaimed animals.* At the expiration of the times established in division (C) above, if the animal has not been reclaimed in accordance with the provisions of this section, the officer or dog catcher appointed to enforce this section may let any person claim the animal by complying with all provisions in this section, or the officer or dog catcher may sell the animal to the University of Minnesota, or cause the animal to be destroyed in a proper and humane manner and shall properly dispose of the remains thereof. Any money collected under this section shall be payable to the City Clerk.

(Ord 2001-3, passed - -)

' 90.06 KENNELS.

(A) *Definition of kennel.* The keeping of more than five dogs on the same premises, whether owned by the same person or not and for whatever purpose kept, shall constitute a **KENNEL**; except that a fresh litter of pups may be kept for a period of three months before such keeping shall be deemed to be a **KENNEL**.

(B) *Kennel as a nuisance.* Because the keeping of more than five dogs on the same premises is subject to great abuse, causing discomfort to persons in the area by way of smell, noise, hazard, and general aesthetic depreciation, the keeping of more than five dogs on the premises is hereby declared to be a nuisance and no person shall keep or maintain a kennel within the city.
(Ord 2001-3, passed - -)

' 90.07 NUISANCES.

(A) *Habitual barking.* It shall be unlawful for any person to keep or harbor a dog which habitually barks or cries. Habitual barking shall be defined as barking for repeated intervals of at least three minutes with less than one minute of interruption. Such barking must also be audible off of the owner=s or caretaker=s premises.

(B) *Damage to property.* It shall be unlawful for any person=s dog or other animal to damage any lawn, garden, or other property, whether or not the owner has knowledge of the damage. Any animal covered by this subdivision may be impounded as provided in this section or a complaint may be issued by anyone aggrieved by an animal under this section, against the owner of the animal for prosecution under this section.

(C) *Cleaning up litter.* The owner of any animal or person having the custody or control of any animal shall be responsible for cleaning up any feces of the animal and disposing of such feces in a sanitary manner whether on their own property, on the property of others or on public property. Any person violating this section shall be punishable by a fine of \$10 or five hours of public lands fecal clean-up. Any person who is found guilty of subsequent violations of this section shall be punished by a fine of at least \$25 but not more than \$50.

(D) *Other.* Any animals kept contrary to this section are subject to impoundment as provided in ' 90.05.
(Ord 2001-3, passed - -)

' 90.08 SEIZURE OF ANIMALS.

Any police officer or dog catcher may enter upon private property and seize any animal provided the following exist:

(A) There is an identified complainant other than the police officer or dog catcher making a contemporaneous complaint about the animal;

(B) The officer or dog catcher reasonably believes that the animal meets either the barking dog criteria set out in ' 90.07(A); the criteria for cruelty set out in ' 90.13; or the criteria for an at large animal set out in ' 90.01;

(C) The officer or dog catcher can demonstrate that there has been at least one previous complaint of a barking dog; inhumane treatment of the animal; or that the animal was at large at this address on a prior date;

(D) The officer or dog catcher has made a reasonable attempt to contact the owner of the property and those attempts have either failed or have been ignored;

(E) The seizure will not involve the forced entry into a private residence. Use of a pass key obtained from a property manager, landlord, innkeeper, or other authorized person to have such key shall not be considered unauthorized entry; and

(F) Written notice of the seizure is left in a conspicuous place if personal contact with the owner of the dog is not possible.

(Ord 2001-3, passed - -)

' 90.09 ANIMALS PRESENTING A DANGER TO HEALTH AND SAFETY OF CITY.

If, in the reasonable belief of any person or police officer, an animal presents an immediate danger to the health and safety of any person, or the animal is threatening imminent harm to any person, or the animal is in the process of attacking any person, the officer may destroy the animal in a proper and humane manner. Otherwise the person or officer may apprehend the animal and deliver it to the pound for confinement under ' 90.05. If the animal is destroyed, a charge of \$75 to dispose of the animal is payable by the owner of the animal. If the animal is found not to be a danger to the health and safety of the city, it may be released to the owner or keeper in accordance with ' 90.05(C).

(Ord 2001-3, passed - -)

' 90.10 DISEASED ANIMALS.

(A) *Running at large.* No person shall keep or allow to be kept on his or her premises, or on premises occupied by them, nor permit to run at large in the city, any animal which is diseased so as to be a danger to the health and safety of the city, even though the animal be properly licensed under this section.

(B) *Confinement.* Any animal reasonably suspected of being diseased and presenting a threat to the health and safety of the public may be apprehended and confined in the pound by any person or police officer. The police officer or dog catcher shall have a qualified veterinarian examine the animal. If the animal is found to be diseased in such a manner so as to be a danger to the health and safety of the city, the officer or dog catcher shall cause such animal to be painlessly killed and shall properly dispose of the remains. The owner or keeper of the animal killed under this section shall be liable for at least \$75 to cover the cost of maintaining and disposing of the animal, plus the costs of any veterinarian examinations.

(C) *Release.* If the animal, upon examination, is not found to be diseased within the meaning of this section, the animal shall be released to the owner or keeper free of charge.
(Ord 2001-3, passed - -)

' 90.11 DANGEROUS ANIMALS.

(A) *Attack by an animal.* It shall be unlawful for any person's animal to inflict or attempt to inflict bodily injury to any person or other animal whether or not the owner is present. This section shall not apply to an attack by a dog under the control of an on-duty law enforcement officer or to an attack upon an uninvited intruder who has entered the owner's home with criminal intent.

(B) *Destruction of dangerous animal.* The police officer or dog catcher shall have the authority to order the destruction of dangerous animals in accordance with the terms established by this chapter.

(C) *Definitions.*

DANGEROUS ANIMAL. An animal which has:

- (a) Caused bodily injury or disfigurement to any person on public or private property;
- (b) Engaged in any attack on any person under circumstances which would indicate danger to personal safety;
- (c) Exhibited unusually aggressive behavior, such as an attack on another animal;
- (d) Bitten one or more persons on two or more occasions; or
- (e) Been found to be potentially dangerous and/or the owner has personal knowledge of the same, the animal aggressively bites, attacks, or endangers the safety of humans or domestic animals.

POTENTIALLY DANGEROUS ANIMAL. An animal which has:

- (a) Bitten a human or a domestic animal on public or private property;

(b) When unprovoked, chased or approached a person upon the streets, sidewalks, or any public property in an apparent attitude of attack; or

(c) Has engaged in unprovoked attacks causing injury or otherwise threatening the safety of humans or domestic animals.

PROPER ENCLOSURE. Securely confined indoors or in a securely locked pen or structure suitable to prevent the animal from escaping and to provide protection for the animal from the elements. A ***PROPER ENCLOSURE*** does not include a porch, patio, or any part of a house, garage, or other structure that would allow the animal to exit of its own volition, or any house or structure in which windows are open or in which door or window screens are the only barriers which prevent the animal from exiting. The enclosure shall not allow the egress of the animal in any manner without human assistance. A pen or kennel shall meet the following minimum specifications:

(a) Have a minimum overall floor size of 32 square feet;

(b) Sidewalls shall have a minimum height of five feet and be constructed of 11-gauge or heavier wire. Openings in the wire shall not exceed two inches, support posts shall be 1_ inch or larger steel pipe buried in the ground 18 inches or more. When a concrete floor is not provided, the sidewalls shall be buried a minimum of 18 inches in the ground;

(c) A cover over the entire pen or kennel shall be provided. The cover shall be constructed of the same gauge wire or heavier as the sidewalls and shall also have no openings in the wire greater than two inches;

(d) An entrance/exit gate shall be provided and be constructed of the same material as the sidewalls and shall also have no openings in the wire greater than two inches. The gate shall be equipped with a device capable of being locked and shall be locked at all times when the animal is in the pen or kennel.

UNPROVOKED. The condition in which the animal is not purposely excited, stimulated, agitated or disturbed.

(D) *Designation as potentially dangerous animal.* The police officer or dog catcher shall designate any animal as a potentially dangerous animal upon receiving such evidence that such potentially dangerous animal has, when unprovoked, then bitten, attacked, or threatened the safety of a person or a domestic animal as stated in the definition of Apotentially dangerous animal@ above. When an animal is declared potentially dangerous, the police officer or dog catcher shall cause one owner of the potentially dangerous animal to be notified in writing that such animal is potentially dangerous.

(E) *Evidence justifying designation.* The police officer or dog catcher shall have the authority to designate any animal as a dangerous animal upon receiving evidence of the following:

Watkins - General Regulations

(1) That the animal has, when unprovoked, bitten, attacked, or threatened the safety of a person or domestic animal as stated in the definition of Adangerous animal@ above;

(2) That the animal has been declared potentially dangerous and such animal has then bitten, attacked, or threatened the safety of a person or domestic animal as stated in the definition of Adangerous animal@ above.

(F) *Authority to order destruction.* The police officer or dog catcher, upon finding that an animal is dangerous hereunder, is authorized to order, as part of the disposition of the case, that the animal be destroyed based on a written order containing one or more of the following findings of fact:

(1) The animal is dangerous as demonstrated by a vicious attack, an unprovoked attack, an attack without warning or multiple attacks; or

(2) The owner of the animal has demonstrated an inability or unwillingness to control the animal in order to prevent injury to persons or other animals.

(G) *Procedure.* The police officer or dog catcher, after having determined that an animal is dangerous, may proceed in the following manner:

(1) The officer or dog catcher shall cause one owner of the animal to be notified in writing or in person that the animal is dangerous and may order the animal seized or make such orders as deemed proper. This owner shall be notified as to dates, times, places and parties bitten, and shall be given 14 days to appeal this order by requesting a hearing before the City Council for a review of this determination.

(2) If no appeal is filed, the orders issued will stand or the police officer or dog catcher may order the animal destroyed.

(3) If an owner requests a hearing for determination as to the dangerous nature of the animal, the hearing shall be held before the City Council, which shall set a date for hearing not more than three weeks after demand for the hearing. The records of the dog catcher or City Clerk=s office shall be admissible for consideration without further foundation. After considering all evidence pertaining to the temperament of the animal, the City Council shall make an order as it deems proper. The City Council may order that the police officer or dog catcher take the animal into custody for destruction, if such animal is not currently in custody. If the animal is ordered into custody for destruction, the owner shall immediately make the animal available to the police officer or dog catcher.

(4) No person shall harbor an animal after it has been found to be dangerous and ordered into custody for destruction.

(H) *Stopping an attack.* If any police officer or dog catcher is witness to an attack by an animal upon a person or another animal, the officer or dog catcher may take whatever means the officer deems appropriate to bring the attack to an end and prevent further injury to the victim.

(I) *Notification of new address.* The owner of an animal which has been identified as dangerous or potentially dangerous must notify the City Clerk in writing if the animal is to be relocated from its current address or given or sold to another person. The notification must be given in writing at least 14 days prior to the relocation or transfer of ownership. The notification must include the current owner's name and address, the relocation address, and the name of the new owner, if any.

(Ord 2001-3, passed - -)

' 90.12 DANGEROUS ANIMAL REQUIREMENTS.

(A) *Requirements.* If the City Council does not order the destruction of an animal that has been declared dangerous, the City Council may, as an alternative, order any or all of the following:

(1) That the owner provide and maintain a proper enclosure for the dangerous animal as specified in ' 90.11(C);

(2) Post the front and the rear of the premises with clearly visible warning signs, including a warning symbol to inform children, that there is a dangerous animal on the property as specified in M.S. ' 347.51;

(3) Provide and show proof annually of public liability insurance in the minimum amount of \$300,000;

(4) If the animal is a dog and is outside the proper enclosure, the dog must be muzzled and restrained by a substantial chain or leash (not to exceed six feet in length) and under the physical restraint of a person 16 years of age or older. The muzzle must be of such design as to prevent the dog from biting any person or animal, but will not cause injury to the dog or interfere with its vision or respiration;

(5) If the animal is a dog, it must have an easily identifiable, standardized tag identifying the dog as dangerous affixed to its collar at all times as specified in M.S. ' 347.51;

(6) All animals deemed dangerous by the dog catcher or police officer shall be registered with the county in which this city is located within 14 days after the date the animal was so deemed and provide satisfactory proof thereof to the city.

(7) If the animal is a dog, the dog must be licensed and up to date on rabies vaccination. If the animal is a cat or ferret, it must be up to date with rabies vaccination.

(B) *Seizure.* The Police Department or dog catcher shall immediately seize any dangerous animal if the owner does not meet each of the above requirements within 14 days after the date notice is sent to the owner that the animal is dangerous. Seizure may be appealed to district court by serving a summons and petition upon the city and filing it with the district court.

Watkins - General Regulations

(C) *Reclaiming animals.* A dangerous animal seized under division (B) above may be reclaimed by the owner of the animal upon payment of impounding and boarding fees, and presenting proof to the police officer or dog catcher that each of the requirements under division (B) is fulfilled. An animal not reclaimed under this section within 14 days may be disposed of as provided under ' 90.11(F), and the owner is liable to animal control for costs incurred in confining the animal.

(D) *Subsequent offenses.* If an owner of an animal has subsequently violated the provisions under ' 90.11 with the same animal, the animal must be seized by the Police Department or dog catcher. The owner may request a hearing as defined in ' 90.11(F). If the owner is found to have violated the provisions for which the animal was seized, the police officer or dog catcher shall order the animal destroyed in a proper and humane manner and the owner shall pay the costs of confining the animal. If the person is found not to have violated the provisions for which the animal was seized, the owner may reclaim the animal under the provisions of ' 90.12(C). If the animal is not yet reclaimed by the owner within 14 days after the date the owner is notified that the animal may be reclaimed, the animal may be disposed of as provided under ' 90.11(F) and the owner is liable to the animal control for the costs incurred in confining, impounding and disposing of the animal.

(Ord 2001-3, passed - -)

' 90.13 BASIC CARE.

All animals shall receive from their owners or keepers kind treatment, housing in the winter, and sufficient food and water for their comfort. Any person not treating their pet in such a humane manner will be subject to the penalties provided in this chapter.

(Ord 2001-3, passed - -)

' 90.14 BREEDING MORATORIUM.

Every female dog or female cat in heat shall be confined in a building or other enclosure in such manner that it cannot come in contact with another dog or cat except for planned breeding. Upon capture and failure to reclaim the animal, every dog or cat shall be neutered or spayed prior to being transferred to a new owner.

(Ord 2001-3, passed - -)

' 90.15 ENFORCING OFFICER.

The Council is hereby authorized to appoint a dog catcher to enforce the provisions of this chapter. In the dog catcher=s duty of enforcing the provisions of this chapter, he or she may from time to time, with the consent of the Council, designate assistants.

(Ord 2001-3, passed - -)

' **90.16 POUND.**

Every year the Council shall designate an official pound to which animals found in violation of this chapter shall be taken for safe treatment, and if necessary, for destruction.

(Ord 2001-3, passed - -)

' **90.17 INTERFERENCE WITH OFFICERS.**

No person shall in any manner molest, hinder, or interfere with any person authorized by the Council to capture dogs, cats or other animals and convey them to the pound while engaged in such operation. Nor shall any unauthorized person break open the pound, or attempt to do so, or take or attempt to take from any agent any animal taken up by him or her in compliance with this chapter, or in any other manner to interfere with or hinder such officer in the discharge of his or her duties under this chapter.

(Ord 2001-3, passed - -)

' **90.99 PENALTY.**

(A) *Separate offenses.* Each day a violation of this chapter is committed or permitted to continue shall constitute a separate offense and shall be punishable as such under this section.

(B) *Misdemeanor.* Unless otherwise provided, violation of this chapter shall constitute a misdemeanor punishable by a fine of up to \$700 or imprisonment for up to 90 days.

(C) *Petty misdemeanor.* Violations of " 90.02, 90.07, 90.13 and 90.14 are petty misdemeanors punishable by a fine up to \$200.

(Ord 2001-3, passed - -)

CHAPTER 91: FIRE PREVENTION

Section

- 91.01 Fire limits
- 91.02 Burning of leaves, trash, and the like
- 91.03 Ashes; live coals

- 91.99 Penalty

Cross-reference:

Solid waste; burning of waste prohibited, see ' 50.07

' 91.01 FIRE LIMITS.

The fire limits within the city include all property within the corporate limits of the city. (Ord. 9, passed 5-3-1897; Am. Ord. 40, passed 10-1-1936)

' 91.02 BURNING OF LEAVES, TRASH, AND THE LIKE.

The burning of leaves is permitted under the following conditions:

- (A) Such burning of leaves will only be permitted from April 10 through May 15, and September 15 through November 15 of each year;
- (B) A responsible person shall be in constant attendance until the fire is completely extinguished;
- (C) Burning will only be allowed between the hours of 3:00 p.m. and 6:00 a.m. the following day. All fires must be extinguished at 6:00 a.m.;
- (D) Such fires shall not be less than 25 feet from any structure, wood fence, hedge, or bush and not less than five feet from any property line;
- (E) The burning of leaves is prohibited on city streets, boulevards, lake shores, or any public property by private citizens;

Watkins - General Regulations

(F) No open burning of leaves shall take place during an air pollution alert warning or emergency declared by the Minnesota Pollution Control Agency;

(G) The Mayor or Fire Chief may temporarily discontinue burning between April 10 through May 15 and September 15 through November 15 due to unsafe conditions (such as excessive dryness, and the like) at his or her discretion. Under these circumstances, the last day of burning may be extended;

(H) No burning shall take place until a burning permit is issued from designated members of the Watkins Fire Department. Permits shall be for a period of no longer than two weeks; and

(I) This section pertains only to the burning of leaves. Any burning of rubbish, trash, or other material is prohibited.

(Ord. 82-5, passed 9-9-1982; Am. Ord. 90-1, passed 4-12-1990) Penalty, see ' 91.99

' 91.03 ASHES; LIVE COALS.

No person shall throw or deposit any ashes into or upon any street or public alley in the city, or deposit or keep any ashes not entirely free from fire, live coals, or cinders in any wooden ash house or other wooden receptacle, nor within such distance of any wooden building, structure, or fence, as to endanger the same, within the city.

(Ord. 3, passed 6-10-1893) Penalty, see ' 91.99

' 91.99 PENALTY.

Any person, firm, or corporation who violates any provision of this chapter for which another penalty is not specifically provided shall, upon conviction, be penalized as provided in ' 10.99.

CHAPTER 92: STREETS AND SIDEWALKS

Section

- 92.01 Sidewalk repair
- 92.02 Obstruction of streets, sidewalks, and alleys

- 92.99 Penalty

Cross-reference:

Public nuisances affecting peace and safety; streets, sidewalks, excavations, and the like, see ' 93.04

' 92.01 SIDEWALK REPAIR.

(A) The owner of any property within the city abutting a public sidewalk shall keep the sidewalk in repair and safe for pedestrians. Repairs shall be made in accordance with standard specifications approved by the Council and on file in the office of the City Clerk.

(B) It shall be the duty of the Street Commissioner or other designated official to make such inspections as are necessary to determine that public sidewalks within the city are kept in repair and safe for pedestrians. If he or she finds that any sidewalk abutting on private property is unsafe and in need of repairs, he or she shall cause a notice to be served by certified or registered mail or by personal service upon the record owner of the property and the occupant, if the owner does not reside within the city or cannot be found therein, ordering such owner to have the sidewalk repaired and made safe within 15 days and stating that if the owner fails to do so, the Street Commissioner or other official will do so on behalf of the city, that the expense thereof must be paid by the owner, and that if unpaid it will be made a special assessment against the property concerned.

(C) If the sidewalk is not repaired within 15 days after receipt of the notice, the Street Commissioner or other designated official shall report the facts to the Council and the Council shall by resolution order the Street Commissioner or designated official to repair the sidewalk and make it safe for pedestrians or order the work done by contract in accordance with law. The Street Commissioner or designated official shall keep a record of the total cost of the repair attributed to each lot or parcel of property and report such information to the City Clerk.

(Ord. 75, passed 10-1-1964)

' 92.03 OBSTRUCTION OF STREETS, SIDEWALKS, AND ALLEYS.

No person shall encumber any street, sidewalk, or public alley in the city with or leave thereupon any wood, timber, lumber, bales, boxes, barrels, wares, merchandise, machinery, wagon, sleigh, sled, ashes, rubbish or other encumbrance whatsoever, nor drive any vehicle upon any sidewalk in the city except at the proper crossings. Provided, that any such articles in the process of being conveyed to or from any premises adjacent to any such street, sidewalk, or alley may be allowed to remain thereupon a reasonable length of time to admit of their being loaded or unloaded and conveyed to or from such premises. And provided further, that whenever any person is engaged or is about to engage in building or making other improvements upon any premises adjacent to any such street, sidewalk, or public alley, and the character of such building or improvements or the situation of such premises renders it necessary to occupy or encumber a part of such street, sidewalk, or alley with material to be removed from such premises or to be employed in such building or improvement, it shall be lawful to occupy and use so much of such street, sidewalk or alley for such purpose as shall be necessary therefore, but in all cases a sufficient space shall be left unencumbered for the safe passage and repassage of vehicles and pedestrians along such street, sidewalk or alley, and such encumbrance shall be promptly removed by the owner causing the same as soon as the necessity ceases to exist.

(Ord. 3, passed 6-10-1893)

' 92.99 PENALTY.

Any person who violates any provision of this chapter for which another penalty is not specifically provided shall, upon conviction, be penalized as provided in ' 10.99.

CHAPTER 93: NUISANCES

Section

General Provisions

- 93.01 Public nuisances generally
- 93.02 Public nuisances affecting health
- 93.03 Public nuisances affecting morals and decency
- 93.04 Public nuisances affecting peace and safety

Administration and Enforcement

- 93.15 Duties of city officers
- 93.16 Abatement
- 93.17 Recovery of costs

Cross-reference:

Nuisance animals, see ' 90.07

GENERAL PROVISIONS

' 93.01 PUBLIC NUISANCES GENERALLY.

Whoever does an act or fails to perform a legal duty therefore intentionally doing 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 considerable number of members of the public;

(B) Interferes with, obstructs, or deposits garbage or refuse upon, or otherwise renders dangerous for passage, any public highway or right-of-way, any street or sidewalk, or waters used by the public;

(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.

(Ord. 93-2, passed 7-8-1993) Penalty, see ' 10.99

' 93.02 PUBLIC NUISANCES AFFECTING HEALTH.

The following are declared to be nuisances affecting health:

- (A) Exposed accumulation of decayed or unwholesome food or vegetable matter;
- (B) All diseased animals running at large;
- (C) Carcasses of animals not buried or destroyed within 24 hours after death;
- (D) Accumulations of manure, 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, or 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, soot, or cinders in unreasonable quantities;
- (I) Open or controlled burning in violation of state statutes and regulations;
- (J) All public exposure of persons having a contagious disease;
- (K) Any offensive trade or business as defined by statute not licensed by the Council; and
- (L) All ponds or stagnant water.

(Ord. 93-2, passed 7-8-1993) Penalty, see ' 10.99

Cross-reference:

Solid waste, see Chapter 50

Water and sewer, see Chapter 51

Dogs and cats; running at large prohibited, see ' 90.02

Fire prevention, see Chapter 91

Drainage; pollution control, see ' 151.07

' 93.03 PUBLIC NUISANCES AFFECTING MORALS AND DECENCY.

The following are hereby 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 disposed of in violation of law or where, in violation of law, persons are permitted to resort for the purpose of drinking intoxicating liquor or using illegal drugs, or where intoxicating liquor or illegal drugs are kept for sale or other disposition in violation of law, and all liquor or drugs and other property used for maintaining such places;

(E) Any vehicle used for the illegal transportation of intoxicating liquor, or for promiscuous sexual intercourse, or any other immoral or illegal purpose.

(Ord. 93-2, passed 7-8-1993) Penalty, see ' 10.99

Cross-reference:

Liquor regulations, see Chapter 110

Liquor in public places, see ' 130.01

Gambling, see ' 130.05

' 93.04 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;

(B) All trees, hedges, billboards, or obstructions 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, to include, but not be limited to:

(1) *Domestic power equipment.* No person shall operate a power lawn mower, power hedge clipper, chain saw, mulcher, garden tiller, edger, drill, saw, or other similar domestic power maintenance equipment except between the hours of 7:00 a.m. and 10:00 p.m. on any day of the week, including weekdays and holidays. Snow removal equipment is exempt from this provision.

(2) *Construction activities.* No person shall engage in or permit construction activities involving the use of any kind of electric, diesel, or gas-powered machine, air nailers, or other power equipment, or any loud or excessive pounding except between the hours of 7:00 a.m. and 10:00 p.m. on any day of the week, including weekends and holidays.

Watkins - General Regulations

(3) In the event of a storm or any natural disaster, time limits will be waived to accommodate the restoring of utilities, clearing of streets, or any issue dealing with public safety;

(E) Obstructions and excavations affecting the ordinary public use of streets, alleys, sidewalks, or public grounds, except under such conditions as are permitted by this code or other applicable law;

(F) Radio aerials or television antennas 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 causes large crowds of people to gather, obstructing traffic and the free use of the streets or sidewalks;

(H) All hanging signs, awnings, and other similar structures over streets and sidewalks, or so situated so as to endanger public safety, or not constructed and maintained as provided by ordinance;

(I) The allowing of rainwater, ice, or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk;

(J) Any barbed wire fence less than six feet above the ground and within three feet of a public sidewalk or way;

(K) All dangerous, unguarded machinery in any public place, or so situated or operated on private property as to attract the public;

(L) Waste water cast upon or permitted to flow upon streets or other public property;

(M) Accumulations in the open of discarded or disused machinery, household appliances, automobile bodies, or other material in a manner conducive to the harboring of rats, mice, snakes, or vermin, or to fire, health, or safety hazards from such accumulation or from the rank growth of vegetation among the items so accumulated;

(N) Any well, hole, or similar excavation which is left uncovered or in such other condition as to constitute a hazard to any child coming on the premises where it is located;

(O) Obstruction to the free flow of water in a natural waterway or a public street drain, gutter, or ditch with trash or other materials;

(P) 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;

(Q) Entry upon the premises of another if the person entering has been given oral or written notice not to, or if the premises are clearly marked with `Ano 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;

(R) The depositing of garbage, construction debris, or other refuse on a public right-of-way or on adjacent private property; and

(S) All other conditions or things which are likely to cause injury to the person or property of anyone (Ord. 93-2, passed 7-8-1993; Am. Ord. 2005-8, passed 11-10-2005) Penalty, see ' 10.99

Cross-reference:

Water and sewer, see Chapter 51

Snow removal; placement of snow, see ' 72.02

Streets and sidewalks, see Chapter 92

Peddlers and solicitors; exclusion by placard, see ' 111.09

Drainage; pollution control, see ' 151.07

ADMINISTRATION AND ENFORCEMENT

' 93.15 DUTIES OF CITY OFFICERS.

The City Administrator, Clerk, Street Commissioner, Police Chief and other designated officials shall enforce the provisions relating to nuisances affecting public safety. The Police Department shall enforce provisions relating to nuisances and shall assist the other designated officers in the enforcement of 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 nuisance.

(Ord. 93-2, passed 7-8-1993)

' 93.16 ABATEMENT.

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 or occupant of the premises of such fact and shall order that such nuisance be terminated and abated. The notice shall be served in person or by certified or registered mail. If the premises are not occupied and the owner is unknown, the notice may be served by posting it on the premises. The notice shall specify the steps to be taken to abate the nuisance and the time, not exceeding 30 days, within which the nuisance is to be abated. If the notice is not complied with within the time specified, the enforcing officer shall take appropriate steps to abate the nuisance, or report the fact forthwith to the Council. Thereafter the Council may, after notice to the owner or occupant and an opportunity to be heard, provide for abating the nuisance by the city. The notice shall be served in the same manner as notice by the enforcing officer is served and shall be given at least ten days before the date stated in the notice when the Council will consider the matter. If notice is given by posting, at least 30 days shall elapse between the day of posting the notice and the hearing.

(Ord. 93-2, passed 7-8-1993)

' 93.17 RECOVERY OF COSTS.

(A) *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 or other officer designated by the Council shall prepare a bill for the cost and mail it to the owner. Thereupon the amount shall be immediately due and payable at the office of the City Clerk.

(B) *Assessment.* 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.

(Ord. 93-2, passed 7-8-1993)

CHAPTER 94: BLIGHT

Section

- 94.01 Causes of blight or blighting factors
- 94.02 Audio and visual blight
- 94.03 Domesticated animal nuisance

- 94.99 Penalty

' 94.01 CAUSES OF BLIGHT OR BLIGHTING FACTORS.

(A) *Generally.* It is hereby determined that the uses, structures and activities and causes of blight or blighting factors described herein, if allowed to exist, will tend to result in blighted and undesirable neighborhoods so as to be harmful to the public welfare, health and safety. No person, business, industry, firm or corporation of any kind shall maintain or permit to be maintained any of these causes of blight or blighting factors upon any property in the city owned, leased, rented or occupied by such person, business, industry, firm or corporation.

(B) *Storage of junk automobiles and junk equipment prohibited.* In any area within the city, the storage upon any property of junk automobiles and junk equipment is prohibited.

(1) For the purpose of this chapter, the term **JUNK AUTOMOBILES** shall include any motor vehicle, part of a motor vehicle, or former motor vehicle, stored in the open, which is not currently licensed for use upon the highways of the State of Minnesota, and is either:

- (a) Unusable or inoperable because of lack of, or defects in component parts; or
- (b) Unusable or inoperable because of damage from collision, deterioration, or having been cannibalized; or
- (c) Beyond repair and therefore not intended for future use as a motor vehicle; or
- (d) Being retained on the property for possible use of salvageable parts.

(2) The term **JUNK EQUIPMENT** shall include equipment such as farm equipment and other machinery, all terrain vehicles, snowmobiles, motorcycles, lawnmowers, snowblowers, and all other

Watkins - General Regulations

machinery or equipment powered by a motor, and shall include any part of machinery or equipment stored in the open, which is not currently licensed for use upon the highways of the State of Minnesota or is not required to be so licensed and is either:

- (a) Unusable or inoperable because of lack of, or defects in component parts; or
- (b) Unusable or inoperable because of damage from collision, deterioration, or having been cannibalized; or
- (c) Beyond repair and therefore not intended for future use as a motor vehicle; or
- (d) Being retained on the property for possible use of salvageable parts. This regulation is in addition to any zoning regulations.

(C) *Storage of junk, rubbish and refuse prohibited.* In any area within the city storage or accumulation of junk, rubbish or refuse of any kind, except refuse stored in such a manner as not to create a nuisance for a period not to exceed seven days is prohibited.

(1) The term **JUNK** shall include parts of machinery or motor vehicles, unused stoves or other appliances stored in the open; remnants of wood; decayed, weathered or broken construction materials no longer suitable for sale as approved building materials; metal or any other material or cast off material of any kind whether or not the same could be put to any reasonable use.

(2) The term **RUBBISH** shall include any material rejected or thrown away as worthless.

(3) The term **REFUSE** shall include all organic and inorganic material resulting from the manufacture, preparation or serving of food or food products; spoiled, decayed or waste foods from any source; crockery, ashes, rags and discarded clothing; tree, lawn or bush clippings and weeds; furniture, household furnishings or appliances, or parts or components thereof; human or household waste of all kinds not included in any other portion of this definition.

(D) *Exterior of structures.*

(1) The exterior of structures and accessory structures including detached garages, shall be maintained in a workmanlike state of maintenance and repair.

(2) Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, falling or loose stucco or substantial amount of peeling paint.

(3) All doors and windows shall be maintained in good repair, fit reasonably well within their frames and be free of open breaks or holes.

(E) *Interior areas of structures, including residential dwellings.*

(1) The interior of every structure shall be maintained in clean and sanitary condition, free of accumulations of garbage and refuse.

(2) The interior of every structure shall be maintained free from infestation of noxious insects, rodents, and other pests.

(3) All plumbing systems shall be properly installed, connected, and maintained in good working order, and must be kept free from obstructions, leaks and defects.

(4) The storage of excessive or unreasonable amounts of hazardous, flammable liquids shall be prohibited in areas not zoned for such use.

(F) In any area the existence of any structure or part of any structure which because of fire, wind, or other natural disaster, or physical deterioration is no longer habitable as a dwelling, nor useful for any other purpose for which it may have been intended.

(G) In any area the existence of any vacant dwelling, garage, or other outbuilding, unless such buildings are kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals.

(H) *Sanitation.* All exterior property areas and vacant areas shall be maintained in a clean and sanitary condition, safe and free from any hazard or dangerous condition, and free from any accumulation of refuse or garbage.

(I) In any area the existence of any noxious or poisonous vegetation, such as poison ivy, ragweed, or other poisonous plants, or any weeds, grass over six inches tall, brush or plants, which are a fire hazard or otherwise detrimental to the health or appearance of the neighborhood.

(J) In any area, outdoor storage of any material, whether or not it can be considered junk, rubbish, or refuse, if in the judgement of the City Council or their agents said material is considered unsightly or detrimental in appearance to the neighborhood, said material must be removed from the area and the area cleaned to the satisfaction of the city.

(Ord 98-2, passed 6-11-1998; Am. Ord. 2005-6, passed 11-10-2005)

' 94.02 AUDIO AND VISUAL BLIGHT.

Any audio or visual blight, or smell, is prohibited within the city. This means that in the judgement of the City Council, they may act on any complaint of a non-conforming use of land or a building in a residential area or other nuisance within the city.

(Ord 98-2, passed 6-11-1998)

' 94.03 DOMESTICATED ANIMAL NUISANCE.

Any nuisance caused by dogs, other pets and domesticated animals is prohibited within the city. The City Council may act upon a complaint such as a barking dog, or odors, noise, litter, or anything else coming from these pets that may affect the health or peace of mind of the residents.

(Ord 98-2, passed 6-11-1998)

' 94.99 PENALTY.

(A) The owner and the occupant of any property upon which any of the causes of blight or blighted factors set forth hereof are found to exist shall be notified in writing by the City Clerk to remove or eliminate such causes of blight or blighting factors from such property within ten days after service of the notice upon him or her. This notice may be served personally or by mailing the same by first class mail to the last known address of the owner and, if the premises are occupied, to the premises. Additional time may be granted by the City Council where bona fide efforts to remove or eliminate such causes of blight or blighting factors are in progress.

(B) Failure to comply with such notice within the time allowed shall constitute a violation of this chapter.

(C) Violation of this chapter shall be a misdemeanor. Any person who violates any provision of this chapter for which another penalty is not specifically provided shall, upon conviction, be penalized as provided in ' 10.99.

(D) In case of failure to remove any blight as defined in this chapter within the time prescribed, the City Council may order city personnel to remove or otherwise destroy all such causes of blight, and shall certify such cost to the County Auditor as a special assessment against the property involved for collection in the same manner as other special assessments. As an additional or alternative remedy, the owner of any interest in the land and the occupant shall be jointly and severally liable for such costs, and the costs shall be recoverable in any action brought against any of them in the name of the city.

(Ord 98-2, passed 6-11-1998; Am. Ord. 2008-3, passed 5-8-2008)

2012 S-2

CHAPTER 95: VOLUNTEER AMBULANCE SERVICE

Section

- 95.01 Purpose
- 95.02 Volunteer ambulance service established
- 95.03 Election of officers
- 95.04 Duties of Chief
- 95.05 Vice Chief
- 95.06 Practice sessions
- 95.07 Qualification
- 95.08 Loss of membership
- 95.09 Compensation
- 95.10 Establishment of rates
- 95.11 Ambulance funds established
- 95.12 Records
- 95.13 Equipment requirements
- 95.14 Availability of service
- 95.15 Licensing
- 95.16 Relief association
- 95.17 Interference with department

Cross-reference:

Police and Fire Departments, see Chapter 32

' 95.01 PURPOSE.

This chapter is for the purpose of providing ambulance service for the sick, injured, and endangered citizens of the city and for promoting the public health, safety, comfort and welfare of the citizens of the city and its entire primary service area.

(Ord. 92-1, passed 11-12-1992)

' 95.02 VOLUNTEER AMBULANCE SERVICE ESTABLISHED.

There is hereby established in the city a volunteer ambulance service to be known as the Watkins Volunteer Ambulance Service (hereinafter referred to as Aservice@) consisting of a Chief,

Vice Chief,

Secretary, Treasurer, and Training Officer. The total number of members at any time shall be set by the city policy.

(Ord. 92-1, passed 11-12-1992)

' 95.03 ELECTION OF OFFICERS.

The Chief, Vice Chief, Secretary, Treasurer, Training Officer and two officers shall be elected annually by the members of the service subject to confirmation by the City Council. Each shall hold office for one year and until his or her successor has been duly elected, except that he or she may be removed by the Council for good cause after a hearing. Members shall be recommended for appointment by other members of the service subject to City Council approval; provided, however, that the initial members of the service shall be those individuals who presently are members of the Watkins Ambulance Service. Members shall continue as members of the service and may be removed by the Council only for good cause after a hearing.

(Ord. 92-1, passed 11-12-1992)

' 95.04 DUTIES OF CHIEF.

The service shall be directed and supervised by the Chief whose duty it shall be to direct all membership to keep ambulance equipment in order and to establish rules and regulations for the use and operation of the equipment. It shall also be the officers and board of directors duties to establish rules and regulations for the operation and administration of the service subject to City Council approval and see that such rules and regulations are obeyed according to city policies. The Chief shall make a report annually to the City Council at its meeting in January as to the condition of the equipment and the needs of the service. He or she may submit additional reports and recommendations at any meeting of the Council and shall provide any such reports at any time when requested by the Council. The Chief shall have the authority to recommend the suspension of any members to the Ambulance Board of Directors, whose responsibility it shall be to make recommendations to the City Council for the suspension or retention of the individual for good cause

shown and shall report any such suspension to the City Council as soon as possible, on or before the first meeting of the City Council following such suspension. Any such suspension shall be appealable to the City Council by the person aggrieved. Any such appeal shall be perfected by the aggrieved filing a notice of appeal with the City Clerk within 30 days of the suspension. The City Council shall hold a hearing on any appeal within 30 days of the filing of any such appeal. The Chief shall be responsible for the proper training and discipline of the members of the service, and may suspend any member for good cause for refusal or neglect to obey orders pending final hearing by the Council on any member's discharge or retention.

(Ord. 92-1, passed 11-12-1992)

' 95.05 VICE CHIEF.

In the absence or disability of the Chief, the Vice Chief shall perform all the functions and exercise all of the authority of the Chief.

(Ord. 92-1, passed 11-12-1992)

' 95.06 PRACTICE SESSIONS.

It shall be the duty of the Training Officer under the direction of the Chief to schedule regular practice sessions for the purpose of educating members of approved methods of emergency health care.

(Ord. 92-1, passed 11-12-1992)

' 95.07 QUALIFICATION.

The members of the service shall be able-bodied, not less than 18 years of age, and must hold a Minnesota license to operate an ambulance or emergency vehicle. In addition, all members shall hold at the minimum, all the criteria required by the Minnesota Department of Health and/or Minnesota state law; however, a non-card holder may assist at an accident without actually giving first aid. All new members must obtain all certificates required by the Minnesota Department of Health and/or Minnesota state law prior to final approval for membership.

(Ord. 92-1, passed 11-12-1992)

' 95.08 LOSS OF MEMBERSHIP.

To be and remain a member in good standing in the service, each officer and member shall attend at least nine regular monthly meetings of the unit from March to March of each year. In addition, each officer and member shall attend a minimum of ten calls of the service unit from March to March of each year. Failure to attend meetings or service calls shall be deemed good cause for removal of the member from the service. Members shall continue as members of the service during periods of good behavior, and may be removed by the City Council only for good cause after a hearing; however, the Chief shall have the authority to recommend suspension of any member to the Ambulance Board of Directors, who shall make recommendation to the City Council for the

suspension or retention of the individual pending such hearing. A member shall receive no compensation while suspended.

(Ord. 92-1, passed 11-12-1992)

' 95.09 COMPENSATION.

The officers and members of the service shall receive such compensation as may be set from time to time by the City Council.

(Ord. 92-1, passed 11-12-1992)

' 95.10 ESTABLISHMENT OF RATES.

Members of the service shall establish a schedule of charges for the use of the ambulance which will pay all costs incurred in the operation of the service, such rates are subject to approval by the City Council.

(Ord. 92-1, passed 11-12-1992)

' 95.11 AMBULANCE FUNDS ESTABLISHED.

It is hereby established that the city shall maintain a fund known as the AAmbulance Fund,@ as well as establishing any other funds approved by the Council, a record of which shall be kept by the Treasurer of the service subject to review by the City Council. Into the AAmbulance Fund@ shall be paid all monies received from the services rendered by the service and from it all disbursements shall be paid in accordance with city policies.

(Ord. 92-1, passed 11-12-1992)

' 95.12 RECORDS.

Upon completion of each ambulance run, members on duty shall complete the Aemergency medical service record@ or its equivalent as prescribed by the Minnesota Department of Health.

(Ord. 92-1, passed 11-12-1992)

' 95.13 EQUIPMENT REQUIREMENTS.

The ambulance, when in service, shall be equipped with and carry the minimum equipment required by law and/or the Minnesota Department of Health.

(Ord. 92-1, passed 11-12-1992)

' 95.14 AVAILABILITY OF SERVICE.

The service shall offer service as set by city policy.

(Ord. 92-1, passed 11-12-1992)

' 95.15 LICENSING.

The ambulance shall possess a valid license as required by law and/or the Minnesota Department of Health.

(Ord. 92-1, passed 11-12-1992)

' 95.16 RELIEF ASSOCIATION.

The officers and members of the service may organize themselves into a relief association. Before any benefits provided from the special fund of such association are or become effective they must first be approved by the City Council. Similarly, any by-laws or articles of incorporation changes which affect the original benefits paid from the special fund shall not be effective or remain effective until approved by the City Council. All funds presently held by the City Council for payment of retirement benefits to the present service members shall be paid into the special fund of such association upon its creation and approval by the City Council. Funds for operation of the relief association and the provision of retirement benefits shall be obtained through payments from the ambulance fund to the special fund with the approval of the City Council. All funds payable to the special fund for use as relief benefits as prescribed herein shall be obtained from the operation of the service and no public funds from any other source shall be used for the purpose of providing pension benefits. The payments to the special fund shall be set each year by the relief association subject to the approval of the City Council.

(Ord. 92-1, passed 11-12-1992)

' 95.17 INTERFERENCE WITH DEPARTMENT.

It shall be unlawful for any person to give or make, or cause to be given or made, a call for ambulance or rescue service without probable cause or to neglect to obey any reasonable order of the driver or member at an ambulance call or to interfere with the ambulance and rescue service's discharge of its duties. Any person convicted of violating this section shall be punished by a fine not exceeding \$700 or by imprisonment for a period not exceeding 90 days or both.

(Ord. 92-1, passed 11-12-1992)

CHAPTER 96: TRAILER HOUSES

Section

- 96.01 Definitions
- 96.02 Parking in public places
- 96.03 Parking on private property; permits
- 96.04 Waste water
- 96.05 Effect of provisions on existing trailer houses
- 96.06 Manufactured home parks

- 96.99 Penalty

' 96.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

MANUFACTURED HOME. Any manufactured home which meets the criteria established by M.S. " 327.31 to 327.35.

TRAILER HOUSE. Any structure used for sleeping, living, business, or storage purposes which is or has been equipped with wheels for transportation thereof from place to place, and the fact that wheels have been removed therefrom or a foundation of whatever nature placed thereunder shall not exclude it herefrom. For the purposes of " 96.02 to 96.05, this term shall include manufactured homes as defined by M.S. " 327.31 to 327.35.
(Ord. 80, eff. 6-20-1968)

' 96.02 PARKING IN PUBLIC PLACES.

It shall be unlawful for any person to park overnight any trailer house owned by him or her or under his or her control on any street, alley, or other public place within the city, unless such place has been set aside for the purpose, or such use thereof has been authorized by the city.
(Ord. 80, eff. 6-20-1968) Penalty, see ' 96.99

' 96.03 PARKING ON PRIVATE PROPERTY; PERMITS.

No trailer house shall be parked on any privately owned tract of ground, unless such tract of ground is set aside for such purpose or such use has been authorized by the city, for more than 72 consecutive hours, unless a permit therefore shall have been granted as hereinafter provided. Any person desiring a permit to park a trailer after the expiration of 72 hours shall file an application with the City Clerk. Such application shall state the name and place of residence of the applicant and of the owner of the trailer house, shall identify the trailer house and the place where the same is to be placed, and the reasons therefor. No permit shall be granted for any period in excess of 10 days, with at least 30 days elapsing before issuance of a new permit.

(Ord. 80, eff. 6-20-1968) Penalty, see ' 96.99

' 96.04 WASTE WATER.

All kitchen sinks, wash basins, lavatories, showers, or bath tubs in any trailer house shall empty into a sewer disposal system. No waste water or liquid waste shall be emptied upon the ground or upon any paved area. No parking permit shall be issued until the requirements of this section have been met.

(Ord. 80, eff. 6-20-1968) Penalty, see ' 96.99

Cross-reference:

Water and sewer, see Chapter 51

' 96.05 EFFECT OF PROVISIONS ON EXISTING TRAILER HOUSES.

If any trailer house is parked within any residential area of the city on the effective date of this chapter, it may continue to do so until it is sold or moved by the original owners. After sale of the trailer house, the new owner must remove the trailer from the lot within 30 days.

(Ord. 80, eff. 6-20-1968) Penalty, see ' 96.99

' 96.06 MANUFACTURED HOME PARKS.

(A) Any person desiring to operate a manufactured home park shall apply for such permit with the City Clerk.

(B) A permit shall be granted for the period of any year at the fee of \$500. The applicant must comply with state regulations on manufactured home parks and comply with regulations on manufactured home parks set up by the City Council as stated herein:

(1) Each manufactured home park owner must report to the City Clerk on the first day of each month the amount of units in the park, and the dates of new arrivals and new departures of such units.

The report shall also include a description of all new arrivals and a certification that all new arrivals are manufactured homes. As a result of such report the manufactured home park owner will be liable for payment of the water and sewer utilities bill before the tenth of the month.

(2) If in the event that the manufactured home park owners shall not comply with city regulations, the Council may have the permit revoked. If such permit is revoked by the city, each unit owner shall vacate the manufactured home park within 60 days of notice.

(3) Only manufactured homes shall be located in a manufactured home park. If any trailer house not meeting the definition of a manufactured home is parked within any manufactured home park located within the city at the time of the effective date of this provision, it may remain there only if it is occupied by the owner until it is sold or moved.

(Ord. 80, eff. 6-20-1968)

Cross-reference:

Water and sewer; rates and billing, see " 51.75 et seq.

' 96.99 PENALTY.

(A) Any person violating any of the provisions of this chapter except ' 96.06 shall be guilty of a misdemeanor, and upon conviction may be fined not more than \$100 or imprisoned for not more than 90 days. The city or any individual adversely affected by the parking of a trailer house in violation of this chapter may proceed by injunction or other appropriate civil action to prevent the continuance of such unlawful act.

(B) Any person who violates any provision of this chapter for which another penalty is not specifically provided shall, upon conviction, be penalized as provided in ' 10.99.

(Ord. 80, eff. 6-20-1968)

