

CHAPTER 130: GENERAL OFFENSES

Section

130.01 Firearms, bows and arrows, and fireworks

130.02 Disorderly conduct

130.03 Radio and television interference

130.99 Penalty

Cross-reference:

Prohibited interference with Fire Department operations and equipment; false alarms, fire hose, and the like, see § 33.19

Alcoholic beverages; consumption and open container restrictions, see § 110.01

Alcoholic beverages; adoption of state law, see § 110.10

Misrepresentation of age by minor to purchase alcohol, see § 110.50

Prohibited purchase, possession, or use of tobacco products, see § 112.09

Sexually oriented businesses; prohibitions for businesses, employees, and patrons, see Ch. 117

§ 130.01 FIREARMS, BOWS AND ARROWS, AND FIREWORKS.

(A) Firearms.

(1) The term ***FIREARM*** means any gun that discharges a shot or a projectile by means of an explosive, gas, spring or compressed air.

(2) No person shall fire or discharge any firearm within city limits.

(3) No person shall carry a firearm within the city limits unless it is encased and unloaded, except as provided by M.S. Ch. 624.

(4) This section shall not apply to a licensed peace officer while acting in the course of his or her duties.

(B) Replica firearms.

(1) The term ***REPLICA FIREARM*** means a device or object that is not defined as a dangerous weapon, and that is a facsimile or toy version of, and reasonably appears to be a pistol, revolver, shotgun, sawed-off shotgun, rifle, machine gun, rocket launcher, or any other firearm. The term ***REPLICA FIREARM*** includes, but is not limited to, all Airsoft guns and devices or objects that are designed to fire only blanks.

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(2) The term **PUBLIC PLACE** means any building or establishment, place, or public street or highway, where the business, social or governmental activity ordinarily conducted is generally held, open to the public; specifically including, but not limited to, such locations as governmental buildings, meeting halls, centers for art and culture, places of amusement, liquor or beer establishments, and restaurants. It shall also include the yard or curtilage surrounding any residential dwelling or other building which is visible from the street or neighboring structures.

(3) No person shall carry on or about his or her person or possess a replica firearm in a public place.

(4) A replica firearm may be carried or possessed between motor vehicles and places where possession of a firearm or a facsimile firearm is lawful if the replica firearm is carried unloaded in a secured container.

(C) *Bows and arrows.*

(1) The term **BOW AND ARROW** means any device or combination of devices designed to propel any arrow from a cord connecting the two ends of a bow by pulling on the cord, thus bending the bow and then releasing the cord. It shall not mean devices of this type easily identifiable as toys.

(2) No person shall fire a bow and arrow or crossbow within city limits.

(D) *Fireworks.*

(1) The term **FIREWORK** means any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation, and includes blank cartridges, toy cannons, and toy canes in which explosives are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, skyrockets, Roman candles, daygo bombs, or other fireworks of like construction, and any fireworks containing any explosive or inflammable compound, or any tablets or other device containing any explosive substance and commonly used as fireworks.

(2) No person shall discharge any fireworks within city limits, except as permitted by M.S. Ch. 624.

(E) *Conditional use permit.* This section does not prohibit the lawful use of firearms, replica firearms, bows and arrows, or fireworks when permitted by the city with a conditional use permit. (Ord. 1141.13, passed 2-19-13)

§ 130.02 DISORDERLY CONDUCT.

(A) Any person doing any of the following acts without authority of law is engaging in disorderly conduct:

(1) Willfully disturbing any assembly or meeting not unlawful in its character, or the peace and quiet of any family or neighborhood;

(2) Willfully and lewdly exposing his or her person or the private parts thereof, or procuring another to so expose him- or herself, and any open and gross lewdness or lascivious behavior, or any act of public indecency;

(3) Using profane, vulgar, or indecent language in or about any public building, store, or place of business, or upon any of the streets, alleys, or sidewalks of the city so as to be audible and offensive;

(4) Voluntarily entering the water of any stream or public swimming pool within the limits of the city without being garbed in a bathing suit sufficient to cover his or her person and equal to the standards generally accepted by the public.

(B) No person shall aid, countenance, or assist in making noise, riot, disturbance, or improper diversion, and no persons shall collect in bodies or crowds in the city for improper purposes to the annoyance or disturbance of the citizens or travelers.

(C) No person shall appear in any street or public place in the city in a state of nudity, a dress not belonging to his or her sex, or any indecent or lewd dress, shall be guilty of any obscene or filthy acts or of any lewd, indecent, immoral, or insulting conduct, language, or behavior, or shall exhibit, sell, or offer to sell an indecent, obscene, or lewd book or picture of things, or shall exhibit or perform any indecent, immoral, or lewd play or other representation.

(D) No person or persons shall congregate in any private lands because of, or participate in, any party or gathering of people from which noise emanates of a sufficient volume or of such nature as to disturb the peace, quiet, or repose of other persons. Any owner or person in lawful possession or control of such private lands who has knowledge of the disturbance and fails to immediately abate said disturbance shall be guilty of a violation of this section.

(E) No person or persons shall congregate on any private lands of another because of, or participate in, any party or gathering of people in the absence of the owner of said private lands being present without first having obtained written permission from said landowner. Such written permission shall at all times be in the possession of one or more persons at the site of such congregation. The document containing the written permission must bear the signature of the landowner and the date of the permitted use. Failure to display written permission upon request shall be considered prima facie evidence of an absence of permission from the owner.

(F) A violation of subsection (D) or (E) of this section shall give a police officer the authority to order all persons present, other than persons identifying themselves as the owner or person in lawful possession or control of such land, to immediately disperse. Any person who shall refuse to leave after being ordered to do so by a police officer shall be guilty of a violation of this section.

(G) No owner of or other person in charge of rental living units shall knowingly or repeatedly permit thereon conduct prohibited by subsection (D), (E), or (F) of this section. ('75 Code, § 13.401) (Ord. 1074.92, passed 4-16-92) Penalty, see § 130.99

Cross-reference:

Public nuisances affecting morals and decency; houses of ill repute, see § 93.03

§ 130.03 RADIO AND TELEVISION INTERFERENCE.

(A) No person shall operate within the city any radio receiving equipment either of the regenerative or any other type in such a manner as to cause electric, electrostatic, or electromagnetic waves to radiate from its antenna in such a manner as to result in interference with radio and television reception. ('75 Code, § 5.520)

(B) No person shall operate within the city between the hours of 7:00 a.m. and midnight of the same day any vibrating battery charger, any badly sparking generator, sign charger, electric oil blower, electric refrigerator machine, or any electrical apparatus or equipment of any sort in such a manner as to cause electric interference with radio or television reception. This prohibition shall apply whether the interference result from the manner of construction or from the manner of operation of the apparatus. However, such prohibition shall not apply to violet ray machines nor to x-ray machines so long as such violet ray machines and x-ray machines are equipped and operated so as to reduce the interference caused by such machines as much as is reasonably possible. ('75 Code, § 5.521)
Penalty, see § 130.99

§ 130.99 PENALTY.

(A) 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.

(B) Any person violating any provision of § 130.01 shall be guilty of a petty misdemeanor. ('75 Code, § 11.502) (Ord. 1032.83, passed 2-3-83)