

Section 1. Park Hours.

No person or persons shall be present within or about the limits of any park or square after the hour of 10:30 p.m. and before the hour of 5:00 a.m. of any day.

Section 2. Other Rules and Regulations.

The Council may, by resolution, adopt additional restrictions or rules and regulations for the use of public parks, playgrounds, recreational areas, or athletic fields as they apply, and it is unlawful for any person to violate the same.

Section 3. Unlawful Acts.

It is unlawful for any person to: (1) engage in brawling or fighting; or, (2) engage in offensive, obscene or abusive language or in boisterous and noisy conduct tending reasonably to arouse alarm, anger or resentment in others; or, (3) use a flash or a spotlight in a manner so as to annoy or endanger others; or, (4) drink or display any intoxicating liquor or non-intoxicating malt liquor in or about any premises where such drinking or display is prohibited by law; or, (5) cause defacement, destruction or otherwise damage to any premises or any property located thereon; or, (6) fail or refuse to vacate or leave any premises after being requested or ordered, either orally or in writing, to do so, by the owner or person in charge thereof, or by any law enforcement agent or official; provided, however, that this provision shall not apply to any person who is the owner or tenant of the premises involved nor to any law enforcement or other government official who may be present thereon at that time as part of his official duty.

Section 4. Consumption and Possession of Beer, Wine or Liquor on Streets in Public Property.

It is unlawful for any person to consume or possess in any unsealed container any alcoholic beverage, intoxicating liquor or wine, as those terms are defined in (Minnesota Statutes, Section 340A.101), on any street or other public property except as licensed or sign-posted by the City Council. Provided that this section shall not apply to the possession of an unsealed container in a motor vehicle on streets or public property when the container is kept in the trunk of such vehicle if it is equipped with a trunk, or kept in some other area of the vehicle not normally occupied by the driver or passengers, if the motor vehicle is not equipped with a trunk. For the purpose of this section, the utility or glove compartment shall be deemed to be within the area occupied by the driver or passengers.

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Section 5. Sleeping, Loitering and Lounging in Streets or Public Places.

Subdivision 1. Definitions. The following terms, as used in this subdivision, shall have the meanings stated: "Loitering" includes (1) obstruction of free and unhampered passage of pedestrians or vehicles, (2) interfering with any person unlawfully on the premises by obstructing passage, or (3) refusing to move on when so requested by a peace officer when such peace officer reasonably makes such request to preserve or promote public peace and order. "Lounge" means to sit or lie down in any place not upon a chair, bench, seat or other place provided for sitting or lying down, or to sit or lie down in any place on public property provided for waiting when the person still sitting or lying down is not legitimately waiting for the person or service for which such place is provided.

Subdivision 2. Unlawful Acts.

- (a) It is unlawful for any person to loiter or lounge upon public property, except parks.
- (b) It is unlawful for any person to sleep upon streets or public property unless such person is in a vehicle.

Section 6. Violation of Misdemeanor.

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

Introduced December 11, 1989

Passed December 11, 1989

Ray Borthwick  
Attest  
City Clerk

Paul E. Hansen  
Mayor.