

Ordinance No. 24

[Nuisances]

An Ordinance Defining Nuisances, Prohibiting Their Creation or Maintenance and Providing a Penalty for Violation Thereof.

The Council of the Village of Medicine Lake, Minnesota do ordain as follows:

Section .01: Public Nuisance Defined

A nuisance is a thing, act, occupation, or use of property which:

1. Shall annoy, injure or endanger the safety, health, comfort or repose of the public;
2. Shall offend public decency;
3. Shall unlawfully interfere with, obstruct, or tend to obstruct or render dangerous for passage, a lake, navigable river, bay, stream, canal or basis, or a public park, square, street, alley or highway;
4. Shall in any way render the public insecure in life or in use of property.

Section .02: Public Nuisance Affecting Health

The following are hereby declared to be nuisances affecting health:

1. All decayed or unwholesome food offered for sale to the public;
2. All diseased animals running at large;
3. All ponds or pools of stagnant water;
4. Milk which is produced by cows which have not been tested and found free of tuberculosis within the year previous to the offering of such milk for sale to the public as provided by law or ordinance;
5. Carcasses of animals not buried or destroyed within twenty-four hours after death;
6. Accumulations of manure or rubbish;
7. Privy vaults and garbage cans which are not fly-tight;
8. The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, creamery or industrial wastes, or other substances;
9. All noxious weeds and other rank growths upon public or private property;

10. Dense smoke, noxious fumes, gas and soot, or cinders, in unreasonable quantities;
11. Offensive trades and businesses as defined by statute not licensed by the village Board of Health as provided by law;
12. All public exposure of persons having a contagious disease;
13. The use of a common public drinking cup or roller towel;
14. The distribution of samples of medicines or drugs unless such samples are placed in the hands of an adult person;
15. All other acts, omissions of acts, occupations and uses of property which are deemed by the Board of Health to be a menace to the health of the inhabitants of this village, or any considerable number thereof.

Section .03: **Public Nuisance Affecting Morals and Decency**

The following are hereby declared to be nuisances affecting public morals and decency:

1. All gambling devices, slot machines and punch boards;
2. All houses kept for the purpose of prostitution or promiscuous sexual intercourse, gambling houses, houses of ill fame, and bawdy houses;
3. All domestic animals in the act of copulation exposed to public view;
4. All places where intoxicating liquors are manufactured, sold, bartered or given away in violation of law, or where persons are permitted to resort for the purpose of drinking intoxicating liquors as a beverage, or where intoxicating liquors are kept for sale, barter or distribution in violation of law, and all liquors, bottles, kegs, pumps, bars and other property kept at and used for maintaining such a place;
5. Any vehicle used for the transportation of intoxicating liquor, or for promiscuous sexual intercourse, or any other immoral purpose;
6. All indecent or obscene pictures, books, pamphlets, magazines and newspapers;
7. The public use of profane or obscene language;
8. Betting, bookmaking, prize fighting, and all apparatus used in such occupations.

Section .04: **Public Nuisances Affecting Peace and Safety**

The following are declared to be nuisances affecting public peace and safety:

1. All snow and ice not removed from public sidewalks within twelve hours after the snow and ice has ceased to be deposited thereon;

2. All trees, hedges, billboards or other obstructions which prevent persons from having a clear view of traffic approaching an intersection from cross streets in sufficient time to bring a motor vehicle driven at a reasonable speed to a full stop before the intersection is reached;
3. All limbs of trees which are less than eight feet above the surface of any public sidewalk, or nine feet above the surface of any street;
4. All wires which are strung less than fifteen feet above the surface of the ground;
5. All buildings, walls, and other structures which have been damaged by fire, decay or otherwise to an extent exceeding one-half their original value, and which are so situated as to endanger the safety of the public;
6. All explosives, inflammable liquids and other dangerous substances stored in any manner or in any amount other than that provided by ordinance;
7. All use or display of fireworks except as provided by ordinance;
8. All unnecessary noises and annoying vibrations;
9. All buildings and all alterations to buildings made or erected within the fire limits as established by ordinance in violation of the ordinance concerning manner and materials of construction;
10. Obstructions and excavations affecting the ordinary use by the public of streets, alleys, sidewalks or public grounds except under such conditions as are provided by ordinance;
11. Radio aerials strung or erected in any manner except that provided by ordinance;
12. 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;
13. All hanging signs, awnings and other similar structures over the streets or sidewalks, or so situated as to endanger public safety, not constructed and maintained as provided by ordinance;
14. The allowing of rain water, ice or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk;
15. All barbed wire fences which are located within three feet of any public sidewalk;
16. All dangerous, unguarded machinery, in any public place, or so situated or operated on private property as to attract the public;

17. The distributing of hand bills except as provided by ordinance;
18. All other conditions or things which are liable to cause injury to the person or property of anyone.

Section .05: Penalty

Any person, firm or corporation who shall knowingly cause or create a nuisance, or permit any nuisance to be created or placed upon or to remain upon any premises owned or occupied by him or them, shall upon conviction thereof be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than five dollars, nor more than one hundred dollars and costs or by imprisonment in the county jail for not less than five days nor more than ninety days; provided, that in event of failure to pay any fine or costs assessed upon any person he may be confined in the county jail an additional number of days equal to the number of dollars of fine and costs assessed in the case, not to exceed three months.

Section .06: Separability

Every section, provision or part of this ordinance is declared separable from every other section, provision or part; and if any section, provision or part hereof shall be held invalid, it shall not affect any other section, provision or part.

Section .07: Repeal

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section .08: Effect

This ordinance shall be in force and effect from and after its publication according to law.

Passed by the Village Council this 2nd day of November, 1953.

A. Wentworth, President of Village Council

Attest: Helen R. Solberg, clerk