

## 500 General Regulations

### 501. Dogs

#### 501.01. Definitions.

Subd. 1. At Large. A dog is at large when it is off the property of the person owning, harboring or keeping said dog and it is not under restraint.

Subd. 2. Restraint. A dog is under restraint if it is at heel beside a person having custody of it or obedient to that person's command; or is within a private motor vehicle of a person owning, harboring or keeping the dog; or is controlled by a leash not exceeding six feet in length.

Subd. 3. Commercial Kennel. A place where more than two dogs over six months of age are kept for purposes of breeding, training, sale or boarding for a profit.

Subd. 4. Hobby Kennel. A place where more than two dogs over six months of age are kept for the purposes of breeding, training, sale or boarding not for a profit.

Subd. 5. Altered. A dog is altered if it has been rendered incapable of producing offspring. (Ordinance No. 92-19, adopted October 13, 1992)

501.02. Running at Large. No dog shall be permitted to run at large at any time within the City. Any female dog in heat or season shall be confined indoors or in a kennel run or pen so constructed to keep other dogs out. (Ordinance No. 92-19, adopted October 13, 1992)

501.03. Abandoning Dogs. No person shall abandon any dog or other animal within the city. (Ordinance No. 92-19, adopted October 13, 1992)

501.04. Dogs Which Damage Property. No owner of a dog shall permit the dog to damage any lawn, garden or other private or public property, or to urinate or defecate on public property or private property, without the consent of the owner or possessor of the property. It shall be the duty of each owner of a dog to remove any feces left by such dog and to dispose of such feces in a sanitary manner. It shall also be the duty of each owner of a dog when such dog is off the owner's premises to have in possession a device or equipment for the picking up and removal of dog feces. The provisions of this subsection shall not apply to a guide dog accompanying a blind person or to a dog when used in police or rescue activities by or with the permission of the City. (Ordinance No. 92-19, adopted October 13, 1992)

501.05. License Required. No person shall own, harbor or keep a dog over six months of age within the city unless a current dog license for such dog has been obtained. Licenses shall be issued every two years and must be renewed by July 1st of every other calendar year. (Amended by Ordinance No. 96-01, adopted May 20, 1996.)

501.06. Fee and Issuance. The license fee shall be established by council resolution pursuant to Chapter 212. Each application for a dog license shall be accompanied by a certificate of inoculation for rabies which is no more than six months old. Upon receipt of the license fee and certificate of inoculation, the clerk/treasurer shall execute a receipt to the person who pays the fee, with a copy retained in the records of the city. The receipt shall describe the

dog as to color, breed, age, sex, and weight. The owner shall produce the receipt for inspection upon the request of the dog warden or any peace officer. (Ordinance No. 92-19, adopted October 13, 1992)

501.07. Tags. The clerk/treasurer shall procure a sufficient number of metallic tags, the shape of which shall be different for each year and he shall deliver one such tag to the person paying the license fee. It shall be the responsibility of the owner of the dog for which such tag was obtained to permanently attach the tag to the collar of the dog in a manner so that the tag may be readily seen. The tag is not transferable to any other dog or to a new owner of the dog. If a tag is lost or stolen the owner may obtain a new tag by surrendering the receipt for the first tag and by paying an additional fee established by council resolution pursuant to Chapter 212. (Ordinance No. 92-19, adopted October 13, 1992)

501.08. Pound. The council shall designate a place as city dog pound for keeping and maintaining any dogs which may be seized or impounded pursuant to this chapter. The council may contract for dog pound services. (Ordinance No. 92-19, adopted October 13, 1992)

501.09. Dog Warden.

Subd. 1. Authorization. The dog warden or the peace officer of the city may seize and impound any dogs found in the city without the tag provided for by this chapter, or dogs running at large in violation of 501.02. To enforce this chapter, said dog warden or peace officer may enter upon any private premises in pursuit of a dog running at large. During regular working hours 7 a.m. to 3:30 p.m. a public works employee will impound a stray dog that is restrained or in custody by a leash and not running loose. A public works employee will deliver the dog to the humane society. After regular working hours, on weekends or holidays the public works staff will not be required to come into the city to impound a stray dog. (Ordinance 2012-05, adopted June 26, 2012)

Subd. 2. Notice. Upon the impounding of any dog, the clerk/treasurer, peace officer, or dog warden shall without delay notify the owner personally or by mail if the owner is known. If the owner is unknown, a written notice shall be posted at city hall. In either case, the notice shall describe the dog, state where it is impounded, and state that it may be redeemed by the owner within five regular business days after impounding by payment of the impounding fee plus the cost of boarding the dog.

Subd. 3. Redemption. Any impounded dog may be redeemed by the owner within five regular business days after impounding, upon payment of the impounding fee and boarding costs; provided that no dog may be redeemed unless the current license fee has been paid. If the license is obtained after a dog has been impounded then there shall be a penalty fee added to the regular license fee equal to the regular license amount. This fee shall be paid in addition to any dog licensing, impounding or boarding fees which shall be required prior to release of the dog. Impounding fees and boarding charges shall be established by council resolution, pursuant to Chapter 212. If the council has contracted for dog pound services, boarding charges shall be actual charges pursuant to the contract.

Subd. 4. Disposal. If after five regular business days the dog has not been redeemed by the owner, it may be sold for an amount sufficient to pay the impounding fee and the cost of the boarding. Any person purchasing a dog under this subdivision shall procure a license pursuant to 501.06 and 501.07 if the person intends to keep the dog within the city. Any dog not redeemed or sold may be destroyed in a proper and humane manner, or may be

disposed of pursuant to the terms of Minnesota Statutes 35.71. (Ordinance No. 92-19, adopted October 13, 1992)

501.10. Dangerous Animals. Any dog which is diseased, vicious, dangerous, rabid, or exposed to rabies and which cannot be taken up and impounded without serious risk to the person or persons attempting to take up the dog, may be killed by, or upon the written direction of, the dog warden or a peace officer. (Ordinance No. 92-19, adopted October 13, 1992)

501.11. Rabid or Biting Dogs. Any dog suspected of rabies and any dog that has bitten any person may, at the discretion of the dog warden or peace officer, be seized on the premises of the owner or elsewhere, and confined in a veterinary hospital for ten days. The dog may be released at the end of the ten day period if it is healthy and free from symptoms of rabies, upon payment of costs by the owner. (Ordinance No. 92-19, adopted October 13, 1992)

501.12. Reporting Bites. Any person bitten by a dog, where the bite requires the services of a physician, shall report the incident to the Wright County Sheriff. (Ordinance No. 92-19, adopted October 13, 1992)

501.13. Kennel.

Subd. 1. Kennel Licenses. No person shall own, harbor, keep, or have custody of more than two dogs over the age of six months old on their property without having first secured a private kennel license as required herein.

Subd. 2. Issuance. Kennel licenses may only be issued in conjunction with a conditional use permit. Associated zoning administration fees shall be paid by the applicant prior to Planning Commission consideration of the conditional use permit and license. The original kennel application shall be required to pay the Conditional Use Permit fees as established by council in Chapter 212 and the kennel permit fee as established shall not be required for the first year of operation. The application shall contain information concerning the proximity of the applicant's property to surrounding neighbors, the number and type of dogs to be kept on the property, the proposed housing of the dogs, and such other information as the council may require. The application shall first be referred to the Planning Commission for conditional use permit proceedings. Upon recommendation from the Planning commission for issuance of a conditional use permit, the clerk/treasurer shall refer the application to the council, which may grant or deny the kennel permit. The permit shall state the number of dogs which may be kept pursuant to the permit and any other conditions the Planning Commission may deem necessary. If a permit holder wishes to increase the number of dogs he shall apply for a new permit.

Subd. 3. Renewal. Each kennel permit shall be reviewed annually and an application shall be submitted to the Clerk/Treasurer and the kennel permit fee as set up in Chapter 212 shall be paid to the City. Upon review, consideration for renewal of the permit shall be based on complaints, neighborhood changes which may have occurred, or changes within the kennel itself.

Subd. 4. Regulations. Each kennel shall be kept in a clean and healthful condition at all times, and shall be open for inspection by the city authorities at any reasonable time. A

kennel permit may be revoked by the council for violation of this chapter or any health, nuisance, or other applicable ordinance, law, or regulation. (Ordinance No. 92-19, adopted October 13, 1992)

501.14. Nuisance. The following shall be deemed to be a nuisance and may be abated as provided by Chapter 901.

- (1) The keeping of any dog which habitually barks, howls, or bays so as to annoy other persons, upon written complaint of two or more neighbors.
- (2) The keeping of more than two dogs over the age of six months, without a kennel permit having been issued.
- (3) The provisions of this section are in addition to any other remedy provided for violation of this code. (Ordinance No. 92-19, adopted October 13, 1992)

## 502. Animals

502.01. 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 further classified as follows:

- (1) **DOMESTIC.** 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 non-constricting reptiles or amphibians, and other similar animals.
- (2) **NON-DOMESTIC.** 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 de-scented), raccoon, squirrel, 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.** 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, pheasants), swine (including Vietnamese pot-bellied pigs), goats, bees, and other animals associated with a farm, ranch, or stables or agricultural purposes. This also includes Cervidae, Ratitae and Llama animal groups as defined by Minnesota state statute. (These animals include, but are not limited to elks, ostriches,

emus, rheas and llamas and under state law all are considered to be livestock and raised for agricultural pursuits).

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

**VETERINARY CLINIC.** Any establishment maintained and operated by a Minnesota licensed veterinarian for surgery, diagnosis and treatment of diseases and injuries of animals. (Ordinance 13-03, adopted May 28, 2013)

502.02. Non-Domestic Animals. It shall be illegal for any person or business 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 a parade, operating zoo, veterinary clinic, or scientific research lab. This exception includes any parade, licensed show or exhibition not to exceed a total of 14 days during any 12-month period. (Ordinance 13-03, adopted May 28, 2013)

502.03. Farm Animals. Farm animals shall only be kept in an agricultural district established by the Zoning Ordinance and subject to any additional requirements or conditions. 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 subject to approval by the City Administrator for those animals brought into the city as part of a parade, operating zoo, veterinary clinic, or scientific research laboratory. This exception includes any licensed show or exhibition not to exceed a total of 14 days during any 12-month period. (Ordinance 13-03, adopted May 28, 2013)

502.04. Nuisances.

Subd. 1. Dangerous Animals. *Adoption by reference.* M.S. §§ 343.40, 346.57, 347.50, 347.51, 347.52, 347.53, 347.54, 347.55, 347.56 and 347.515, as they may be amended from time to time, as they pertain to domestic animals, are adopted by reference and are as much part of this code as if fully set forth herein. Any violation of the statutes herein adopted by reference is a violation of this code. If an animal is diseased, vicious, dangerous, rabid or exposed to rabies and the animal cannot be impounded after a reasonable effort or cannot be impounded without serious risk to persons attempting to impound it, or if an animal has made more than one attack on a person or persons, the animal may be immediately killed by or under direction of an officer authorized to enforce the provisions of this Section.

Subd. 2. 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 any person, even though the animal be properly licensed under this Chapter.

- (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 officer. The officer shall have a licensed 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 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 a time to cover the cost of disposing of the animal, and a per day maintenance charge and the costs of any veterinarian examinations. The amount of the fine and charges shall be as set by City Council.
- (C) *Release.* If the animal, upon examination, is not found to be diseased the animal shall be released to the owner or keeper free of charge.

Subd. 3. *Other.* Any animals kept contrary to this chapter are hereby declared a public nuisance and may be abated according to the law. (Ordinance 13-03, adopted May 28, 2013)

502.05. *Basic Care.* All animals shall receive from their owners or keepers a kind treatment, clean and sanitary shelter from the elements and sufficient food and water for the animal's comfort. Any person not treating their pet in such a humane manner will be subject to the penalties provided in this chapter. (Ordinance 13-03, adopted May 28, 2013)

## 503. Peddlers and Solicitors

503.01. Green River Ordinance. No solicitor, peddler, hawker, itinerant merchant or transient vendor of merchandise shall go in or upon private residences or residential properties for the purpose of selling or soliciting orders for the sale of goods, wares, merchandise or services if such property has been posted with a sign forbidding solicitors, peddlers, hawkers, itinerant merchants or transient vendors of merchandise. Such signs shall be posted in a conspicuous place on the property. A sign posted on the door or entrance to a residence or residential property shall be deemed conspicuous for purposes of this ordinance. (Ordinance No. 89-4, adopted March 13, 1989)

### 503.02. Registration.

Subd. 1. Any solicitor, peddler, hawker, itinerant merchant or transient vendor of merchandise who intends to sell or solicit orders for the sale of wares, merchandise, or services at the private residences or on residential properties shall register with the City Clerk. Such registration shall include the following information:

- (1) The name, address and telephone number of the solicitor, peddler, hawker, itinerant merchant or transient vendor.
- (2) The name, address and telephone number of his/her employer.
- (3) A description of the goods, merchandise, wares or services being offered, including brand names if any.

Subd. 2. If any nonprofit corporation intends to sell or solicit orders for goods, wares, merchandise or services at residences or on residential properties, it shall provide the following information:

- (1) The name, address and telephone number of the nonprofit corporation.
- (2) A description of the goods, merchandise, wares or services being offered.
- (3) The name, address and telephone number of a person who may be contacted for information concerning the organization and the selling or soliciting.

Subd. 3. Any person who provides false information on any such registration or who fails to register shall be guilty of a misdemeanor. (Ordinance No. 89-4, adopted March 13, 1989)

503.03. Exceptions. The provisions of this ordinance shall not apply to any person who has been invited to the residence or residential property by the resident thereof. (Ordinance No. 89-4, adopted March 13, 1989)

## 504 Curfew

(Ordinance No. 85-11, adopted November 26, 1985)

### 504.01. Curfew Imposed.

Subd. 1. Age and Time. No person under the age of 18 years except as provided in Subd. 2, shall be on any public street or alley or in any park or other public grounds or building, place of amusement, entertainment, or refreshment, vacant lot, or any other unsupervised place between the hours of 10:00 P.M. and 5:00 A.M. of the following day.

### Subd. 2. Exceptions. The restrictions of Subdivision 1 do not apply:

- (1) On Friday and Saturday nights between the hours of 10:00 P.M. and 12:00 P.M. where the minor has attained the age of 16.
- (2) If the minor is accompanied by the minor's parent, guardian, or other adult if the minor or adult has, in his or her possession, written consent of the parent or guardian for the minor being in public places during such hours.
- (3) If the minor is returning home by a direct route from, and within thirty (30) minutes after, a school activity or an activity of a religious or other voluntary association when prior notice of the activity and its place and probable time of termination has been given to the designated law enforcement agency by an adult person authorized by the school or the religious or voluntary association to do so.
- (4) If the minor is carrying a certified card of employment and is on his way to or from his place of employment by a direct route.
- (5) If the minor is upon an emergency errand or other legitimate business directed by the minor's parent, guardian or other adult having the lawful custody of the minor.
- (6) If there exists a reasonable necessity therefore. (Ordinance No. 85-11, adopted November 26, 1985)

504.02. Responsibility of Parent. No parent, guardian, or other adult having custody and control of a minor under 18 years of age shall knowingly permit the minor to violate the provisions of 504.01 (Ordinance No. 85-11, adopted November 26, 1985)

504.03. Loitering. It is unlawful for any person under the age of 18 to loiter, loaf or idle on or near any structure, vehicle, private grounds or public place without the consent of the owner. (Ordinance No. 85-11, adopted November 26, 1985)

504.04. Enforcement. Any person under the age of 18 years of age on a street or other place in violation of 504.01 shall be ordered to go home immediately. After investigation, if responsible city authorities determine that court action should be initiated, the minor shall be dealt with in accordance with juvenile court law and procedure. Any such minor who is convicted of a violation of this chapter after the case has been referred for prosecution in the trial court under Minnesota Statutes §260.15, shall be punished in accordance with this code. (Ordinance No. 85-11, adopted November 26, 1985)

## 505. Burning

505.01. Definition. "Open Burning" means the burning of any matter whereby the resultant combustion products are emitted directly to the atmosphere without passing through an adequate stack, duct, or chimney. (Ordinance No. 93-12, adopted November 23, 1993)

### 505.02. Regulations.

Subd. 1. Burning is permitted subject to the provisions of Minnesota Statutes No. 88.16 and 88.22 stating the open burning of brush between April 15th and May 15th and October 1st and October 31st or for a two-week period after a major storm is permitted. (Ordinance No. 95-17, adopted November 14, 1995)

### 505.03. Limits and Conditions.

Subd. 1. Such burning shall be limited to the area of the city zoned for residential purposes only.

Subd. 2. No burning is permitted in the city streets.

Subd. 3. No burning will be allowed within 50 feet from a structure.

Subd. 4. No burning will be conducted before the hours of 10:00 a.m. or after 10:00 p.m.

Subd. 5. All such fires shall be attended at all times by a person of suitable age discretion.

Subd. 6. No burning shall take place during an air pollution alert, warning or emergency declared by the Pollution Control Agency or Minnesota Department of Natural Resources. (Ordinance No. 93-12, adopted November 23, 1993)

505.04. Copy to State Agencies. A copy of this section or any amendment thereof shall be submitted to the Minnesota Pollution Control Agency and the Minnesota Department of Natural Resources. (Ordinance No. 93-12, adopted November 23, 1993)

505.05. Permits. It is unlawful to burn brush under this section without a permit from the Fire Chief or his designee. No such permit shall be issued without a finding by the Fire Chief or his designee that there is no danger of fire to adjacent structures of combustible material. The permit may include such conditions as are reasonable under the circumstances. (Amended by Ordinance No. 95-17, passed November 14, 1995)

## 506. Weapons

506.01. Dangerous Weapons. No person shall do any of the following:

- (1) Recklessly handle or use a gun or other dangerous weapon or explosive so as to endanger the safety of another.
- (2) Intentionally point a gun of any kind, capable of injuring or killing a human being and whether loaded or unloaded, at or toward another.
- (3) Manufacture, or sell for any unlawful purpose, any weapon known as a sling-shot or sand club.
- (4) Manufacture, transfer or possess metal knuckles or a switchblade knife opening automatically.
- (5) Possess any other dangerous article or substance for the purpose of being used unlawfully as a weapon against another.
- (6) Sell or have in his possession any device designated to silence or muffle the discharge of a firearm.

506.02. Minors.

Subd. 1. Under 14. No person shall without the parent's or guardian's consent, furnish a child under 14 years of age a firearm or air gun of any kind or any ammunition or explosive. No parent or guardian shall permit a child under 14 years of age to handle or use, outside of the parent's or guardian's presence, a firearm or air gun of any kind or any ammunition or explosive.

Subd. 2. Under 18. No person shall furnish a minor under 18 years of age with a firearm, air gun, ammunition, or explosive without the written consent of his parent or guardian or of the chief of police.

506.03. Discharge of Firearms. No person shall shoot or discharge any firearm, air rifle, pellet gun, or any other weapon within the city, nor shall any person cause any projectile to be fired from outside the city into the city, except as follows:

- (1) Persons duly authorized to act as law enforcement officers or members of the military forces of the United States or the State of Minnesota in the discharge of their duties.
- (2) Persons engaged in target, trap or skeet shooting at a target, trap, or skeet range for which a permit has been issued by the council. Prior to issuing a permit, the council shall direct the designated law enforcement agency to investigate and report to the council on the safety of the proposed range.

## 507. Abandoned Property

507.01. Procedure. Except as set forth in Chapter 804 of this code and except as otherwise provided for by law, all abandoned, lost or unclaimed property lawfully coming into possession of the city shall be disposed of as provided in this section. (Ordinance 89-9, adopted July 10, 1989)

507.02. Storage. All property subject to this section shall be turned over to the city police department which shall arrange for storage of such property. The police department shall arrange for storage of such property on or within city facilities except that if city facilities for storage are unavailable or inadequate, the police department may arrange for storage at privately owned facilities. (Ordinance 89-9, adopted July 10, 1989)

507.03. Claim by Owner. The owner may claim the property by exhibiting satisfactory proof of ownership and paying the city any storage or maintenance cost incurred by it. A receipt for the property shall be obtained upon release to the owner. The city may charge the owner reasonable storage charges for property stored on or in city facilities. (Ordinance 89-9, adopted July 10, 1989)

507.04. Sale. If the property remains unclaimed in possession of the city for sixty (60) days, the property shall be sold to the highest bidder at a public auction conducted by the chief of police and the city after two weeks published notice setting for the time and place of the sale of the property to be sold. (Ordinance 89-9, adopted July 10, 1989)

507.05. Disposition of Proceeds. The proceeds of the sale shall be placed in the general fund of the city. If the former owner makes application and furnishes satisfactory proof of ownership within six (6) months of the sale, he shall be paid the proceeds of the sale of his property less the cost of storage and the proportionate part of the cost of published notice and other costs of sale. (Ordinance 89-9, adopted July 10, 1989)

## 508. Prohibiting Unfair or Discriminatory Housing Practices

508.01. Declaration of Fair Housing Policy. Discrimination with regard to housing on the basis of race, sex, creed, religion, marital status, and disability affects the health, welfare, peace, and safety of the community. Persons subject to such discriminations suffer depressed living conditions, and create conditions which endanger the public peace and order. The public policy of the City is declared to be to foster equal opportunity for all to obtain decent, safe, and sanitary housing without regard to their race, creed, color, national origin, marital status, disability status, sex, and strictly in accord with their individual merits as human beings. It is also the policy of the City to protect all persons from all founded charges of discrimination. (Ordinance 02-16, adopted November 12, 2002)

508.02. Definitions. For the purposes of this Section, the following terms, phrases, words, and their derivations, shall have the meaning given herein unless the context otherwise indicates:

- (1) "Discriminate or Discrimination" – includes segregate or separate.
- (2) "Disability" – A mental or physical condition which constitutes a handicap. Nothing in this Section shall be construed to prohibit any program, service, facility or privilege afforded to a person with a disability which is intended to habilitate, rehabilitate standing, state or condition of one as single or married person. (Ordinance 02-16, adopted November 12, 2002)

508.03. Prohibited Acts in Regard to Housing. It is an unlawful discriminatory practice:

- (1) For any person to discriminate on grounds of race, creed, religion, color, sex, marital status, status with regard to public assistance, national origin, age or disability, in the sale, lease, or rental of any housing unit or units.
- (2) For any broker, salesman or other person acting on behalf of another to so discriminate in the sale, lease, or rental of any housing unit or units belonging to such other person.
- (3) For any person engaged in the business of financing the purchase, rehabilitation, remodeling or repair of housing units or in the business of selling insurance with respect to housing units to refuse to provide such financing or insurance or to discriminate with regard to the terms or conditions thereof by reason of the race, color, sex, religion, creed, national origin, marital status, status with regard to public assistance, age or disability of the applicant or because of the location of the unit or units in areas of the City occupied by persons of a particular race, color, sex, religion, creed, national origin, marital status, status with regard to public assistance, age or disability, or to discriminate by treating differently any person or group of person who desire to purchase, lease, acquire, construct, rehabilitate, repair or maintain real property in a specific urban area in the granting, withholding, extending, modifying or renewing, or in the rates, terms, conditions, or privileges of any such financial assistance or in the extension of services in connection therewith. The bona fide programs of Federal, State or

local governmental units or agencies, however structured or authorized to upgrade or improve in any manner a specific urban area shall not be deemed to be a violation of this Section.

- (4) For any person, having sold, leased, or rented a housing unit or units to any person, to discriminate with respect to facilities, services, or privileges of occupancy by reason of race, color, sex, creed, religion, national origin, age or disability, marital status or status with regard to public assistance.
- (5) For any person to make or publish any statement evidencing an intent to discriminate, on grounds of race, creed, religion, color, sex, national origin or ancestry, marital status, status with regard to public assistance, age or disability, in the sale, lease, or rental of a housing unit or units.
- (6) For any person to make any inquiry regarding race, color, sex, creed, religion, national origin, marital status, status with regard to public assistance, age or disability to keep any record or use any form of application, designed to elicit such information, in connection with the sale, lease, rental, or financing of a housing unit or units, unless such information is used only for statistical purposes to affirmatively further fair housing.
- (7) For any person, for the purpose of inducing a real estate transaction from which he may benefit financially:
  - A. To represent that a change has occurred or will or may occur in the composition of the block, neighborhood, or area in which the property is located, in respect of the race, color, sex, creed, religion, national origin, marital status, with regard to public assistance, age or disability of those living there; or,
  - B. To represent that a change will or may result in the lowering of property values, an increase in crime, or anti-social behavior, or a decline in the quality of schools in the block, neighborhood, or area concerned.
- (8) Nothing in this Section shall be construed to require any person or group of persons selling, renting or leasing property to modify the property in any way, or exercise a higher degree of care for a person having a disability than for a person who does not have a disability; nor shall this Section be construed to relieve any person or person regardless of any disability; nor shall this Section be construed to relieve any person or persons regardless of any disability in a written lease, rental agreement, or contract or purchase or sale, or to forbid distinctions based on the inability to fulfill the terms and conditions, including financial obligations of such lease, agreement or contract.
- (9) The provisions of this Section shall not apply to:
  - A. The rental of a portion of a dwelling containing accommodations for two (2) families, one of which is occupied by the owner; or
  - B. The rental by an owner or occupier of a one-family accommodation in which he resides in a room or rooms in such accommodations to another

person or persons if the discrimination is by sex, marital status, status with regard to public assistance or disability. Nothing in this Section shall be construed to require any person or group of persons selling, renting, or leasing property to modify the property in any way, or exercise a higher degree of care for a person having a disability than for a person who does not have a disability, nor shall this Section be construed to relieve any person or persons of any obligations generally imposed on all persons regardless of any disability in a written lease, rental agreement, or contract of purchase or sale, or to forbid distinctions based on the inability to fulfill the terms and conditions, including financial obligations, of such lease, agreement or contract. (Ordinance 02-16, adopted November 12, 2002)

508.04. Enforcement Procedures. The City is designated as the enforcement agency for this Section and shall have the power to receive, hear and determine complaints as provided herein. The City shall promptly investigate, upon complaint or upon its own motion, any violations of this ordinance. If after investigation, it shall have reason to believe a violation has occurred, it may refer the matter to the City Attorney for criminal prosecution, initiate civil enforcement procedures as herein provided, or enter into a settlement agreement which, when approved by the City, shall have the same force as a City order. (Ordinance 02-16, adopted November 12, 2002)

508.05. Statute of Limitations. No action may be brought for civil enforcement or criminal prosecution unless the change of alleged discriminatory practice was filed with the City within one hundred eighty (180) days from the occurrence of the practice. (Ordinance 02-16, adopted November 12, 2002)

508.06. Civil Enforcement Procedure. Civil enforcement procedures shall be prosecuted by the City before the Council in the following manner:

- (1) The City shall serve upon respondent by certified mail, a complaint, signed by it, which shall set forth a clear and concise statement of the facts constituting the violation, set a time and place for hearing, and advise the respondent of his right to file an answer or appear in person or by any attorney and to examine and cross-examine witnesses.
- (2) The hearing shall not be less than twenty (20) days after service of the complaint. At any time prior to the hearing, the respondent may file an answer. Facts not denied by answer shall be deemed admitted. If the answer sets out new matter, it shall be deemed denied by the City.
- (3) The complaint or answer may be amended at any given time prior to the hearing with the consent of the opposing party.
- (4) Hearings shall be before the City Council.
- (5) The City may obtain subpoenas from the District Court to compel the attendance of witnesses and the production of documents at any hearing.
- (6) If, after the hearing, the Council shall conclude that a violation has occurred, it shall prepare an order which may contain any provision deemed desirable to do

justice to the complainant or to prevent further violations. It may include provisions which require the respondent to rent, sell, or lease particular housing to the complainant or to do any other thing as may be just. The Council's findings of fact and order shall be served on the respondent by mail, and shall become the findings and order of the City unless, within ten (10) days after mailing of the findings of order. Any order of the City may be modified by the City at any time. (Ordinance 02-16, adopted November 12, 2002)

508.07. Force and Effect. This ordinance shall take effect and be in force from and after its passage and publication. (Ordinance 02-16, adopted November 12, 2002)

## 509. Address Display Required

509.01. Display. All principal buildings in the City of shall display those address numbers assigned to them by the City. (Ordinance 07-02, adopted April 10, 2007)

509.02. Location and Size.

Subd. 1. Numbers shall be displayed on the principal building in numerals not less than four (4) inches high and of contrasting color to the background.

Subd. 2. The area of the address sign shall comply with the provisions of Section 1001.08 of the Rockford Zoning Ordinance. (Ordinance 07-02, adopted April 10, 2007)

509.03. Clearly Visible. Numbers shall be affixed to the principal building so as to be clearly visible from the nearest public street.

Subd. 1. Mail Boxes. In those cases where the principal building is obscured from the view from the public street of address by accessory buildings, trees, shrubbery or other visual obstruction, the numbers shall also be displayed on the mail box in numerals not less than two (2) inches high, of a light reflective material, and of contrasting color to the background.

Subd. 2. Posted Signs. In those cases where the principal building is obscured from the view from the street address by accessory buildings, trees, shrubbery or other visual obstruction, and the residence does not have a mail box adjacent to the public street, the numbers shall be displayed from a permanent mounting on the property, clearly visible from the street, displayed prominently in numerals not less than four (2) inches high of light reflective material of contrasting color to the background at a height not less than three (3) feet above grade. (Ordinance 07-02, adopted April 10, 2007)

509.04. Penalties. Violation of this section shall a misdemeanor subject to the provisions of Section 101.06 of the City Code. (Ordinance 07-02, adopted April 10, 2007)

## 510. Alcohol Consumption

The purpose of this ordinance is to protect the city's liability when people choose to bring alcohol into city buildings by establishing additional regulations that adhere to the Minnesota State Statutes.

510.01. Prohibited Areas. The consumption of alcohol is prohibited at the fire hall, the public works facility, the wastewater treatment plant and on any of the property on which those facilities are located unless the city has issued a permit for such consumption pursuant to section 510.02. (Ordinance 10-07, adopted October 12, 2010)

510.02. Permit To Consume. The city, in its discretion, may issue a permit to consume alcohol on city property to a club or charitable, religious, or other non-profit organization which has been in existence for at least three (3) years. (Ordinance 10-07, adopted October 12, 2010)

510.03. Insurance Required. Any permit to consumer alcohol on city property issued pursuant to section 510.02 of this section shall be conditioned upon the applicant providing proof of liability insurance coverage acceptable to the city which includes the city as a named insured and meeting any other reasonable conditions required by the city. (Ordinance 10-07, adopted October 12, 2010)

510.04. Consumption Of Alcohol At The Chuck Francis Memorial Center and Gazebo in Riverside Park a Rented Facility.

Subd. 1. Consumption of alcohol at the Chuck Francis Memorial Center and Gazebo rented by a person or organization shall be permitted if such alcohol is provided by an organization meeting the requirements of section 510.02 and such alcohol is not sold on the premises.

Subd. 2. Consumption of alcohol at the Chuck Francis Memorial Center and Gazebo rented by a person or organization shall be permitted if such alcohol is not sold on the premises, and the person or organization renting the facilities names the city as an additional insured on a general liability insurance policy (such as a homeowners' policy) in the minimum amount of five hundred thousand dollars (\$500,000) acceptable to the city by endorsement of host liquor liability to the rented premises.

Subd. 3. The sale and consumption of alcohol at the Chuck Francis Memorial Center and Gazebo rented by a person or organization shall be permitted only if such alcohol is provided by a caterer licensed under Minnesota Statutes 340A.404, subdivision 12, to sell alcohol in the State of Minnesota and who carries dram shop insurance in the minimum amount of one million dollars (\$1,000,000) under which the city is named as an additional insured party. (Ordinance 10-07, adopted October 12, 2010)

510.05. Hold Harmless and Indemnification Agreement. Any party leasing any portion of the Chuck Francis Memorial Center or Gazebo where alcohol will be sold or served pursuant to Section 510.04 must first agree to and sign an agreement to hold the city harmless from claims arising from such rental and to defend and indemnify the city from all costs incurred as a result of such claims. The hold harmless and indemnification agreement must meet the approval of the city attorney. (Ordinance 10-07, adopted October 12, 2010)