

TITLE XIII: GENERAL OFFENSES

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CHAPTER 130: REGULATION OF CONDUCT

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GENERAL PROVISIONS

§ 130.01 DISORDERLY CONDUCT.

(A) Whoever does any of the following in a public or private place, including on a school bus, knowing, or having reasonable grounds to know that it will, or will tend to, alarm, anger or disturb others or provoke an assault or breach of the peace, is guilty of disorderly conduct, which is a misdemeanor:

- (1) Engages in brawling or fighting;
- (2) Disturbs an assembly or meeting, not unlawful in its character; or
- (3) Engages in offensive, obscene, abusive, boisterous or noisy conduct or in offensive, obscene or abusive language tending reasonably to arouse alarm, anger or resentment in others.

(B) A person does not violate this section if the person's disorderly conduct was caused by a diagnosed medical condition.

(C) The provision of M.S. § 609.72, as it may be amended from time to time, regarding disorderly conduct is adopted by reference as if set in full herein.

(Prior Code, § 506.01) (Ord. 08-08, passed 12-15-2008) Penalty, see § 130.99

§ 130.02 URINATION AND DEFECATION.

No person shall urinate or defecate upon any street, alley, sidewalk, publicly or privately owned parking area, playground, pier, beach, lakeshore, pathway, golf course or public park, or any area appurtenant to that area. No person shall urinate or defecate in any area open to public view.

(Prior Code, § 506.02) Penalty, see § 130.99

§ 130.03 DISORDERLY PREMISES.

(A) No person within the city shall own or keep a dwelling, gaming area or party or meeting room which attracts people to its locale at times or in a manner that their arrival, leaving or activities while in that locale result in an unreasonable disturbance of the usual peace, quiet, comfort, safety and decency of the area immediately adjacent thereto.

(B) Nor shall any person, as agent or owner, let a building or portion thereof, knowing it is intended to be used for any purpose prohibited above or for any purpose which will likely give rise to an unreasonable disturbance of the usual peace, quiet, comfort, safety and decency of the area immediately adjacent thereto.

(Prior Code, § 506.03) Penalty, see § 130.99

§ 130.04 OBSTRUCTING A PUBLIC OFFICER.

(A) (1) No person shall intentionally do an act which he or she should reasonably expect will obstruct or interfere with, or induce another to obstruct or

interfere with, a peace officer or other public official in discharging or attempting to discharge a duty of his or her office.

(2) For purposes of this section, the duties of a peace officer shall include, but not be limited to, the following:

- (a) Apprehending a criminal or suspected criminal;
- (b) Serving any legal process, or executing or serving an arrest warrant or search warrant;
- (c) Transporting a criminal or suspected criminal;
- (d) Investigating a crime which has been committed or conduct which he or she reasonably believes may constitute a crime; and
- (e) Directing vehicular or pedestrian traffic or controlling a crowd of people.

(B) No person shall flee from a police officer or police vehicle in disregard of any visible or audible notice to halt given by or from the police officer or police vehicle when the person knows or reasonably should know the same to be a police officer or police vehicle. For purposes of this division (B), the term **FLEE** shall include, but is not limited to, fleeing on foot and/or fleeing via motorized or non-motorized cycle or vehicle.

(C) No person shall physically resist an arrest by a peace officer or aid another in physically resisting an arrest by a peace officer, regardless of whether or not the arrest is lawful.

(D) No person shall resist, obstruct, interfere with or induce another to resist, obstruct or interfere with, a lawful citizen's arrest.

(Prior Code, § 506.05) Penalty, see § 130.99

§ 130.05 DRUG PARAPHERNALIA.

(A) It is unlawful for any person or any wholesale or retail store or establishment to knowingly or intentionally sell, barter, exchange, deliver or give drug paraphernalia to anyone within the city.

(B) It is unlawful for any person age 18 years or older to intentionally sell, barter, exchange, deliver or give drug paraphernalia to a person under 18 years of age who is at least three years his or her junior within the city.

(C) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

DRUG PARAPHERNALIA. All equipment, products and materials of any kind, except those items used in conjunction with permitted uses of controlled substances under this chapter or the Uniform Controlled Substances Act, being 21 U.S.C. §§ 801 et seq., which are knowingly or intentionally used primarily in:

- (a) Manufacturing a controlled substance;
- (b) Injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance;
- (c) Testing the strength, effectiveness or purity of a controlled substance; or
- (d) Enhancing the effect of a controlled substance.

(Prior Code, § 507) (Ord. 02-05, passed 4-4-2005) Penalty, see § 130.99

OPEN BURNING

§ 130.20 DEFINITION.

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

OPEN BURNING. 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.
(Prior Code, § 504.01)

§ 130.21 REGULATIONS ADOPTED.

The regulations of the Minnesota State Pollution Control Agency regulating open burning, APC8, are adopted by reference.
(Prior Code, § 504.02)

§ 130.22 PROHIBITION.

No person shall cause, suffer, allow or permit open burning, except as permitted by the regulations of the Minnesota State Fire Code Rules and Regulations for recreational fires and portable outdoor fire places.
(Prior Code, § 504.03) Penalty, see § 130.99

TRESPASS

§ 130.35 TRESPASS.

No person shall do any of the following acts unless he or she is a public official or officer engaged in a good faith effort to carry out his or her duties:

- (A) Trespass upon the premises of another and, without claim of right, refuse to depart therefrom upon demand of the lawful possessor;
- (B) Tamper with or get into or upon a motor vehicle without the permission of the owner or rightful user of the motor vehicle;
- (C) Get into or upon or ride in a motor vehicle knowing it is being operated by another without the permission of the owner;
- (D) Occupy or enter the premises of another while knowing, or having reasonable grounds to know, that entering or occupying will be in violation of the wishes of the lawful possessor of the premises; and
- (E) Enter or occupy the dwelling of another without claim of right or consent of the owner or another who has a right to give consent, except in an emergency situation.

(Prior Code, § 504A.01)

§ 130.36 PUBLIC PROPERTY TRESPASS.

(A) *Definition.* For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

PUBLIC PROPERTY. Includes any real property owned or leased by a public body, entity or subdivision, including, but not limited to, the City of Proctor, the Proctor Public Utility Commission and Independent School District 704, and shall include any buildings located upon the real property, together with improvements or fixtures therewith.

(B) *Violations.* It shall be a misdemeanor for any person to do any of the following:

- (1) Refuse to depart from public property upon the demand of an employee of the public body owning or leasing the property;
- (2) Whether on or off the property, to willfully disturb or obstruct any function, program, assembly or publicly sponsored and recognized activity;
- (3) To operate an all terrain vehicle, snowmobile or similar device on public property; and
- (4) To enter or remain upon the property, in contravention of regulatory signs displayed upon the property, without the consent of the public body owning or leasing the property.

(Prior Code, § 504A.02) Penalty, see § 130.99

CURFEW

§ 130.50 CURFEW IMPOSED.

(A) *Age and time.* No person under the age of 17 years except as provided in division (B) below shall be on any public street, alley, in any park or in 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.

(B) *Exceptions.* The restrictions of division (A) above do not apply when the minor:

- (1) Is accompanied by his or her parents, guardian or other person having the minor's lawful care, custody and control;
- (2) Is returning home by a direct route from and within 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 Police Department by an adult person authorized by the school or the religious or voluntary association to do so;

(3) Is carrying a certified card of employment and is on his or her way to or from his or her place of employment; or

(4) Is upon an emergency errand or other legitimate business directed by the minor's parent, guardian or other adult having lawful custody of the minor.
(Prior Code, § 503.01) Penalty, see § 130.99

§ 130.51 PARENTAL RESPONSIBILITY.

No parent, guardian or other adult having custody and control of a minor under 17 years of age shall knowingly permit the minor to violate the provisions of § 130.50.
(Prior Code, § 503.02) Penalty, see § 130.99

PREDATORY OFFENDERS

§ 130.65 FINDINGS AND INTENT.

(A) Repeat predatory offenders present an extreme threat to the public safety. Predatory offenders are likely to use physical violence and to repeat offenses, and most predatory offenders commit numerous offenses, have many more victims than are reported, and are prosecuted for only a fraction of their crimes. This makes the cost of predatory offender victimization to society at large incalculable.

(B) It is the intent of this chapter to serve the city's compelling interest to promote, protect and improve the health, safety and welfare of the city's citizens by creating areas around locations where children regularly congregate in concentrated numbers wherein certain predatory offenders are prohibited from establishing temporary or permanent residence.

(Prior Code, § 907) (Ord. 03-10, passed 7-19-2010)

§ 130.66 DEFINITIONS.

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

DESIGNATED PREDATORY OFFENDER. Any person who is convicted of any offense involving sexual contact with a minor for which registration as a predatory offender is required under M.S. § 243.166, as it may be amended from time to time, a successor statute or a similar statute from another state, and has been categorized as a **Level III** predatory offender under M.S. § 244.052, as it may be amended from time to time, a successor statute or similar statute from another state in which that person's risk assessment indicates a high risk of re-offense.

LICENSED CHILD CARE CENTER. A group child care center currently licensed by the St. Louis County, Minnesota Public Health and Human Services Department.

PERMANENT RESIDENCE. A place where a person abides, lodges or resides for 14 or more consecutive days.

PUBLIC PLAYGROUND. A publicly owned, improved outdoor area designed, equipped and set aside for children's play and includes in that area facilities such as play equipment, surfacing, fencing, signs, internal pathways, internal land forms, vegetation and related structures.

SCHOOL. A public or nonpublic elementary or secondary school.

TEMPORARY RESIDENCE. A place where a person abides, lodges or resides for a period of 14 or more days in the aggregate during any calendar year and which is not the person's permanent address, or a place where the person routinely abides, lodges or resides for a period of four or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence.
(Prior Code, § 907) (Ord. 03-10, passed 7-19-2010)

§ 130.67 PREDATORY OFFENDERS PROHIBITION; EXCEPTIONS.

(A) *Prohibited location of residence.* It is unlawful for any designated Level III predatory offender to establish a permanent or temporary residence within 2,000 feet of any school, licensed child care center or public playground.

(B) *Measurement of distance.* For purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of the permanent or temporary residence to the nearest outer property line of the school, licensed child care center or public playground.
(Prior Code, § 907) (Ord. 03-10, passed 7-19-2010) Penalty, see § 130.99

§ 130.68 EXCEPTIONS.

A designated predatory offender residing within a prohibited area as described in § 130.67 does not commit a violation of this subchapter if any of the following apply:

(A) The designated predatory offender registered the residence pursuant to M.S. §§ 243.166 and 243.167, as they may be amended from time to time, or a successor statute, prior to the effective date of this subchapter;

(B) The designated predatory offender was a minor when he or she committed the offense and was not convicted as an adult;

(C) The person is a minor;

(D) The school, licensed child care center or public playground within 2,000 feet of the person's permanent or temporary residence was opened after the designated predatory offender reported and registered the residence pursuant to M.S. §§ 243.166 and 243.167, as they may be amended from time to time, or a successor statute;

(E) The residence is also the permanent residence of the designated predatory offender's parents, grandparents, siblings or spouse; and

(F) The residence is a property purchased or leased by the State Department of Corrections prior to June 10, 2010.

(Prior Code, § 907) (Ord. 03-10, passed 7-19-2010)

§ 130.99 PENALTY.

(A) Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of § 10.99.

(B) Violations of § 130.04(A), (B), (C) and/or (D) shall be considered a misdemeanor.

(Prior Code, § 506.05)

(C) (1) Any violation of § 130.05(A) is a misdemeanor, punishable by a fine subject to city administrative fine schedule.

(2) A violation of § 130.05(B) is a misdemeanor punishable by a fine subject to city administrative fine schedule and/or 90 days in jail.

(Prior Code, § 507)

(D) Violation of § 130.35 shall constitute a misdemeanor under this code of ordinances.

(Prior Code, § 504A.01)

(E) Any person under the age of 17 on a street or other place in violation of § 130.50 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 minor who is convicted of a violation of § 130.50 after the case has been referred for prosecution in the trial court under M.S. Ch. 260B, as it may be amended from time to time, and any person who is convicted of a violation of any provision of § 130.51 is guilty of a petty misdemeanor and shall be punished by a fine subject to the city administrative fine schedule or pursuant to Chapter 11 of this code of ordinances.

(Prior Code, § 503.03)

(F) A person who violates §§ 130.65 through 130.68 shall be punished by a fine of not exceeding an amount set by City Council from time to time by resolution or confinement for a term not exceeding 90 days, or by both a fine and confinement. Each day a person maintains a permanent or temporary residence in violation of §§ 130.65 through 130.68 constitutes a separate violation.

(Prior Code, § 907)

(Ord. 02-05, passed 4-4-2005; Ord. 03-10, passed 7-19-2010)

CHAPTER 131: NOISE

Section

131.01 Noises prohibited

131.02 Unlawful acts

131.99 Penalty

§ 131.01 NOISES PROHIBITED.

No person shall make or cause to be made any distinctly and loudly audible noise that unreasonably or unnecessarily annoys, disturbs, injures or endangers the comfort, repose, health, peace, safety or welfare of any person or precludes his or her enjoyment of property or affects his or her property's value. This general prohibition is not limited by the specific restrictions of unlawful acts listed in § 131.02. (Prior Code, § 506.04) Penalty, see § 131.99

§ 131.02 UNLAWFUL ACTS.

(A) The following acts are declared to be loud, disturbing and unnecessary noises in violation of this chapter, but the enumeration shall not be deemed to be exclusive.

(1) *Horns, audible signaling devices and the like.* No person shall sound any audible signaling device on any vehicle except as a warning of danger.

(2) *Exhaust.* No person shall discharge the exhaust or permit the discharge of the exhaust of any steam engine, stationary internal combustion engine, motorboat, motor vehicle, snowmobile or other recreational vehicle except through a muffler or other device that effectively prevents loud or explosive noises therefrom and complies with all applicable state laws and regulations.

(3) *Defective vehicles or loads.* No person shall use any vehicle so out of repair or so loaded as to create any unnecessary grating, grintling, rattling or other noise.

(4) *Loading, unloading, unpacking, opening of boxes.* No person shall create loud and excessive noise in loading, unloading, unpacking any vehicle or the opening and destruction of bales, boxes, crates or containers.

(5) *Radios, phonographs, paging systems and the like.* No person shall use or operate or permit the use or operation of any radio receiving set, musical instrument, phonograph, paging system, machine or other device for the production or reproduction of sound in a distinct and loudly audible manner as to disturb the peace, quiet and comfort of any person residing in the neighborhood at any time with louder volume than is reasonably necessary for convenient hearing of the person or persons who are in the room, vehicle, chamber or immediate vicinity in which the machine or device is being operated. Operation of any set, instrument, phonograph, machine or other device in a manner as to be plainly audible at the property line of the structure or building in which it is located, in the hallway or apartment adjacent, or at the property line if the source is located outside a structure or building shall be prima facia evidence of a violation of this section.

(6) *Engine braking on semi-tractor/trailers.* No person shall use, operate or permit the use of any engine braking within the city; provided that signage to that effect is posted on the major thoroughfares within the city utilized by the vehicles.

(7) *Amplification of sound.* It is unlawful for any person operating or occupying a motor vehicle on a street or highway to operate or amplify the sound produced by a radio, tape player or other mechanical sound making device or instrument from within the motor vehicle so that the sound is:

(a) Plainly audible at a distance of 100 feet or more from the motor vehicle; or

(b) Louder than necessary for the convenience hearing by person inside the vehicle in areas adjoining churches, schools or hospital.

(B) The provisions of this section shall not apply to any law enforcement motor vehicle equipped with any communication device necessary in the performance of law enforcement duties or to any emergency vehicle equipped with any communication device necessary in the performance of any emergency procedures.

(C) The provisions of this section do not apply to motor vehicles used for business or political purposes which in the normal course of conducting the business use sound making devices.

(D) The provisions of this section shall not be deemed to prevent local authorities, with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power, from regulating the time and manner in which the business may be operated.

(Prior Code, § 506.04) Penalty, see § 131.99

§ 131.99 PENALTY.

Violation of this section shall be deemed a petty misdemeanor punishable by a fine subject to city administrative fine schedule, or may be punishable pursuant to Chapter 11 of this code of ordinances.

(Prior Code, § 506.04)

CHAPTER 132: HUNTING AND TRAPPING

Section

Hunting Deer by Bow and Arrow

- 132.01 Definitions
- 132.02 Prohibitions against hunting; discharge of bow and arrow
- 132.03 Prohibitions
- 132.04 Chief of Police to report

Trapping

- 132.15 Purpose
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- 132.17 Violations
- 132.18 Exceptions

Prohibition on Feeding Certain Animals

- 132.30 Prohibition

- 132.99 Penalty

HUNTING DEER BY BOW AND ARROW

§ 132.01 DEFINITIONS.

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

BOW AND ARROW. A bow and arrow or a bow and arrow drawn, held or released by a mechanical device.

HUNT or HUNTING. The pursuing, stalking, chasing, driving or tracking of deer while in possession of a bow and arrow.

(Prior Code, § 806.01) (Ord. passed - -2004; Ord. 14-05, passed 10-3-2005; Ord. 03-21, passed 9-20-2021)

§ 132.02 PROHIBITIONS AGAINST HUNTING; DISCHARGE OF BOW AND ARROW.

Except as hereinafter provided, it shall be unlawful to hunt or to discharge any bow and arrow within the city.

(A) Hunting or the discharging of a bow and arrow is permitted within the following area of the city as herein regulated upon securing a permit to do so from the city. Application for the permit shall be obtained from the Chief of Police or his or her designated representative. The permitted areas are as designated on the map attached hereto as Exhibit "A", and incorporated as part of this code of ordinances as fully as if set out at length herein.

(B) The application for the permit shall be in writing, accompanied by a fee as set forth in the city fee schedule payable to the city, addressed to the Chief of Police and shall state:

- (1) The purpose for requesting the permit;
- (2) The length of time for which the permit is requested which shall not be greater than the bow hunting deer season established by the state;
- (3) The type of bow and arrow to be discharged;
- (4) The legal description of land on which the hunter desires to hunt and the name of the owner or at least one of the owners if multiple ownership upon whose property the application desires to discharge the weapon;
- (5) The signature of the owner or owners of the property granting approval and consent for hunting thereon;
- (6) Other information as may be deemed necessary by the city;
- (7) Proof of a valid license to hunt with a bow and arrow issued by the appropriate authority; and
- (8) Each application shall be on a form prescribed by the city, and shall also require the under to indemnify and hold harmless the city from any and all claims, suits or allegations of negligence.

(C) The granting of the permit shall be solely in the discretion of the city and shall be invalid unless executed by the Chief of Police or his or her designated

representative. Any person obtaining a permit shall have the permit on his or her person while carrying a bow and arrow in the above described permitted area.

(D) Any person employing a bow and arrow and who is engaged in the hunting of deer shall, in addition to complying with this section comply with all the rules and regulations relating to the hunting with bows and arrows as established by the laws of the state.

(E) No bow and arrow shall be discharged in any of the following areas within the permitted hunting areas:

(1) Within any platted subdivision or industrial park in the city;

(2) Within 200 feet of any dwelling or other building occupied by or for human habitation or the storing of animals;

(3) Within 200 feet of any property owned by Independent School District No. 704, Proctor Schools, except those portions on the attached map which is incorporated as part of this code of ordinances as fully as if set out at length herein;

(4) No hunting of bears with a bow and arrow shall be allowed within the city;

(5) Any hunter that is successful in taking a deer with a bow and arrow within the city shall report that fact to the Chief of Police or his or her designated representative within 24 hours after taking the deer;

(6) A hunter may hunt within the permitted areas only on the land described on the application made by the hunter for a permit under this section; and

(7) A hunter shall discharge an arrow only from an elevated location of no less than four feet off the ground.

(Prior Code, § 806.02) (Ord. passed - -2004; Ord. 14-05, passed 10-3-2005; Ord. 03-21, passed 9-20-2021) Penalty, see § 132.99

§ 132.03 PROHIBITIONS.

The provisions of this section shall not apply to the discharge of any bow and arrow when discharged within a "bow and arrow" range.

(A) The provisions of this section shall not prohibit the use of any bow and arrow in the lawful defense of the person, property, family or in the defense or enforcement of the laws of the city, county, state, or the United States.

(B) The provisions of this section shall not prohibit the use of any bow and arrow for archery practice.

(Prior Code, § 806.03) (Ord. passed - -2004; Ord. 14-05, passed 10-3-2005; Ord. 03-21, passed 9-20-2021)

§ 132.04 CHIEF OF POLICE TO REPORT.

(A) Annually in February during the term of this subchapter, the Chief of Police shall provide a report to the Council with respect to the operation and effect of this section.

(B) This report shall include the number of deer taken, a description of any incidents, conflicts or problems that occurred with respect to this section during the preceding bow hunting season, and any recommendations for the modifications or the continuation of this section.

(Prior Code, § 806.04) (Ord. passed - -2004; Ord. 14-05, passed 10-3-2005; Ord. 03-21, passed 9-20-2021)

TRAPPING

§ 132.15 PURPOSE.

The purpose of this subchapter is to preclude the potential harm that may be inflicted upon people, particularly children, and to prevent the maiming, unselective catching and destruction of wild animals and birds and domestic animals that come in contact with traps.

(Prior Code, § 906.01) (Ord. 09-06, passed 12-18-2006)

§ 132.16 DEFINITIONS.

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

TRAP. Any mechanical device or snare which seeks to hold, capture or kill an animal.

TRAPPING. The setting or laying or otherwise using of a trap in the city limits.
(Prior Code, § 906.02) (Ord. 09-06, passed 12-18-2006)

§ 132.17 VIOLATIONS.

Trapping in all areas within the city, including park areas is prohibited.
(Prior Code, § 906.02) (Ord. 09-06, passed 12-18-2006) Penalty, see § 132.99

§ 132.18 EXCEPTIONS.

(A) The provisions of this subchapter do not apply to the use of any trap specifically designed to kill rats, mice, gophers or moles.

(B) The provisions of this subchapter do not apply to the use of cage type live traps employed for the control of nuisance animals as long as the traps are tended each 12 hours.

(C) The provisions of this subchapter do not apply to the representatives of the city, county or state who may, in the course of their duties, be required to use a trap

to trap, snare, kill or otherwise restrain the free movement of any wildlife, animal or bird for humane or authorized purposes.

(D) The provisions of this subchapter do not apply to teachers trapping for educational programs or scientists for the purpose of studying animals, wildlife or birds which will be returned to their natural environment uninjured.
(Prior Code, § 906.04) (Ord. 09-06, passed 12-18-2006)

PROHIBITION ON FEEDING CERTAIN ANIMALS

§ 132.30 PROHIBITION.

No person shall feed deer within any area of the city. For the purpose of this section, **FEEDING** shall mean provision of one-half cubic foot or more of grain, fruit, vegetables, nuts, hay or other edible material, either on the ground or at a height of less than five feet above the ground in a manner that attracts deer on a regular basis. Living food sources, such as fruit trees and other live vegetation, shall not be considered as deer feeding. This prohibition shall not apply to veterinarians, City animal wardens and park maintenance staff or county, state or federal game officials who in the course of their duties have deer in their custody or under their management.

(Prior Code, § 806) (Ord. 16-05, passed 11-21-2005) Penalty, see § 132.99

§ 132.99 PENALTY.

(A) Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of § 10.99.

(B) Violation of §§ 132.01 through 132.03 shall be a misdemeanor, and shall be subject to Chapter 11 of this code of ordinances.

(Prior Code, § 806.05)

(C) Violation of § 132.30 shall be a misdemeanor, and shall be subject to Chapter 11 of this code of ordinances.

(D) Any person violating any provision of §§ 132.15 through 132.18 is guilty of a misdemeanor and upon conviction shall be punished not more than the maximum penalty for a misdemeanor as prescribed by state law, and shall be subject to the city administrative fine schedule pursuant to Chapter 11 of this code of ordinances.

(Prior Code, § 906.03)

(Ord. passed - -2004; Ord. 16-05, passed 11-21-2005; Ord. 09-06, passed 12-18-2006; Ord. 09-08, passed 12-15-2008)

CHAPTER 133: WEAPONS

Section

Proctor, MN Code of Ordinances

- 133.01 Definitions
- 133.02 Discharge
- 133.03 Carrying
- 133.04 Exceptions
- 133.05 Minors
- 133.06 Assault weapon
- 133.07 Discharge of bow and arrows prohibited

§ 133.01 DEFINITIONS.

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

ASSAULT WEAPON. Any dagger, dirk, stiletto, switchblade knife, blackjack, sand-club, pipe-club, chain club, metal knuckles or any similar device having no useful purpose other than personal assault.

FIREARMS. Any rifle, shotgun, pistol, air rifle or BB gun.
(Prior Code, § 502.01)

§ 133.02 DISCHARGE.

No person shall fire or discharge any firearm within the city, except as provided by § 133.04.

(Prior Code, § 502.02) Penalty, see § 10.99

§ 133.03 CARRYING.

No person shall have in his or her possession any firearm unless the weapon is unloaded and is dismantled, broken apart or carried in a case in a manner that it cannot be discharged, except as provided by § 133.04.

(Prior Code, § 502.03) Penalty, see § 10.99

§ 133.04 EXCEPTIONS.

The provisions of §§ 133.02 and 133.03 shall not apply to the following:

- (A) The possession or discharge of any firearm by a peace officer or military personnel in the scope of his or her official duties;
- (B) The possession of a firearm by a person within his or her home or place of business;
- (C) The discharge of a firearm in the lawful defense of a person or property;
- (D) The carrying of a pistol by a person whom a permit has been issued pursuant to M.S. §§ 624.711 through 624.717, as they may be amended from time to time; or

(E) The discharge of a firearm at a shooting range or facility approved by the Chief of Police.
(Prior Code, § 502.04)

§ 133.05 MINORS.

No minor under the age of 14 years shall handle or have in his or her possession or under his or her control any firearm except when accompanied by or under the immediate charge of his or her parent or guardian.
(Prior Code, § 502.05) Penalty, see § 10.99

§ 133.06 ASSAULT WEAPON.

No person shall own, keep, carry or have in his or her possession any assault weapon.
(Prior Code, § 502.06) Penalty, see § 10.99

§ 133.07 DISCHARGE OF BOW AND ARROWS PROHIBITED.

(A) No person shall discharge any bow and arrow, to include any long bow, short bow, cross bow or similar device within the city unless solely upon premises owned by the person or unless permitted by this code of ordinances.

(B) Hunting within the city with any device is prohibited, unless it is specifically permitted pursuant to §§ 132.01 through 132.04.
(Prior Code, § 502.07) (Ord. 02-11, passed 10-3-2011)