

CHAPTER XX

MISDEMEANORS

Section 2000 - General Provisions

2000.01. Criminal code adopted. Minnesota Statutes, chapter 609, the Criminal Code of 1963, is adopted by reference. A violation of the statutes herein adopted is a violation of this code and is a misdemeanor or, if so designated in those statutes, a gross misdemeanor or a petty misdemeanor.

2000.03. State prohibited drug law adopted. Minnesota Statutes, chapter 152 relating to prohibited drugs and drug paraphernalia is adopted by reference. A violation of the statutes herein adopted is a violation of this code and is a misdemeanor or if so designated in those statutes, a gross misdemeanor or a petty misdemeanor.

2000.05. State obscenity laws adopted. Minnesota Statutes, sections 617.23 to 617.299 relating to obscenity are adopted by reference. A violation of the statutes herein adopted is a violation of this code and is a misdemeanor or if so designated in those statutes, a gross misdemeanor, or a petty misdemeanor.

Section 2005 - Miscellaneous provisions

2005.01. Indecent swimming or bathing. It is unlawful for a person to swim or bathe in any creek, stream or pond within the limits of the city without being clad in swimming apparel.

2005.03. Cruelty to animals and birds. A person who inhumanely, unnecessarily, cruelly or wantonly beats, injures or otherwise abuses any animal or bird within the city is guilty of a misdemeanor.

2005.05. Public possession and consumption of alcoholic beverages. It is unlawful, except as permitted in this code, for person to consume intoxicating liquor or nonintoxicating malt liquor as defined by chapter XII, while (i) on a public street in a public park or other public place, or (ii) on any private property without the consent of the owner of such property, or (iii) while in a vehicle upon a public street. The term "park" includes public parking areas located within or immediately adjacent to a park.

2005.07. Aid to law enforcement officials: identification. It is unlawful for a person to provide a police officer with inaccurate information as to that person's identity and place of residence when requested to do so.

2005.09. False Registration. It is unlawful for a person to falsely register or willfully obtain or permit false registration of any other person at a tourist camp, cabin camp, hotel, rooming house or other place furnishing sleeping or overnight stopping accommodations for transient guests.

2005.11. Lurking. It is unlawful for a person in a public or private place, to lurk, lie in wait or be concealed with intent to do mischief or to commit a crime or an unlawful act.

Section 2010 - Public property

2010.01. Defacement of buildings. No person may mark with ink, paint, chalk or other substance, or post handbills on, or in any other manner deface or injure any school building or structure or any municipal building or structure, or mark, deface or injure fences, trees, lawns or fixtures appurtenant to or located on the site of such buildings or structures or post handbills on such fences, trees or fixtures or place a sign anywhere on any such site.

2010.03. Breach of peace on school grounds or municipal property. Whoever does any of the following on any school ground or school property or on any municipal grounds or municipal property 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 a misdemeanor:

(a) engages in brawling or fighting; or

(b) disturbs an assembly, meeting, school activity or class, not unlawful in its character; or

(c) engages in offensive, obscene or abusive language or in boisterous and noisy conduct tending reasonably to arouse alarm, anger or resentment in others.

2010.05. Trespassing on school property. No person not in immediate attendance at the school and being in a school building or upon school premises may trespass in or upon any such school property by remaining on said premises after being ordered to leave said premises by a school official. No person, having been ordered by a school official to leave a public school and having left such premises, shall re-enter said public school without the written permission of the school principal or the school official who gave the order to leave the public school: the term "school official" means the principal, assistant principal, or any school teacher.

Section 2015 - Curfew Regulations

2015.01. Minor defined. For purposes of this section the term "minor" means a person under the age of 17 years.

2015.03. Curfew provisions. Subdivision 1. General rule. A minor may not loiter or idle in or upon the public streets, highways, roads, alleys, parks, playgrounds or other public grounds, public places and public buildings, places of amusement, entertainment or refreshment, vacant lots or other unsupervised places between the hours of 10:00 p.m. and 5:00 a.m., of the following day.

Subd. 2. Parent or guardian responsibility. A parent, guardian or other adult person having the care and custody of a minor may not permit a minor to loiter or idle in or upon the public streets, highways, roads, alleys, parks, playgrounds or other public grounds, public places and buildings, places of amusement, entertainment or refreshment, vacant lots or other unsupervised places between the hours of 10:00 p.m. and 5:00 a.m. of the following day.

2015.05. Providing service for minor: loitering. A person operating or in charge of any place of amusement, entertainment or refreshment, or other place of business, may not permit a minor to loiter in such place during the hours prohibited by this section. If a minor continues to loiter or idle in such places of business in violation of this section after the operator or other person in charge of the place of business has ordered the minor to leave, the person in charge shall call the public safety department forthwith and inform them of the violation.

2015.07. Authority to arrest. A police officer may arrest, with or without warrant, any person or persons violating the provisions of this section. A minor unaccompanied by parent, guardian or other adult person having the care and custody of the minor shall appear in court for violation of this section.

2015.09. Penalties. Subdivision 1. Parent responsibility. Parents, guardians or other adult persons having the care and custody of a minor who has violated the provisions of this section may, upon conviction, be fined not more than \$25 and, in default of payment thereof, may be imprisoned for not more than 15 days.

Subd. 2. Juvenile law. A minor violating the provisions of this section shall be dealt with in accordance with juvenile court law and procedure.

Subd. 3. Penalty. A person operating or in charge of any places of amusement, entertainment or refreshment, who violates the provisions of this section, may, upon conviction, be fined not more than \$50 and in default of payment thereof, may be imprisoned for not more than 30 days.

2015.11. Application: exception. This section does not apply when the minor is accompanied by the minor's parent, guardian or other adult person having the care and custody of the minor or when the minor is upon some necessary errand by permission or direction of the minor's parent, guardian or other adult person having the care and custody of the minor.

Section 2020 - Nudity in certain establishments

2020.01. Nudity in certain establishments. Subdivision 1. Definitions. For purposes of this section the terms defined in this subsection have the meanings given them.

Subd. 2. "Nudity" means the showing of the post-pubertal human male or female genitals, pubic area or buttocks with less than a fully opaque covering, or the showing of a post-pubertal female breast with less than a fully opaque covering of any portion thereof below the top of the nipple or the showing of covered male genitals in a discernibly turgid state.

Subd. 3. "Sadomasochistic abuse" means scenes involving a person or persons, any of whom are nude, clad in undergarments or in sexually revealing costumes, and who are engaged in activities involving the flagellation, torture, fettering, binding or other physical restraint of any such persons.

Subd. 4. "Sexual conduct" means acts of masturbation, homosexuality, sexual intercourse, or physical contact with a person's unclothed genitals, pubic area, buttocks or, if such person is a female, her breast.

Subd. 5. "Sexual excitement" means the condition of the human male or female genitals or the breasts of the female when in a state of sexual stimulation or the sensual experience of humans engaging in or witnessing sexual conduct or nudity.

Subd. 6. Prohibition. It is unlawful for the licensee, owner or manager of an adult establishment as defined in section 1196 of this code or any establishment licensed pursuant to this code to permit or allow in such establishment any nudity, sadomasochistic abuse, sexual conduct or sexual excitement as defined in this section, or for any person to participate or engage in such conduct. Violation of this subsection is grounds for the revocation of any license issued pursuant to this code (Amended, Bill No. 1995-5, Sec. 2)

2020.03. Public display to minors. Subdivision 1. Definitions. As used in this section, the terms defined have the meanings given them.

Subd. 2. "Description or depiction of illicit sex or immorality" means:

- (a) genitals in a state of sexual stimulation or arousal;
- (b) acts of human masturbation, sexual intercourse or sodomy;
- (c) fondling or other erotic touching of human genitals, pubic region, buttocks or female breast.

Subd. 3. "Nude or partially denuded figures" means:

(a) less than completely and opaquely covered human genitals, pubic areas, buttocks, and female breast below a point immediately above the top of the areola;

(b) human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Subd. 4. "Knowingly" means having knowledge of the character and content of the publication or failure on notice to exercise reasonable inspection which would disclose the content and character of the same.

Subd. 5. Display prohibited. No person may knowingly display to public view at any business establishment frequented by minors under the age of 18 years or where minors are or may be invited as a part of the general public, any motion picture, or any still picture, or any photograph, or any book, pocketbook, pamphlet or magazine the cover or content of which, exploits, is devoted to, or is principally made up of sexual immorality or which is lewd, lascivious, or indecent, or which consists of pictures of nude or partially denuded figures posed or presented in a manner to provoke or arouse lust or passion or exploit sex, lust or perversion for commercial gain or any article or instrument of indecent or immoral use.

Section 2025 - Skateboards and Roller Skates
(Section Added, Bill No. 1990-5)

2025.01. Skateboards and Roller Skates. Subdivision 1. Findings. The city finds and determines that it is desirable and in the public interest to regulate and control the use of skateboards and roller skates and to prohibit their use entirely on certain public and private property within the city.

2025.03 Subdivision 1. Definitions. For the purposes of this section the terms defined in this subsection have the meanings given them.

Subd. 2. "Skateboard" means a device for riding upon, usually while standing, consisting of a piece of wood or other composition mounted on skate wheels.

Subd. 3. "Roller skate" means a form of skate having small wheels or rollers instead of a runner. The term shall also include devices commonly known as roller blades and roller skis.

Subd. 4. "Operate" means to ride on or upon or to control the operation of a skateboard or roller skates.

2025.05. Subdivision 1. Prohibitions and Regulations. No person shall operate a skateboard or roller skates under the circumstances set forth in the following subdivisions.

Subd. 2. On the private property of another without the express permission of the owner or occupant of such property.

Subd. 3. On private property upon which signs have been posted prohibiting the operation of skateboards or roller skates.

Subd. 4. On all public tennis courts within the city and on all sidewalk areas adjacent to the municipal pool, ice arena, community center and Woodlake Nature Center.

Subd. 5. On all public areas where signs have been posted pursuant to council resolution prohibiting the operation of skateboards or roller skates.

Subd. 6. On any state highway located within the city.

Subd. 7. In a careless, reckless or negligent manner so as to be likely to endanger the safety of any person or the property of any other person.

Subd. 8. To fail to yield the right of way to pedestrians upon emerging from any alley, driveway or building, upon approaching any sidewalk or sidewalk area extending across any alleyway.

Subd. 9. To fail to yield the right of way to any vehicle upon entering upon any roadway.

Subd. 10. To attach the skateboard or roller skates or the person of the operator to any vehicle upon a roadway.

2025.07. Subdivision 1. Penalty. Any person who shall operate a skateboard or roller skates in violation of the provisions of this section shall be guilty of a petty misdemeanor. Any person who aids or abets the commission of the prohibited act described in Subsection 2025.05, Subd. 10 is guilty of a misdemeanor.

Subd. 2. Impoundment. Any police officer who observes any violation of this section is authorized to impound the skateboard or roller skates and to hold the same at the Department of Public Safety, the skateboard or roller skates will be immediately released to the parent or legal guardian of an operator under the age of 18 years, and shall be released to any operator 18 years of age or older following the expiration of a 24-hour impoundment period.