

Chapter 14

OFFENSES AND MISCELLANEOUS PROVISIONS*

ARTICLE I. IN GENERAL2
 Sec. 14-1. Use, discharge of weapons.....2
 Sec. 14-2. Curfew for minors.....2
ARTICLE II. FALSE ALARMS AND UNAUTHORIZED BURNS2
 Sec. 14-3. Purpose.....2
 Sec. 14-4. Definitions.....3
 Sec. 14-5. Intrusion Alarm Systems.....3
 Sec. 14-6. Fire or Emergency Medical Alarm Systems.....4
 Sec. 14-7. Unauthorized Burns.....4

***State law reference** – Crimes and offenses, M.S.A. § 609.01 et seq.

AFTON CODE

ARTICLE I. IN GENERAL

Sec. 14-1. Use, discharge of weapons.

Within the city, it shall be unlawful for any person to discharge out of doors upon the land of another, including all land owned by the City, any firearm, such firearm to include rifle, shotgun, pistol, or device capable of propelling metal pellets by air, spring, CO2, or other means, without having in his possession, written permission from the owner or tenant of such land to discharge such firearm thereon.

(Code 1982, § 707.101)

(Ord 1997-48, 1/15/02)

(Ord 04-2016, 4/19/16)

State law references—Authority to regulate discharge of firearms, M.S.A. § 471.633 and M.S.A. Hunting Restrictions and Requirements, § 97B.

Sec. 14-2. Curfew for minors.

(a) No minor under the age of 16 years shall loiter, idle or be 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; provided, however, that this section shall not apply to such minor when accompanied by his parent, guardian or other person having the care and custody of the minor or when the minor is upon some necessary errand by permission or direction of his parents, guardian or other adult person having the care and custody of the minor. Such permission shall be in writing and signed by such parent, guardian or other adult person having the care and custody of the minor.

(b) No parent, guardian or other adult person having the care and custody of a minor under the age of 16 years of age shall permit such minor to loiter, idle or be in or upon the public streets, highways, roads, alley, 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; provided however, that this that this section shall not apply to such minor when accompanied by his parent, guardian or other person having the care and custody of the minor or When the minor is upon some necessary errand by permission or direction of his parents, 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 his parents, guardian or other adult person having the care and custody of the minor.

(Code 1982, § 708)

(c) No person operating or in charge of any place of amusement, entertainment or refreshment shall permit any minor under the age of 16 years of age to remain in such place during the hours prohibited by subsection (a) of this section; provided, however, that the provisions of this that this section shall not apply to such minor when accompanied by his parent, guardian or other person having the care and custody of the minor or when the minor is upon some necessary errand by permission or direction of his parents, guardian or other adult person having the care and custody of the minor.

(Code 1982, § 708)

ARTICLE II. FALSE ALARMS AND UNAUTHORIZED BURNS

Sec. 14-3. Purpose.

The purpose of this ordinance is to encourage security, fire or medical alarm users and alarm businesses (including, but not limited to, sales, installation, and/or monitoring) to maintain the operational reliability and the proper use of alarm systems so as to limit unnecessary police, fire and emergency medical responses to false alarms and alarm malfunctions.

This ordinance governs burglary, robbery, intrusion, fire, and medical emergency false alarms, provides for service fees for excessive false alarms, and unauthorized burns, and provides for assessing such service fees to the property taxes in lieu of issuance of citations.

OFFENSES AND MISCELLANEOUS PROVISIONS

Sec. 14-4. Definitions.

Alarm Site: A single premise or location, or a multi-tenant location, served by an alarm system or systems.

Alarm System: Any mechanical, electrical, or radio controlled device or system which is designed to emit, transmit or relay a signal or message and which, when activated, is intended to summon, or that would reasonably be expected to summon, police, fire or emergency medical services. Alarm systems does not include:

- (1) An alarm installed on a vehicle, unless the vehicle is permanently located at a site, or;
- (2) An alarm designed to alert only the inhabitants of a premise, and which does not constitute a local alarm.

False Alarm: The activation of an alarm system signal or message which elicits notification to and or response by the Washington County Sheriff's Office and/or Lower St. Croix Valley Fire District when there is no evidence of a crime, fire, medical emergency or other activity which warrants a call for immediate police, fire fighting or emergency medical assistance. This may include, but is not limited to, an alarm discovered by a police or firefighter before notification of an alarm from a monitor or from a local alarm system that is not monitored and unauthorized burns.

Fire or Emergency Medical Alarm: A system or portion of a combination system consisting of components and circuits arranged to monitor and annunciate the status of fire or medical emergency or supervisory signal initiating devices which are intended to summon fire or emergency medical services of the Washington County Sheriff's Office and/or Lower St. Croix Valley Fire District.

Intrusion Alarm: A robbery, burglary, panic or other alarm intended to summon the police, which is designed either to be initiated purposely by a person or by an alarm system that responds to a stimulus characteristic of unauthorized intrusion.

Local Alarm: An alarm system that emits a signal at an alarm site that is audible or visible from the exterior of the structure.

Recreational Fire: A fire that is less than three feet high and three feet wide and burning logs not less than three inches in diameter. A recreational fire is not intended for disposal of brush. Recreational fires do not require a permit.

Unauthorized Burn: Burning in excess of a recreational fire without a permit.

Warning Notice: A notification to the owner or person in charge of an alarm site by the Washington County Sheriff's Office and/or Lower St. Croix Valley Fire District for false alarms due to system malfunction or when no reason can be determined for the false alarm. The warning notice will require that the alarm system be inspected and or serviced within five working days with written documentation submitted to the Sheriff's Office and/or Lower St. Croix Valley Fire District that the system is in working order.

Sec. 14-5. Intrusion Alarm Systems.

(a) Each time the Washington County Sheriff's Office responds to a false intrusion alarm due to system malfunction or when no reason can be determined for such false alarm, the Washington County Sheriff's Office shall issue a false alarm warning notice.

(b) A service fee for excessive false intrusion alarms shall be charged as follows:

- (1) No service fee shall be charged for the first three alarms occurring within a twelve month period, calculated from the date of the first such alarm.
- (2) Each false alarm in excess of three and up to and including six within a twelve month shall result in a service fee of \$50.00 per false alarm.
- (3) Each false alarm in excess of six within a twelve month period shall result in a service fee of \$100.00 per false alarm.

(c) No service fee shall be assessed if the false alarm is:

AFTON CODE

- (1) Caused by an electrical storm, tornado, or other act of God where there is clear evidence of physical damage to the alarm system.
- (2) Caused by the intermittent disruption of telephone circuits beyond the control of the alarm site owner.
- (3) Caused by electrical power disruption or failure in excess of two hours beyond the control of the alarm site owner.
- (4) At a location where the Washington County Sheriff's Office has installed the Varda or other similar alarms.

(d) All false alarm service fees are due and payable within thirty days from the date of invoice. In the event that false alarm service fees are not paid as required by this ordinance, the fees will be assessed to the property taxes.

(e) A person commits an offense in violation of this ordinance if such person suffers or permits false alarms in excess of three within a twelve month period, with each subsequent false alarm constituting a separate violation.

Sec. 14-6. Fire or Emergency Medical Alarm Systems.

(a) Each time the Lower St. Croix Valley Fire District responds to a false alarm due to system malfunction or when no reason can be determined for such false alarm, the Lower St. Croix Valley Fire District shall issue a warning notice.

(b) A service fee for excessive false alarms shall be charged as follows:

- (1) No service fee shall be charged for the first three false alarms occurring within a twelve month period, calculated from the date of the first such alarm.
- (2) Each false alarm in excess of three and up to and including six within a twelve month period shall result in a service fee of \$50.00 per false alarm.
- (3) Each false alarm in excess of six within a twelve month period shall result in a service fee of \$100.00 per false alarm.

(c) No service fee shall be assessed if the false alarm is:

- (1) Caused by an electrical storm, tornado or other act of God where there is clear evidence of physical damage to the alarm system.
- (2) Caused by the intermittent disruption of telephone circuits beyond the control of the alarm site owner.
- (3) Caused by electrical power disruption or failure in excess of two hours beyond the control of the alarm site owner.

(d) All false alarm service fees are due and payable within thirty days from the date of invoice. In the event that false alarm service fees are not paid as required by this ordinance, the fees will be assessed to the property taxes.

(e) A person commits an offense in violation of this ordinance if such person suffers or permits false alarms in excess of three within a twelve month period, with each subsequent false alarm constituting a separate violation.

Sec. 14-7. Unauthorized Burns.

(a) Each time the Lower St. Croix Valley Fire Protection District responds to an unauthorized burn, the District shall charge the person(s) conducting the unauthorized burn a service fee.

(b) The amount of the service fee for unauthorized burns shall be set annually by the District in adopting its fee schedule.

(c) All unauthorized burn service fees are due and payable within thirty days from the date of invoice. In the event that the unauthorized burn service fee is not paid as required by this ordinance, the fees will be assessed to the property taxes.

(Ord. 1997-11, 8/18/98)