

**Sec. 7—Vicious Dogs.** No person owning or keeping any vicious dog shall allow the same at large except while securely muzzled.

#### ARTICLE XXI Misdemeanors

**Sec. 1—Penalty.** The doing of any of the acts or things prohibited or the failing to do any of the things or acts commanded to be done in this article is declared to be an offense against the good order, public peace, morals, health, welfare and proper government of this village and unlawful, and any person violating any of the provisions of this article shall be guilty of a misdemeanor.

#### OFFENSES AGAINST PUBLIC JUSTICE

**Sec. 2—Rescuing Prisoners.** No person shall by force or fraud, rescue or aid in escape from lawful custody, or from an officer or person having him in lawful custody, a prisoner held upon a charge, arrest, commitment, conviction, or sentence for violation of a village ordinance nor conceal such person after his escape.

**Sec. 3—Escape From Jail.** No prisoner shall escape from custody nor depart from the village jail without permission or fail to return in accordance with his permission.

**Sec. 4—Refusing to Execute Judicial Orders.** No person, after having been lawfully commanded by any magistrate to arrest another person for violation of a village ordinance, or to aid an officer in arresting any person or in retaking any person who has escaped from lawful custody or in executing any legal process, shall wilfully neglect or refuse to do so.

**Sec. 5—Obstructing An Officer.** No person shall in any case or under any circumstances not otherwise specially provided for wilfully resist, delay, or obstruct a village officer in discharging or attempting to discharge a duty of his office.

**Sec. 6—Threatening An Officer.** No person shall directly or indirectly address any threat or intimidation to a village officer, or to any appraiser or assessor, or to any other person authorized by law to hear or determine any controversy or matter, with intent to induce him, contrary to his duty, to do or make, or to omit or delay any act, decision or determination.

**Sec. 7—Conspiracy Against Justice.** Whenever two or more persons shall conspire to commit any act injurious to the public health, public morals, trade or commerce, or for the perversion or obstruction of public justice or the due administration of the laws in this village every such person shall be guilty of a misdemeanor whether said act is committed or not.

**Sec. 8—Compromising Offenses.** No person who has made a legal complaint against any other person before the village justice of the peace for the violation of an ordinance shall settle or compromise the same at any

time after said complaint is filed, and before the trial of such case without permission from the said judge.

**Sec. 9—Impersonating An Officer.** No person not an officer shall exercise or assume to exercise any of the powers conferred upon a peace officer nor falsely represent himself to be such an officer, or to possess the power and authority thereof.

#### OFFENSES AGAINST THE PUBLIC PEACE

**Sec. 10—Disturbing Peace.** No person without authority of law, shall wilfully disturb any assembly or meeting not unlawful in its character, nor shall wilfully use profane, offensive or indecent language, nor engage in any quarrel in any public place.

**Sec. 11—Unlawful Assemblage.** Whenever three or more persons shall assemble with intent— . . . . .

- (1)—To commit any unlawful act by force;
- (2)—To carry out any purposes in such a manner as to disturb the public peace; or
- (3)—Being assembled, shall attempt or threaten any act tending toward a breach of the peace or injury to persons or property, or any unlawful act—

such an assembly is unlawful, and every person participating therein by his presence, aid or instigation shall be guilty of a misdemeanor.

**Sec. 12—Refusing to Disperse.** No person shall remain present at the place of an unlawful assembly, after having been warned to disperse by a magistrate or village officer, unless, as a village officer or at the request of any such officer, he shall assist him in dispersing the same, or in protecting persons or property or in arresting offenders.

**Sec. 13—Aiming Weapons Toward Human Beings.** No person shall aim any firearm, whether loaded or not, at or towards any human being, nor wilfully discharge any firearm, air gun, or other weapon, or throw any deadly missile, in a public place, or in any place where there is any person to be endangered, although no injury actually results.

**Sec. 14—Minors Not to Use Firearms.** No minor under the age of fourteen years shall handle, or have in his possession or under his control except while accompanied by or under the immediate charge of his parent or guardian any firearms of any kind for hunting or target practice or any other purpose. No person shall aid or knowingly permit any minor to violate this section.

**Sec. 15—Certain Fireworks Prohibited.** No person shall sell, possess or use the following types of "fireworks": toy guns, toy cannons, detonation canes, blank cartridges, firecrackers, exceeding three inches in length or ½ inch in diameter, firecrackers of any size containing explosives more powerful than black powder, torpedoes, exceeding ¾ inch

in diameter, and any substance consisting of chlorate of potash and sulphur, or containing picric acid or picrates or any device for discharging or exploding such substance.

**Sec. 16—Use of Fireworks.** No person shall place any explosive substance upon the tracks of any railroad; nor set off any fireworks within the fire limits, nor within three hundred yards of a hospital, school or other public building or between the hours of midnight and six A. M. or on any day of the year other than July 4th, except when such day falls on Sunday, then upon the following day; nor set off any fireworks of any kind in any street or public park or within 500 feet of any stand or store where fireworks or other explosives are kept or sold, or in or near inflammable materials or within 500 feet of any place where dangerous liquids are stored or dispensed; nor throw lighted firecrackers into any street or into any vehicle proceeding along any street, or near any animal or at or near any person so as to surprise or frighten such animal or person.

**Sec. 17—Sales to Minors.** No person shall sell or offer for sale, or give away any firecrackers of any character whatever to minor persons under the age of ten (10) years.

**Sec. 18—Provoking Assault.** No person shall use in reference to and in the presence of another, or in reference to or in the presence of any member of the family of another, abusive or obscene language, intended, or naturally tending to provoke an assault or any breach of the peace.

**Sec. 19—Assault.** No person shall strike or attempt to strike, nor in any unlawful manner offer to do or do any bodily harm to another person; nor unlawfully make an attempt to apply any degree of force or violence to the person of another; nor in a violent, rude, angry or insolent manner touch or lay hands upon the person of another.

#### OFFENSES AGAINST PUBLIC HEALTH AND SAFETY

**Sec. 20—Itinerant Carnivals.** Itinerant carnivals are hereby declared to be a public nuisance and are prohibited. No person shall participate in allowing or conducting any itinerant carnival.

**Sec. 21—Obstructing Health Officers.** No person shall oppose or obstruct a member of the village board of health or any health officer or physician charged with the enforcement of health laws, in performing any legal duty; nor obstruct or hinder the entry of such health officers upon premises or into buildings or other places where contagion, infection, filth or other source or cause of preventable disease exists or is reasonably suspected.

**Sec. 22—Adulteration.** No person with intent that the same be sold as unadulterated or undiluted, shall adulterate or dilute milk, or any drugs medicine, food or drink for man or

beast, nor offer for sale or sell the same as unadulterated or undiluted, or without informing the purchaser that the same has been adulterated or diluted; nor manufacture, sell, or offer for sale, as such article of food or drink, any substance in imitation thereof, without disclosing the imitation by a suitable and plainly visible mark or brand: nor with intent that the same may be used as food, drink, or medicine, shall sell, or offer for sale, any article whatsoever which to his knowledge has become spoiled, tainted, or for any cause unfit to be used as food, drink or medicine.

**Sec. 23—Setting Fire.** No person shall negligently or wilfully set on fire, or cause to be set on fire, any combustible material whether on his own land or not, by means whereof the property of another shall be endangered nor negligently or wilfully suffer any fire upon his own lands to extend beyond the limits thereof.

**Sec. 24—Railroad Warning Signals.** No engineer in charge of a locomotive shall fail to ring the bell or sound the whistle upon such locomotive, or cause the same to be rung or sounded, at least eighty rods in advance of any place where such railway crosses a traveled road or street on the same level, nor to continue the ringing of such bell or sounding of such whistle at intervals until such locomotive and the train thereto attached shall have completed crossing such road or street.

**Sec. 25—Expectorating.** No person shall expectorate in or on any public building, or public conveyance, or upon any sidewalk abutting on any public street.

**Sec. 26—Speed of Trains.** No person shall operate or permit to be operated across any grade crossing, within the village, any railroad engine or train at a speed of more than twenty-five miles per hour.

#### **OFFENSES AGAINST MORALITY, DECENCY, ETC.**

**Sec. 27—Minors Using Tobacco.** No person under the age of eighteen years, and no minor pupil in any school, shall smoke or use cigarettes, cigars, or tobacco in any form; and no person shall furnish any tobacco in any form to any such minor person, or shall permit any such minor person to frequent any premises owned, held, or managed by him, for the purpose of indulging in the use of tobacco in any form.

**Sec. 28—Indecent Exposure.** No person shall wilfully and lewdly expose his person, or the private parts thereof, in any public place, or in any place where others are present, or shall procure another to so expose himself; and every person who shall be guilty of any open or gross lewdness or lascivious behavior, or any public indecency, whether hereinbefore specified or not, shall be guilty of a misdemeanor.

**Sec. 29—Lottery Tickets.** No person shall sell, give or in any way what-

ever furnish or transfer to or for another a ticket, chance, share, or interest, advertise or publish an account of a lottery, stating how, when, or where the same is to be or has been drawn or what are the prizes therein, or the price of a ticket, or any share of interest therein, or where or how it may be obtained.

**Sec. 30—Lotteries.** No person shall offer for sale or distribution real or personal property in any way, to be determined by lot or chance dependent upon the drawing of a lottery; nor shall set up, or keep a place for registering the numbers of the tickets in a lottery or for making bets, for drawing or results of such lottery; nor shall publish any account of setting up, or keeping of such an office or place; nor shall let or permit to be used any building or portion thereof owned or controlled by him knowing that it is intended to be used for any of the purposes specified in this section.

**Sec. 31—Gambling.** No person shall bet any money or other property at or upon a gaming table, game, or device.

**Sec. 32—Allowing Premises to Be Used for Gambling.** No person shall permit any gambling device to be set up or used for the purpose of gambling in any premises owned, occupied, or controlled by him.

**Sec. 33—Disorderly Houses.** No person shall open, keep, maintain, frequent or inhabit any disorderly or immoral house.

**Sec. 34—Co-Habitation.** Every man and woman not married to each other, who shall abide and co-habit with each other shall be guilty of a misdemeanor.

**Sec. 35—Obscene Literature.** No person shall bring or cause to be brought into this village nor shall buy, sell or cause to be bought or sold, or advertise, give away, offer, show, exhibit, post up, distribute, design, copy, draw, photograph, print, etch, engrave, cut, carve, make, publish or otherwise prepare or assist in preparing or receive subscriptions for any indecent or obscene picture, book, pamphlet, or magazine.

**Sec. 36—Immoral Shows.** No person shall produce, give, take part in producing or giving any immoral show or exhibition, nor permit the same to be done.

#### **OFFENSES AGAINST PRIVATE PROPERTY**

**Sec. 37—Indecent Exposure of Animals.** No person shall publicly exhibit or exercise or let to any animal of the opposite sex, any stallion, jackass, bull, boar, ram, or billygoat.

**Sec. 38—Malicious Mischief.** No person, not being the owner thereof, without lawful authority, shall wilfully injure, disfigure, remove or destroy a useful or ornamental improvement, shade trees or ornamental plant, nor wilfully mar or deface any building or signboard or other property not his own.

**Sec. 39—No Smoking Signs.** No person shall light a pipe, cigar, or cigarette in, nor enter with a lighted pipe, cigar, or cigarette any mill or other building on which is posted in a conspicuous place, over or near the entrance a notice, in plain, legible characters stating that no smoking is allowed in such building; and no person shall deface, destroy, or remove any such notice.

**Sec. 40—Posting Bills.** No person shall put up any hand bills, advertisements, posters, show bills, or other signs on any property without permission from the owner thereof.

**Sec. 41—Joy Riding.** No person shall take and use any horse or other domestic animal or any automobile or other vehicle or conveyance or other personal property belonging to another with intent to deprive the owner of the property of the temporary use thereof, without the owner's knowledge, even though without the intent to steal or convert the same permanently, to his own use.

#### **OFFENSES AFFECTING PUBLIC PROPERTY**

**Sec. 42—Damaging Public Property.** No person shall wilfully or maliciously displace, remove, injure or destroy—

- (1)—A highway, or private way laid out by authority of law, or a bridge upon such public or private way;
- (2)—A tree, rock, post, or other monument which has been erected or marked for the purpose of designating a point in any boundary or any mark or inscription thereon;
- (3)—A mileboard, milestone, or guidepost erected upon a highway, or any inscription thereon;
- (4)—A line of telegraph or telephone or electric light, heat and power or any part thereof, or any appurtenance or apparatus connected therewith.

**Sec. 43—False Alarms—Refusal to Aid.** No person shall give or make or cause to give or make an alarm of fire without probable cause; nor neglect or refuse to obey any reasonable order of the chief at a fire.

**Sec. 44—Barb Wire Fence.** No person shall place or maintain any barb wire or other sharp points on any railing, or post in or adjacent to any of the sidewalks of this village.

**Sec. 45—Barriers and Guards.** No person who shall have charge of the construction of any excavation or obstruction adjacent to or under any sidewalk or street, shall fail during the progress of such work, to cause such excavation to be securely guarded by a fence with at least two strings of good six inch boards nailed not less than eighteen inches apart to posts securely fixed in place. Such posts shall be not more than six feet apart and the top of the highest post shall be not less than four feet and a half from the surface of the sidewalk or street, and from one-half hour after sunset to one-half hour before

sunrise such excavation or obstruction shall be illuminated with red lights sufficient in number and so placed as to show the full extent thereof.

**Sec. 46—Removing Barricades.** No person shall remove, throw down, run over, or interfere with any barricades nor walk upon, drive or ride over or across any street or sidewalk construction which has not been opened for travel.

**Sec. 47—Glass, Tacks, Nails in Street.** No person shall place, throw, or cause to be placed or thrown on any street, alley, sidewalk, or other public property in this village, any glass, tacks, nails, bottles, or other substances or things that might wound any person or animal, or cut or puncture any pneumatic tire.

**Sec. 48—Hauling Manure, Dirt, Etc.** No person shall haul over the streets any loose material of any kind except in a vehicle having a tight box so constructed as to prevent the splashing or spilling of any of the substances therein contained upon said street.

**Sec. 49—Hedge Fences—Height.** No person owning or controlling any hedge fence bordering on any street or sidewalk in this village shall permit the same to grow to a height of more than six feet.

**Sec. 50—Obstructing Highways.** No person shall leave or allow to be left any merchandise or other obstruction on any of the sidewalks or other public ways of this village longer than is necessary for loading or unloading the same.

**Sec. 51—Sidewalks—Obstructions on Surface.** No owner of any property having a public sidewalk adjacent thereto, shall permit any plank, brick, stone or segment of said sidewalk to be raised above the established level of said sidewalk more than one-half inch, in any manner which might catch the foot of a pedestrian; nor permit any holes or depressions to occur in the sidewalk in which a pedestrian might step or catch his foot in a manner liable to cause injury.

**Sec. 52—Public Property—Defacing or Injuring.** No person shall cut, carve, mark, etch, or engrave any character, figure, letter, or name upon any building or structure owned, occupied or used by the village, nor in any manner mar, deface or injure any tree, shrub, plant, vine, or any public property in any part or in, on, or around the grounds upon which a public building is situated.

**Sec. 53—Public Property: Molesting Sewers and Culverts.** No person shall wilfully injure or destroy or attempt to injure or destroy any public sewer or culvert, nor molest any sewer or culvert without authority to do so.

**Sec. 54—Public Property—Withholding Possession.** No person shall take possession of any property, real or personal, belonging to this vil-

lage or to the possession of which said village shall be entitled, nor commit any trespass thereon, nor unlawfully withhold the property from the village.

**Sec. 55—Sidewalks—Earth Washing Thereon.** Whenever any lot or piece of land abutting on any sidewalk in this village shall become or remain in such a condition that earth or other substances therefrom shall accumulate on such sidewalk, the owner of such lot or piece of land shall not refuse or neglect to place the same in such a condition as to prevent such washing or accumulating on such sidewalk.

**Sec. 56—Removing Planks.** No person shall loosen or remove any planks, brick, block, or support from any sidewalk or cross-walk or any curbing or gutter. Provided, this section shall not apply to persons making repairs on any such sidewalks, gutter, curb or cross-walk, or any person temporarily removing the same on account of building operations, if such person restores said structure to its original condition.

**Sec. 57—Signs.** No person shall erect any sign or other structure for advertising or other purposes across or upon any street or sidewalk unless the same is eight feet or more above the sidewalk or street and does not extend more than four feet from the building. Provided further that no sign larger than three feet by three feet in size shall be constructed without the permission of the council first having been secured. Signs upon streets or sidewalks are prohibited.

**Sec. 58—Awnings.** No person shall construct or install or maintain any awning which is supported in whole or part by posts or other supports set into the sidewalk, street or parking.

**Sec. 59—Throwing in Street.** No person shall throw or bat any ball, stone or other hard substance into, on or across any street, or alley or in any public place or at or against any building or vehicle or at or toward any person.

#### MISCELLANEOUS OFFENSES

**Sec. 60—Cruelty to Animals.** No person shall—

- (1)—Overdrive, unjustifiably overload, torture, cruelly beat, neglect, or injure, maim, mutilate, or kill any animal, or cruelly work the same when unfit for labor, whether belonging to himself or another;
- (2)—Deprive of necessary food, water, or shelter any animal of which he has charge or control;
- (3)—Keep animals in any inclosure without wholesome exercise and change of air;
- (4)—Feed cows on food which produce impure and unwholesome milk;
- (5)—Abandon any animal to die in any public place;

(6)—Allow any disabled animal to lie in a public place for more than three hours after notice; or

(7)—Wilfully set on foot, instigate or in any way further any act of cruelty to animals, or any act tending to produce such cruelty.

**Sec. 61—Diseased Animals.** No owner or person having charge of any animal knowing the same to have any infectious or contagious disease or to have recently been exposed thereto, shall sell or barter the same, or knowingly permit such animal to run at large or come into contact with any other animal, or with another person without the knowledge and permission of such person.

**Sec. 62—Intoxication.** No person shall become intoxicated by voluntarily drinking intoxicating liquors.

**Sec. 63—Adulterated Cigarettes.** No person shall manufacture, sell, give away, or use any cigarette containing any substance deleterious to health, other than tobacco.

**Sec. 64—False Measures.** No person shall injure or defraud another by using, with knowledge that the same is false, a false weight or measure, nor retain in his possession with intent to use it any weight or measure, knowing it to be false, nor permit it to be used, nor knowingly make or stamp false or short weights or false tare on any package or scale ticket nor knowingly sell or offer for sale any package so marked.

**Sec. 65—Desecrating Flag.** No person shall cause to be placed upon or affixed to any flag of the United States or the State of Minnesota, any inscription, design, device, symbol, name, advertisement, words, character, marks, or notice whatever, or shall publicly mutilate, trample upon, deface or defile any such flag.

**Sec. 66—Memorial Day.** No person shall desecrate "Memorial Day," the thirtieth day of May of each year, by playing games or any other sports calculated to attract attention away from the memorial character of said day, within one-half mile of the place where memorial exercises are in progress, from ten o'clock in the forenoon to three o'clock in the afternoon of said day.

**Sec. 67—Obstructing Streets By Trains.** No person shall obstruct any public road or street by leaving, placing, or keeping, any railway car upon or across the same, nor stop any engine or train of cars across any public street except for sufficient time, not exceeding five minutes, to couple or separate cars.

**Sec. 68—Vagrants.** The following persons are vagrants:

- (1)—A person who, being a habitual drunkard, abandons, neglects or refuses to aid in the support of his family.
- (2)—A person who has contracted an infectious or other disease in the practice of drunkenness or debauchery, requiring charitable aid to restore him to health.
- (3)—Every male person who lives

wholly or in part on the earnings of prostitution, or who in any public place solicits for immoral purposes.

- (4)—A common prostitute who shall be found wandering about the streets, or loitering in or about any restaurant or lodging house.
- (5)—Every female who shall be found wandering about the streets and addressing male persons for the purpose of soliciting the commission of any lewd, indecent or unlawful act, or for the purpose of enticing any male person into a house of prostitution, or assignation, bedhouse, room or other place for any unlawful purpose.
- (6)—Fortune tellers, and such other like imposters.
- (7)—A person known to be a pick-pocket, thief, burglar, "yeggman" or "confidence man" and having no visible or lawful means of support, when found loitering around any railroad depot, railroad yard, banking institution, broker's office, place of public amusement, hotel, auction room, store, shop, or crowded thoroughfare, car or omnibus, or any public gathering or assembly.
- (8)—A person engaged in practicing or attempting any trick or device to procure money or other thing of value, if such trick or device is made a public offense by the law of this state, or any person engaged in soliciting, procuring or attempting to solicit or procure money or other things of value by falsely pretending and representing himself to be blind, deaf, dumb, without arms or legs, or to be otherwise physically deficient or to be suffering from any physical defect or infirmity.
- (9)—A person wandering about and lodging in taverns, groceries, market places, sheds, stables, barns or uninhabited buildings or in the open air and not giving a good account of himself.
- (10)—Any person not blind, over sixteen years of age and who has not resided in the county for a period of six months, and not having any visible means to maintain himself, lives without employment or wanders about and begs, or goes from door to door or places himself in the streets, highways or public passages to beg or receive alms. Every vagrant shall be guilty of a misdemeanor.

## ARTICLE XXII Public Nuisances

**Sec. 1—Public Nuisance Defined.** A public nuisance is a thing, act, failure to act, occupation, or use of property which—

- (1)—Shall annoy, injure, or endanger the safety, health, comfort, or repose of any considerable number of persons; or
- (2)—Shall offend the public decency; or
- (3)—Shall unlawfully interfere with,

obstruct, or tend to obstruct or render dangerous for passage, a lake, navigable river, bay, stream, canal or basin, or public park, square, street, alley, or highway; or

- (4)—Shall in any way render any considerable number of persons insecure in life or in use of property.

**Sec. 2—Public Nuisances Affecting Health.** The following are hereby declared to be public nuisances affecting health:

- (1)—The sale or offering for sale of decayed or unwholesome food.
- (2)—The running at large of diseased animals.
- (3)—All bodies of stagnant water or vessels holding stagnant water in which mosquitoes can breed.
- (4)—Milk from cows which have not been tested and found free from tuberculosis within the year previous to the offering of such milk for sale.
- (5)—Carcasses of animals not buried or otherwise disposed of in a sanitary manner within 24 hours after death.
- (6)—Accumulating of manure or rubbish which are breeding places for flies, mosquitos or vermin.
- (7)—Privy vaults and garbage cans which are not fly-tight.
- (8)—The pollution of any public well or cistern, stream, lake, canal, or body of water by sewage, creamery, or industrial wastes or other substances.
- (9)—All noxious weeds and other rank growths of vegetation upon public or private property.
- (10)—Dense smoke, noxious fumes, gas and soot, or cinders in such quantities as to render the occupancy of the property uncomfortable to a person of ordinary sensibilities.
- (11)—Offensive trades and business as defined by statute not licensed by the village board of health as provided by law.
- (12)—All public exposure of persons having contagious diseases.
- (13)—The use of a common public drinking cup or roller towel.
- (14)—The distribution of samples of medicine or drugs unless such samples are placed in the hands of an adult person.
- (15)—All other acts, omissions of acts, occupations, and uses of property which are in fact a menace to the public health.

**Sec. 3—Public Nuisance Affecting Morals and Decency.** The following are hereby declared to be public nuisances affecting public morals and decency:

- (1)—All gambling devices, slot machines and punch boards.
- (2)—All houses kept for the purpose of prostitution or promiscuous sexual intercourse, gambling houses, houses of ill fame, and bawdy houses.
- (3)—All domestic animals in the act

of copulation exposed to public view.

- (4)—All places where intoxicating liquors are manufactured, sold, bartered or given away in violation of law or where persons are permitted to resort for the purpose of drinking intoxicating liquors as a beverage, or where intoxicating liquors are kept for sale, barter, or distribution in violation of law, and all liquors, bottles, kegs, pumps, bars, and other property kept at and used for maintaining such a place.
- (5)—Any vehicle used for immoral or illegal purpose.
- (6)—All indecent or obscene pictures, books, pamphlets, magazines and newspapers.
- (7)—The public use of profane or obscene language.
- (8)—Betting, bookmaking, prize fighting, and all apparatus used in such occupations.
- (9)—Places used for the holding of public dances unless conducted as provided by ordinance or by statute.

**Sec. 4—Public Nuisances Affecting Peace and Safety.** The following are declared to be public nuisances affecting public peace and safety:

- (1)—All snow and ice not removed from public sidewalks as provided by ordinance.
- (2)—All limbs of trees which project over a public sidewalk or street and are less than eight feet above the surface of such public sidewalk and twelve feet above the surface of such street.
- (3)—All wires which are strung less than twenty feet above the surface of the ground.
- (4)—All structures which have been damaged by fire, decay, or otherwise, and which are so situated as to endanger the safety of the public.
- (5)—All use or display of fireworks except as provided by ordinance.
- (6)—All loud or unusual noises and annoying vibrations which offend the peace and quiet of persons of ordinary sensibilities.
- (7)—Obstructions and excavations affecting the ordinary use by the public of streets, alleys and sidewalks, or public grounds except under such conditions as are provided by ordinance.
- (8)—Any use of the public streets or sidewalks which cause large crowds of people to gather, obstructing traffic and the free use of the streets or sidewalks.
- (9)—All hanging signs, awnings, and other similar structures over the streets or sidewalks, so situated or constructed as to endanger public safety.
- (10)—The allowing of rainwater, ice, or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk.
- (11)—All barbed wire fences which are located within three feet of any public sidewalk.

(12)—All dangerous, unguarded machinery, in any public place, or so situated or operated on private property as to attract the public.

(13)—Allowing any horses, mules, asses, cattles, hogs, sheep, goats, kids or domestic fowls to run at large or herding or picketing such animals on the public streets, alleys, or grounds of this village.

**Sec. 5—Penalty.** Any person, who shall knowingly cause or create any nuisance or permit any nuisance to be created or to be placed upon or to remain upon any premises owned or occupied by him shall upon conviction thereof be deemed guilty of a misdemeanor. Each day's continuance thereof may in the discretion of the court constitute a separate offense.

**ARTICLE XXIII**

**Abatement of Nuisances**

**Sec. 1—**Whenever there exists on any private property in this village a condition which is harmful or dangerous to the health, morals or safety of any considerable number of people, the said condition shall be a nuisance.

**Sec. 2—**If such a nuisance exists and the council has passed a resolution describing the said nuisance and requiring the owner or occupant of said property, or either or both of them, to take reasonable steps which shall be set out in the resolution, to abate said nuisance within a reasonable time which shall be specified in the resolution; and if such resolution has been served upon the person or persons therein required to abate the nuisance, it shall be a misdemeanor for such person or persons to fail to abate the nuisance in the manner and time specified. The resolution may be served either personally or by registered mail; and if no address either of the owner or his agent be known, service on the owner may be made by posting the said resolution on the property. When such resolution is so posted, any person defacing or removing same shall be guilty of a misdemeanor. Service may be proved by filing in the office of the village clerk an affidavit by the person making the service, setting forth the manner and the time thereof.

**Sec. 3—**If after such service of the resolution the party or parties served fail to abate the nuisance in accordance with the terms of the resolution, the council may cause such nuisance to be abated at the expense of the village and recover such expenditure plus an additional 25% of such expenditure, either by civil action against the person or persons served, or if service has been made upon the owner, by ordering the clerk to extend such sum plus 25% thereof as a special tax against the property on which the nuisance existed, and to certify the same to the county auditor for collection in the same way as other special taxes. Provided that in no event shall the village be able to recover for such abatement on any

single piece of property more than \$25.00.

**Sec. 4—**In addition to other penalties and liabilities herein specified, any person guilty of any misdemeanor described in Section 2 shall be fined not more than \$100 or imprisoned not more than ninety days, and in either case shall pay the costs of prosecution.

**Sec. 5—**This article shall take effect at once after passage and publication according to law. All conflicting ordinances or sections of ordinances are hereby repealed.

**ARTICLE XXIV**

**Sewers and Street Excavations**

**Sec. 1—Street Commission to Control.** The street commission duly appointed by the village council at the first meeting following the annual election under the direction of the council shall have control of the drainage and sewer system and of all drains or sewers now hereafter built or authorized by the village and the building, repair and maintenance there of and connections therewith.

**Sec. 2—Plans to Be Approved.** No drain shall be built, repaired, extended or connected with any public sewer or drain unless and until the plan and construction of such drain to be built, extended or connected with a public sewer, or for the repairs thereto, has been approved by the street commission, and all the provisions of this article are complied with, and a permit for such building, repair, or extension, and connection has been issued as herein provided.

**Sec. 3—Materials and Specifications.** All materials and specifications shall be in accordance with the Minnesota Plumbing Code, with these exceptions: Standard soil and pipe and fittings may be used; no fixture in buildings not two stories or less must be back-vented unless more than ten feet distant from main soil stack; no frost-proof jacket shall be required on soil or vent pipe.

**Sec. 4—Prerequisites to Issue of Permit.** No drain shall be built, repaired, extended, or connected with the public sewer, except by a person duly licensed, in accordance with the ordinances of the village, to perform such work; nor shall a permit be issued nor approved except when granted to such person. No drain shall be built, repaired, extended or connected with the public sewer nor shall a permit for any such work be issued nor approved, unless and until all assessments for sewer construction, or such installments thereof as shall be due at the time such connection is made, against the property to be drained, shall be paid.

**Sec. 5—Sewer Permits.** All application for sewer permits shall be made to the village clerk by the person employed to do the work. The applicant shall, before beginning work upon the sewer to be constructed, re-

paired, or extended, deposit with the village clerk a plan thereof, which shall show the whole course of the drain, from its connection with the sewer to its terminus within the house, with the location of all branches, traps, and fixtures, connected therewith. The applicant shall submit drawings of the sewer proposed to be constructed. If the proposed sewer, as shown in the drawings, complies with the provisions of the village plumbing code and other village ordinances, and is satisfactory to the street commission, they shall authorize the granting of the permit. The drawings shall be filed as a permanent record in office of the clerk.

The form of application for a sewer permit shall be substantially as follows: but the street commission, before approving the granting of the permit, may add such other restrictions and conditions as are in their opinion necessary to secure the construction of a satisfactory sewer in compliance with the requirements of law:

**Application for Sewer Construction and Connection Permit.**

I, ....., hereby apply for a permit to (repair) (construct) (extend) (connect) a sewer under the property at ..... owned by ..... and occupied by the following building or buildings ..... to be connected with the public sewer at the following point (describe precisely the point of connection) ..... in accordance with the plans deposited this day with the village clerk.

If the above application is granted, I agree to construct the said sewer of materials and in a manner satisfactory to the street commission and in accordance with the ordinances of the village, and to notify the street commission when the excavation and sewer pipe is laid, is open to inspection, and at such other times during the progress of construction as may be required by the street commission.

.....  
Applicant

**Sewer Construction Permit**

The plans for the above described sewer having been submitted to and approved by the street commission on the ..... day of ....., 19...., and the fee of \$..... having been paid by the above applicant to the undersigned this ..... day of ....., 19...., the permit applied for is hereby granted, subject to the specified conditions.

.....  
Clerk

After such application has been approved by the street commission, and the applicant has paid to the village clerk a fee of \$2.00, the village clerk

shall grant the permit by affixing his signature on the blank provided for that purpose.

**Sec. 6—Completion and Connection With Public Sewer.** Thereupon the person to whom the permit was granted may proceed with the construction of the sewer in accordance therewith. He shall notify the street commission of the progress of the work at such stages in the course of the construction as the street commission may direct; the street commission shall inspect the work after it is completed and before the excavations are filled in, and shall require that the work be done satisfactorily and in compliance with the law before the excavations are filled in.

**Sec. 7—Construction Requirements.** All connections with the public sewers shall be according to the specifications and provisions of the Minnesota Plumbing Code. All pipe shall be inspected by the street commission before the same is laid and be subject to their approval. After any connection has been laid from a public sewer to the street line, said pipe shall in no instance be covered until the same has been duly inspected by the village engineer and approved. The requirements of the village ordinance regulating excavations in public streets are to be strictly complied with in excavating for sewers.

**Sec. 8—Obstruction Prohibited.** No refuse or solids of any sort obstructive to the flow of waste water shall be placed, thrown, or allowed to enter any public sewer, or allowed to remain on or in any trap or catch basin so as to obstruct the sewer; and no person shall injure or break or remove any portion of any catch basin, gully grating, flush tank or manhole, or any part of any sewer, or do any act obstructing or in any way interfering with the use of any sewer or the flow of waste water through any sewer.

**Sec. 9—Rain Spouts.** No rain spout or any other form of surface drainage hereafter installed shall connect with or enter any public sewer in said village.

**Sec. 10—Inflammable Liquids.** No waste from dyeing clothes or cleaning or other establishments using naphtha, gasoline or other inflammable liquids shall enter into any public sewer.

**Sec. 11—Grease.** A grease trap and graded slop basin shall be constructed under the sink as part of any drainage system hereafter installed in every laundry, hotel, eating house, restaurant or other public cooking establishment.

**Sec. 12—Slops.** All refuse from butcher shops, rendering establishments, and packing houses must be intercepted by some form of catch basin or graded slop basin and not allowed to enter the sewer.

**Sec. 13—Inspection and Repairs.** The Village engineer or any member of the Board of Health or any representative of either of them shall have

the right to enter upon any premises, or into any building in the village, at all reasonable hours, to inspect the sewers and drains and traps and fixtures connected therewith. If it shall be found from such inspection or otherwise that the provisions of law are not being complied with in any respect, or that any part of the drainage system is in need of clearing out or repairs, the representative of the street commission, or of the Board of Health, shall serve a notice at once, or as soon as may be, upon the owner and upon the occupant, and upon the person in charge of the premises, specifying the work necessary to be done to make the sewer system comply with the law, or to put it in good workable condition. The notice shall also specify such time as is reasonable considering the amount of work to be done, and the nature of the emergency, within which the defects must be remedied. It shall thereupon become the duty of every person served with such notice to comply therewith; and if it is not complied with, the village may cause the work to be done at the expense of the person so served.

**Sec. 14—**The village council of the Village of Lambertton shall have authority to order any person, corporation, firm or partnership using the sewerage system of said village to construct septic tanks and prescribe methods for the pre-treatment of sewerage when, in the opinion of said village council, such treatment is necessary to preserve the public health, and it is hereby required that all connections with the "Storm Sewer" have septic tanks. Such septic tanks or sewerage plants shall be constructed under the rules and regulations herein provided and prescribed by said village council.

**Sec. 15—Street Excavations.** No person shall make any excavation in any street, sidewalk, or public ground without first having secured a permit therefor from the village clerk. The fee for such permit shall be \$1.00, but when a fee is paid for a sewer construction permit to connect with the village water supply, the excavation permit for the necessary digging incidental to the installation of such sewer or water pipes shall be issued without any additional fee. Every applicant must sign an agreement in substantially the following terms:

In consideration of the granting of the excavation permit this day applied for, the undersigned agrees:

- (1)—To do the work as directed by the village engineer so as to occasion the least possible inconvenience to the public, and to provide for the passage of water along the gutters.
- (2)—To leave at least one-half of the street clear for the passage of vehicles, and to provide safe bridge-ways on sidewalks for foot passengers.
- (3)—To guard any open excavation

with substantial railings constructed and placed so as to bar all entrance to the excavation, and at night by red lights which shall show the limits of the railings and excavations and also to mark the limits of piles of material by such red lights.

- (4)—To refill the excavations as soon as is reasonably possible, and replace paving, sidewalks and all appurtenances in good condition; in refilling, to lay the earth in layers not over six inches deep, and to puddle each layer thoroughly.
- (5)—To remove all rubbish and surplus earth at once.
- (6)—To indemnify and hold the village harmless from all damages or claims arising out of the excavation work or accidents caused or claimed by the injured party to have been caused by the excavation or by the failure to do the work or guard it properly.

## ARTICLE XXV

### Curb Gasoline Pumps

**Sec. 1—**The term curb pump shall include every container, pump, or other device within the boundaries of any street, sidewalk, or public way, for supplying any motor fuel to vehicles, and every hose or pipe or other device for transmitting motor fuel passing over or under, or so erected or kept that it can be swung over any street, sidewalk or public way. No curb pump shall be hereafter installed or maintained except after securing a permit from the village council.

**Sec. 2—**Applications for such permit shall be made to the village clerk. Such application shall be accompanied by plans and specifications for the tank and piping, shall state the precise location proposed for the pump and for the supply tank, capacity of the tank, and a description of the whole apparatus to be installed and shall also include an agreement by the applicant:

- (1)—To maintain such barriers and lights during the installation as will protect persons using the highway, from injury.
- (2)—To leave at least  $\frac{3}{4}$  of the width of the street and at least  $\frac{1}{2}$  of the width of the sidewalk, and as much more as possible, open for passage during the course of construction.
- (3)—To remove the pump at once on revocation of the permit, or on its expiration without renewal.
- (4)—To restore the street and sidewalk after the installation of the pump and or after its removal for any cause, to at least as good condition as immediately before such installation or removal, and
- (5)—To save the village harmless from all damages or claims of damages caused or claimed to be caused or claimed to be caused by the installation or maintenance of such pump or by any act or omission incidental to or connected with such installation or maintenance.

**Sec. 3.**—The council shall approve such application, if, in its opinion, the installation and maintenance of the pump will not unreasonably or unnecessarily obstruct any public way, if fire hazards will not be unreasonably or unnecessarily increased thereby, and if the welfare of the community will not be in any other way prejudiced.

**Sec. 4.**—When the council shall have approved the application, and the applicant have paid a fee of \$1.00 for each pump, and filed a bond in the sum of \$500 executed by a surety company authorized to do business in the state guaranteeing performance of every agreement contained in the application, the clerk shall issue the permit.

**Sec. 5.**—Such permit shall expire on the 31st day of March next following its issuance; and it shall be revokable by the council at any time for cause after hearing held on ten days' written notice to the holder of the permit, which notice shall specify the cause or causes for which the revocation is sought.

#### **ARTICLE XXVI** **Plumbers License**

**Sec. 1.—Plumbers License Required.** No person shall carry on the business of plumbing within the Village of Lambertton making any connection whatever with the water pipes, water mains, branch sewers, main sewers, drains or other service pipes of said Village or make any repairs, additions or alterations of any pipe, tap, stop cock, water closet, or any other fixture connected with or designed to be connected with the water works or sewer system of said Village, nor build or repair any cesspool, without first having obtained a license so to do in the manner prescribed herein; and no permit for doing any such work shall be issued except to a master plumber who has obtained such a license.

**Sec. 2.—Application.** Any person desiring to secure a City license for doing any of the work described in the preceding section shall make application therefor to the Council. Upon being satisfied that the applicant is qualified the Council may direct that such Village license be issued to him by the clerk upon his complying with the requirements of the following sections.

**Sec. 3.—Plumbers Bond, Fee.** Before a Village master plumbers license shall be granted to any person he shall execute and deposit with the Clerk a bond in the sum of \$1,000 executed by a surety company authorized to do business in this State. Such bond shall be drawn on a form furnished by the Village and shall be conditioned that the applicant shall in all respects well and faithfully perform all things by him undertaken in the making of connections, repairs or taps of any kind with the water mains or pipes connected with the

water works system of this Village, and shall save the said Village harmless of and from all accidents and damages consequent thereto or by reason of any opening in any street, lane or avenue made by him or by any person in his employ, for the purpose of putting down service pipes connecting with the water works of said Village, and that he will restore all streets excavated by him to good condition, and will keep and maintain the street and sidewalk in good condition to the satisfaction of the street commission. That he will pay all fines and penalties that may be imposed upon him by law.

The applicant shall also, before such license be issued, pay to the clerk a license fee of \$2.00.

**Sec. 4.—Duration of License.** Every Village license so issued shall expire on the last day of January of the year following the date thereof or it may be suspended or revoked at any time by the council on proof of any failure or neglect of the licensee to observe the rules and regulations prescribed by any ordinance or resolution passed by the Council to streets, sewers and drains, or to obey any reasonable direction given by the street commission respecting the performance of any service undertaken by such licensee in connection with said sewers and drains.

#### **ARTICLE XXVII** **Shows and Entertainments**

**Sec. 1.—License Required.** No person shall give or maintain any show or public entertainment, circus, carnival, game, or concert, to which an admission is charged, without securing a license therefor. Provided, no license shall be necessary for entertainment given by amateurs, or in which the performers do not receive any pay, or which is given for the benefit of any school, church, or benevolent institution or for any charitable purpose.

**Sec. 2.—Application.** Application for such license shall be made to the clerk and shall state the nature of the entertainment, the time and place thereof.

**Sec. 3.—Issuance.** On authorization by the Council, the clerk shall issue such license. At the time of the issuance of such a license a fee of not more than twenty-five dollars (\$25.00) or less than Twelve and One-half Dollars (\$12.50) shall be paid for motion picture shows per year and for all other shows herein shall be paid not more than Twenty-five Dollars (\$25.00) or less than Five Dollars (\$5.00) for each day, and said fees to be fixed by the Village Council.

#### **ARTICLE XXVIII** **Construction and Manner of Enforcement of Ordinances**

**Sec. 1.—General.** The definitions and provisions in this article shall apply to the construction, application,

and enforcement of every ordinance of this village, whether adopted now, heretofore, or hereafter, unless the context clearly indicates otherwise.

**Sec. 2.—Definitions.** The word "persons" includes firms, partnerships, associations, and corporations. The term "public grounds" includes streets; and the word "streets" includes alleys, sidewalks, all public ways. The male gender shall be deemed to include female and neuter, the singular number shall include the plural and vice versa.

**Sec. 3.—Clerical Errors.** Typographical and clerical errors shall be ignored where the meaning is otherwise plain.

**Sec. 4.—Liberal Construction.** Ordinances shall be construed reasonably and liberally to make effective the policy which was apparently intended to be established by the council, and to further the good government of the village and the well-being of its inhabitants.

**Sec. 5.—Violations.** The doing of any act forbidden by any ordinance, or by any order lawfully made under any ordinance, or the failing to do any act required by any ordinance, or by any order lawfully made under any ordinance shall be a violation of the ordinance, and a misdemeanor. It shall be equally a violation and a misdemeanor for any person to cause another to violate an ordinance, or for any person to attempt to violate an ordinance, or to aid, assist counsel or advise another to do so.

**Sec. 6.—Punishment For Misdemeanor.** Any misdemeanor for which a penalty is not specifically provided shall be punished by a fine of not less than one dollar nor more than one hundred dollars, or by imprisonment for not less than one day nor more than three months, plus, in either case, the costs provided by law. In case of non-payment of any fine or costs at the time the same are assessed the offender shall be confined in the village or county jail until such fine and costs are satisfied as provided by law, not to exceed ninety days. The justice may, at the time of pronouncing sentence, require that any unpaid fine or costs shall be worked out at hard labor upon the streets, alleys and public grounds of the village. Said labor shall be credited on such fine and costs at the rate of \$1.50 per day of ten hours actually devoted to such labor as provided by statute.

**Sec. 7.—Licenses and Permits.** All licenses and permits shall be issued by the clerk, after payment of the specified fee and approval by the council if required by ordinance. All applications shall be made out on forms furnished by the clerk and verified under oath. All licenses and permits may be revoked by the council, and shall expire on March 31st following their issuance, unless otherwise specifically provided. No deduction in the fee shall be made when the license or permit is terminated,



either by revocation or by expiration, within less than a year after its issuance. All licenses and permits shall be exhibited on demand of any citizen, and, if to carry on any business, shall be publicly displayed in the place of business.

**Sec. 8.—Separability of Provisions.** Every section, provision, or part of every ordinance of the village is declared separable from every other section, provision, or part; and if any section, provision, or part of any ordinance shall be held invalid, it shall not affect any other section, provision, or part thereof.

**Sec. 9.—Effective.** This ordinance and all other ordinances of this village shall take effect and be in force from and after their passage and publication according to law, unless otherwise specified.

#### ARTICLE XXIX Municipal Water System

**Sec. 1.—Application for Service.** All applications for permission to connect with the municipal water system of this village, shall be made in writing by a licensed plumber to the clerk on a form furnished by him for that purpose for a permit to make such connection. Such application shall contain an exact description of the property to be served, the estimated maximum amount of water to be used per month and uses to which the water is to be put, both general and special.

**Sec. 2.—Permits Issued by the Clerk: Cost.** The clerk shall, upon receiving an application as provided in Section 1, hereof, if the same is in proper form, issue to the person applying for the same, a permit to connect with the municipal water pipes, and the applicant shall pay a fee of One Dollar (\$1.00) to the clerk therefor, which fee shall be paid over by the clerk to the treasurer and deposited to the credit of the water fund.

**Sec. 3.—All Water to be Metered.** All water furnished by the municipal water plant shall be measured by meters unless the council shall, on the recommendation of the superintendent of the water plant, otherwise determine.

**Sec. 4.—Every Premise to have Separate Connection.** Unless special permission is granted by the superintendent of the water works, each premise shall have a separate and distinct service connection, and where permission is granted for branch service pipe, each branch must have its own curb cock and separate meter.

**Sec. 5.—Service Pipe to be Installed by Licensed Plumbers Only.** No one except regular employees of the water department of this village or plumbers holding licenses issued by this village, shall do any plumbing work on any pipes connected to or to be connected to the municipal water system.

**Sec. 6.—Trenching and Backfilling.** All excavations made by plumbers in public ground shall not be kept open longer than is absolutely necessary to make the connections required, and while open shall be protected in suitable barriers, guards and lights as provided in the ordinances of this village. Backfilling shall be thoroughly compacted and left in a condition satisfactory to the village engineer.

**Sec. 7.—Character of Pipe for Service Connections.** All underground service pipes leading from main to meter shall be government type "K" copper, and shall be laid six feet below the established grade, or as low as the street mains.

**Sec. 8.—Curb Stop and Waste Cocks.** There shall be a curb stop which shall be installed in a service box which shall be a Western service box or equivalent, the same to be placed as near as possible to the curb, if on a street, or within one foot of the alley line if the main is located in the alley. There shall be one or more stop and waste cocks attached to every supply pipe, at some point between the curb stop and the meter, so that the water can be shut off and the meter and the house pumping entirely drained.

**Sec. 9.—Check Valves Required.** Check valves are hereby required on all connections to steam boilers or on any other connection deemed by the superintendent of the water plant to require one. Safety and relief valves shall be placed on all boilers or other steam apparatus connected with the water system where the steam pressure may be raised in excess of forty pounds per square inch.

**Sec. 10.—Cost of Installation Borne by Consumer.** The cost of original installation of all plumbing between the curb and any service devices maintained by the consumer, and all extensions hereafter made to such service pipes, as well as all repairs to the same, shall be borne entirely by the consumer, although such service pipes and devices shall at all reasonable times be subject to inspection by duly authorized officials of the water department. Any repairs found to be necessary by such officials shall be made promptly or the village will discontinue service.

**Sec. 11.—Reading Meters.** For the purpose of reading meters, duly authorized employees of the water department of this village may legally enter upon any premises at a reasonable hour.

**Sec. 12.—Water Account in Name of Owner.** All accounts carried upon the books of the municipal water department shall be with the owner in fee simple of the property served, who shall at all times be liable for water used upon the premises, whether he is occupying the same or not.

**Sec. 13.—Use of Water During Fire.** It is hereby declared to be unlawful for any person in this village or any person owning or occupying premises connected to the municipal water system to use or allow to be used during a fire, any water from said water system, except for the purpose of extinguishing said fire, and upon the sounding of a fire alarm it shall be the duty of every such person to see that all water services are tightly closed, and that no water is used except in extra-ordinary cases of emergency during said fire.

**Sec. 14.—Taking Water Without Authority.** It is hereby declared unlawful for any person to take any water from the municipal water plant except the same be drawn through a meter or from any premises not owned by him or them without the permission of the owner thereof.

**Sec. 15.—Tampering with Cut-Off Valves.** It shall be unlawful for any person to turn any curb cock on or off except a duly authorized employee of the water department.

**Sec. 16.—Reserved Right to Discontinue Service.** The village hereby reserves the right to discontinue service to any or all customers of the municipal water system without notice when the same is necessary in the repair of said system, or any part thereof, or for the non-payment of water rents, and when water service has been discontinued for non-payment of rent, it shall not be resumed except upon the payment of the water rent past due together with interest at 6 per cent thereon, and a fee of one dollar (\$1.00) for turning water on, which sum shall be paid to the clerk at the time of paying the back water bill, and deposited to the credit of the water fund.

#### ARTICLE XXX

Regulating the license and sale of non-intoxicating malt liquors, prohibiting the sale thereof at retail except in licensed premises and to and by persons under the age of twenty-one years, restricting the time of sale thereof, providing penalties for violations.

**Sec. 1.—**The term non-intoxicating malt liquor within the meaning of this ordinance shall not be held to include any malt liquor or beverage containing less than one-half of one percentum of alcohol by volume.

**Sec. 2.—**It shall be unlawful to sell non-intoxicating malt liquors at retail except when licensed as hereinafter provided. There shall be two types of licenses issued for the sale of non-intoxicating malt liquors, as hereinafter set out, namely:

(a)—"On Sale" licenses shall permit the licensee for the sale of said non-intoxicating malt liquors to sell such for consumption on the premises. "On Sale" licenses shall be granted only to restaurants, hotels, and drug stores.



(b)—“Off Sale” licenses shall permit the licensee of such non-intoxicating malt liquors to sell the same in original packages for consumption off the premises only.

**Sec. 3.**—Any person desiring either of the licenses as hereintofore described shall first make application therefor to the Common Council of the Village of Lamberton by filing with the Clerk of said Village for presentation by him to the Council, of an application in writing on forms to be supplied by the Village setting forth such information as the Village Council may require from time to time. Such application shall be signed by the applicant, if an individual, and if a corporation, by an officer thereof, and such application shall be accompanied by a deposit with said Clerk of a license fee in the sum of Seventy-five Dollars (\$75.00). If the application is for an “on sale” license, and the sum of Five Dollars (\$5.00) if the application is for an “off sale” license, all such fees shall be paid into the general fund of the Village. Upon the rejection of any application for a license, the amount paid shall be refunded to the applicant.

**Sec. 4.**—Licenses herein provided for shall run for a period of one year.

**Sec. 5.**—It shall be unlawful to sell non-intoxicating malt liquor to any person under twenty-one years of age.

**Sec. 6.**—No person under twenty-one years of age shall sell or serve such non-intoxicating malt liquor for consumption on the premises described in an “on sale” license, and no “on sale” licensee shall cause, suffer, or permit any person under twenty-one years of age to sell or serve such non-intoxicating malt liquor for consumption on the premises described in the license of such licensee.

**Sec. 7.**—No “on sale” license shall be issued to any restaurant, hotel, or drug store, unless the applicant for such license be the actual owner or proprietor thereof, and no “on sale” license shall be issued to any person who is not an actual resident of the Village of Lamberton or a corporation organized under the laws of the State of Minnesota.

**Sec. 8.**—No license of the same type shall be granted to a licensee.

**Sec. 9.**—No “on sale” licensee shall sell such non-intoxicating malt liquor between the hours of 12:01 A. M. and 6 A. M. on any day, except as provided by resolution of the Village Council.

**Sec. 10.**—The Council may by resolution duly passed change the hours provided herein and make any other temporary regulation it deems advisable and on notice to licensee shall govern as part of this article.

**Sec. 11.**—No “on sale” license shall be granted to any restaurant or hotel unless applicant thereof shall be licensed by the Hotel Inspector of the State of Minnesota.

**Sec. 12.**—No manufacturer, distributor, or wholesaler of non-intoxicating malt liquors shall have any ownership in whole or in part, directly or indirectly, in the business of any licensee holding an “on sale” license.

**Sec. 13.**—It shall be unlawful for any licensee to mix, or sell for the purpose of mixing, any such non-intoxicating malt liquor or to suffer or permit upon the premises named in his license any mixing or spiking of malt liquor, soft drinks, or any other liquor or beverage by adding to or with the same any alcohol or other intoxicating liquor.

**Sec. 14.**—The Village Council may grant or refuse any application for a license in its discretion, but an opportunity shall be given to any person to be heard for or against the granting of any license. All licensed premises shall have the license therefore posted in a conspicuous place at all times. All licenses granted under this ordinance shall be issued to the applicant only and shall be issued for the premises described in the application. Such license shall not be transferred to another place without the approval of the Village Council. The Village Council may revoke any license at any time without a hearing and without notice to the licensee, and if a license be revoked, no portion of the license fee shall be returned to the licensee.

**Sec. 15.**—The license of any person who shall be found guilty of any violation of any of the provisions of this ordinance or of any law or ordinance relating to the sale of intoxicating liquor, whether the offense be committed on the premises named in the license or elsewhere, and the license of any person who shall have, keep, sell, manufacture or possess intoxicating liquor at or upon the premises named in the license, contrary to such law or ordinance, shall be automatically revoked upon a conviction of the violation thereof.

**Sec. 16.**—Any person violating any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed One Hundred Dollars (\$100.00) or by imprisonment for not to exceed ninety (90) days, plus the costs of prosecution in any case.

#### ARTICLE XXXI Repealing Ordinances

**Sec. 1.**—Every ordinance adopted prior to April 7, 1938, is hereby repealed except all ordinances or resolutions under which any bond issue or public indebtedness has been created, which bonds are now outstanding or under which any indebtedness is now due by said village, or where the village is a party to a contract in operation and unexpired, and the ordinance regulating the sale of intoxicating liquor and amendments

thereto, and a ordinance to establish and regulate the light and power company operating in the Village of Lamberton and amendments thereto, and an ordinance establishing and regulating a public library.

This ordinance shall be in force on and after its publication.

Approved April 7, 1938, by  
H. H. WERNER,  
President.

(Seal)

Attest:

H. H. Anderson,  
Recorder.

#### ORDINANCE NO. 54 Electric Franchise

An ordinance of the Village of Lamberton, State of Minnesota, granting to the Interstate Power Company, its successors and assigns, permission to erect, install, construct, repair, own, operate, maintain, manage and control an electric light, heat and power plant within the corporate limits of said village, and electric distribution system consisting of poles, wires, conduits, pipes and other fixtures in, under, over, along, and across the streets, sidewalks, alleys, bridges and public grounds of said Village of Lamberton, for the purpose of furnishing electricity for light, heat and power purposes, to said Village and its inhabitants, for a period of ten (10) years from and after the passage, approval and publication of this ordinance according to law.

**Sec. 1.**—That there is hereby granted unto Interstate Power Company, a Delaware Corporation, with offices at Dubuque, State of Iowa, its successors and assigns, herein called the “grantee,” the right, permission, privilege, and franchise, for a period of ten (10) years from and after the taking effect of this ordinance, subject only to the Laws of the State of Minnesota, as now in force or as may hereafter be in force, and to the conditions and limitations hereinafter contained, to erect, install, construct, reconstruct, repair, own, operate, maintain, manage and control an electric light, heat and power plant, and electric distribution system consisting of poles, wires, conduits, pipes and other fixtures, within the limits of said Village, necessary, convenient, or proper for the production, transmission, distribution and delivery of electricity for light, heat and other purposes, to said Village of Lamberton and its inhabitants.

**Sec. 2.**—That said grantee, its successors and assigns, are hereby granted the right of way in, under, over, along, and across the streets, sidewalks, alleys, bridges and public grounds of said Village of Lamberton for the purpose of erecting, installing, constructing, reconstructing, repairing, owning, operating, maintaining, managing and controlling said electric light, heat and power plant,