

**CITY OF MOUND  
ORDINANCE 03- 2020**

**AN ORDINANCE AMENDING CHAPTER 46 OF THE  
MOUND CITY CODE REGARDING DETACHED TRAILER  
PARKING, DISORDERLY PROPERTY, AND LITTERING**

The City Council of the City of Mound does ordain:

**Section 1.** Chapter 46 of the Mound City Code is hereby amended to add a new Section 46-143 to read as follows:

**Sec. 46-143. Detached trailer parking.**

- (a) Definitions. The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Detached trailer means a trailer that is detached from a motor vehicle.

Public right-of-way means any portion of a street, road, or highway, including the traveled portions, shoulders, and ditches, in which a public road authority has an interest.

Trailer means any vehicle designed for carrying property or passengers on its own structure and for being drawn by a motor vehicle but does not include a trailer drawn by a truck-tractor semitrailer combination or an auxiliary axle on a motor vehicle which carries a portion of the weight of the motor vehicle to which it is attached.

- (b) Prohibition. It is a violation of this section for a person to park or leave, or to allow or permit to be parked or left, a detached trailer on a public right-of-way between the hours of 2:00 a.m. and 6:00 a.m.

**Section 2.** Chapter 46 of the Mound City Code is hereby amended to add a new Article VI to read as follows:

**ARTICLE VI. DISORDERLY PROPERTY**

**Sec. 46-180. Purpose.**

The purpose of this Article is to address the negative impacts resulting to the public health, safety, and welfare, as well as the drain on public resources, from disorderly properties. Not only are disorderly properties disruptive to the quiet repose adjacent properties and livability of neighborhoods, they also constitute a drain on public resources.

## **Sec. 46-181. Definitions.**

The following words, terms, and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Disorderly property* means any property to which a verified incident occurs involving a violation of any of the following:

Mound city code, chapter 42 regarding public nuisances;

Mound city code, chapter 54 regarding garbage and refuse;

Mound city code, section 46-191 regarding littering;

Mound city code, section 46-141 regarding noise in residential areas;

Mound city code, chapter 14 regarding animal control and Minnesota Statutes, sections 609.226 and 347.56 regarding potentially dangerous and dangerous dogs;

Federal and state laws regarding the possession of controlled substances, unlawful sale or possession of small amounts of marijuana, and possession or use of drug paraphernalia as defined in Minnesota Statutes, sections 152.01, et seq.;

Minnesota Statutes, section 609.72 regarding disorderly conduct;

Mound city code, chapter 6 regarding the sale, consumption, and display of liquor and beer, or Minnesota Statutes, sections 340A.701, 340A.702, or 340A.703 regarding the sale of intoxicating liquor;

Minnesota Statutes, sections 609.321, subdivision 9 and 609.324 regarding prostitution and housing individuals engaged in prostitution;

Mound city code, section 46-66 regarding weapons;

Minnesota Statutes, sections 609.221, 609.222, 609.223, 609.2231, and 609.224 regarding assault, excluding domestic assault;

Minnesota Statutes, chapter 260C regarding juvenile safety and placement;

Minnesota Statutes, section 609.33 regarding the owning, leasing, operating, managing, maintaining, or conducting a disorderly house or inviting or attempting to invite others to visit or remain in a disorderly house;

Minnesota Statutes, section 617.23 regarding indecent exposure;

Minnesota Statutes, section 609.595 regarding criminal damage of property;

Minnesota Statutes, section 609.50 regarding interference with a police officer;

Minnesota Statutes, section 609.713 regarding terroristic threats;

Minnesota Statutes, section 609.715 regarding unlawful assemblies;

Minnesota Statutes, section 609.71 regarding riots;

Minnesota Statutes, section 609.78 regarding interference with “911” phone calls;

Minnesota Statutes, sections 609.75, 609.755, and 609.76 regarding gambling;

Minnesota Statutes, section 243.166 regarding predatory offender registration;

Minnesota Statutes, section 609.229 regarding crimes committed for the benefit of a gang;

Minnesota Statutes, section 609.26, subdivision 1(8) regarding the causing or contributing to a child being a runaway; or

Minnesota Statutes, section 609.903 regarding racketeering.

*Property* means any real property and includes any dwelling, dwelling unit, general housing unit, premises, and accessory structures located on the lot or parcel. This term does not include public property or public rights-of-way.

*Verified incident or verified disorderly property incident* means the occurrence of any incident that constitutes a disorderly property responded to by a police officer who, after completing a timely investigation, finds evidence supporting the existence of one or more violations constituting a disorderly property. It is not necessary that criminal charges be brought or convictions obtained relative to the incident. Multiple incidences of disorderly property violations verified during a single response shall constitute one verified incident.

#### **Sec. 46-182. Prohibition.**

It is a violation of this Article for a property owner, licensee, occupant, or person in control of property to keep, cause, or permit the property to be used in a way that constitutes a disorderly property. A violation of this Article applies to the property and is the responsibility of the property owner or licensee of the property, regardless of the number of living units on the property.

**Sec. 46-183. Penalty.**

- (a) Initial Violation. Any person who violates this Article is guilty of a misdemeanor.
- (b) Repeat Violation. Any person who violates this Article within six months of a verified disorderly property incident at the same property is guilty of a misdemeanor.

**Section 3.** Chapter 46 of the Mound City Code is hereby amended to add to Article III to read as follows:

**ARTICLE III. OFFENSES INVOLVING PUBLIC HEALTH AND SAFETY**

**DIVISION 4. LITTERING**

**Sec. 46-71. Definitions.**

The following words, terms, and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Litter means, without limitation, all garbage, refuse, waste materials, leaves, grass clippings, weeds, brush, wood, snow, ice, waste composed of animal, fish, fowl fruit or vegetable matter, dead animals, putrescible and non-putrescible solid waste (except body wastes), glass, cans bottles, parts of broken furniture, furniture not designed for outdoor use, stoves or other appliances, and industrial wastes.

Public land means any property in which the federal government, State of Minnesota, or a local government, or a political subdivision has an interest.

**Sec. 46-72. Littering.**

It is a violation of this Article for a person to do, cause, or allow any of the following:

- (a) Throw, rake, shovel, deposit, place, or dump any litter upon any public right-of-way, public land, or the property of another;
- (b) Pile, store, keep, place, or maintain any items constituting litter on one's own property in such a way that a reasonable person would expect the litter to be carried or deposited by the elements or by animals upon a public right-of-way, public land, or property of another; or
- (c) Store, keep, or deposit litter in anything other than a closed receptacle designed to prevent litter from being carried or deposited by the elements or by animals upon any public right-of-way, public land, or the property of another.

**Sec. 46-73. Other code provisions.**

The prohibitions contained in this Article are in addition to the nuisance and other provisions in this city code applicable to the keeping of property and the proper keeping and disposal of waste. The enforcement of the provisions of this Article shall not preclude the enforcement of any other applicable provision of this city code including, but not limited to, procedures to abate violations. The enforcement of any other applicable provision of this city code shall not preclude the enforcement of the provisions of this Article.

**Section 46-74. Penalties.**

(a) *Initial Violation.* Any person who violates this Article is guilty of a misdemeanor.

(b) *Repeat Violation.* Any person who violates this Article within six months of the issuance of a citation for the same or similar violation is guilty of a misdemeanor.

**Section 4.** Effective Date. This Ordinance becomes effective on the first day following the date of its publication, or upon the publication of a summary of the ordinance as provided by Minnesota Statutes, section 412.191, subdivision 4.

Passed by the City Council this 28<sup>th</sup> day of January 2020

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Raymond J. Salazar, Mayor

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Attest: Catherine Pausche, Clerk

Published in the Laker the 8<sup>th</sup> of February, 2020.

Effective the 9<sup>th</sup> day of February, 2020.

(~~Strikeout~~ indicates matter to be deleted, underline indicates new matter.)