

ORDINANCE NO. 527

AN ORDINANCE AMENDING TITLE IX: GENERAL REGULATIONS; CHAPTER 90 RECREATION; SECTION 90.04 GENERAL CONDUCT; SUBSECTION (G) DISTURBING THE PEACE – CONDUCT ; OF THE CITY OF MILACA CODE OF ORDINANCES

THE CITY COUNCIL OF THE CITY OF MILACA, MINNESOTA DOES ORDAIN AS FOLLOWS:

Section

- ___ .01 Intent
- ___ .02 Amendment
- ___ .03 Penalty

§ ___ .01 INTENT.

The City intends to amend the ordinance to allow for police officer discretion in issuing a trespass notice with a specified duration, rather than require City Council action.

§ ___ .02 TITLE IX: GENERAL REGULATIONS; CHAPTER 90 RECREATION; SECTION 90.04 GENERAL CONDUCT; SUBSECTION (G) DISTURBING THE PEACE – CONDUCT ; OF THE CITY OF MILACA CODE OF ORDINANCES IS HEREBY AMENDED AS FOLLOWS:

(G) Disturbing the peace - conduct.

(1) No person, or group of persons, may disturb the peace and good order in any park by either word or act.

(2) No person, or group of persons, may use threatening, abusive, insulting, obscene or indecent language or commit, perform or engage in any lewd, lascivious, obscene or indecent act.

(3) No person, or group of persons, may engage in fighting, quarreling, wrangling, riotous clamor, or tumult.

(4) No person, or group of persons, may disturb, harass, or interfere with any park user or the user's property.

(5) No person may solicit or ask anyone to commit, perform or engage in any lewd, lascivious, obscene, or indecent act or behavior.

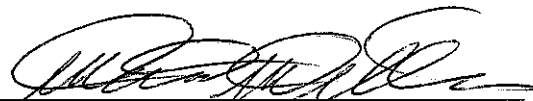
(6) No person may enter or occupy any park or park property while under the influence of alcohol to the extent his or her blood alcohol content meets or exceeds the level of 0.10% alcohol per milliliter of blood and any person who a peace officer has probable cause to believe is under the influence of alcohol as described is subject to chemical testing by portable breath test and any person who refuses to properly perform a portable breath test when offered by a peace officer is subject to immediate removal from park property.

(7) Any person who a peace officer has probable cause to believe has engaged in conduct prohibited by this section may be banned from city parks for a period of up to one (1) year from the date of issuance of a trespass notice by a peace officer to the subject of the trespass notice (or parent or guardian if a minor).

§ ____ .03 PENALTIES.

Any person convicted of violating any provision of this chapter shall be guilty of a misdemeanor, punishable by up to 90 days in jail, a \$1,000 fine or both.

Adopted by the City Council of the City of Milaca this 18th day of July, 2024.



Mayor Dave Dillan

ATTEST:



Tammy Pfaff, City Manager

First Reading: 06-24-24

Second Reading: 07-18-24

Published _____