

City Council Minutes
Tuesday, September 2, 2025

CALL TO ORDER

This meeting is officially called to order at 5:30 pm on September 2, 2025. This meeting is being presided over by Mike Lorensen.

PLEDGE OF ALLEGIANCE

ROLL CALL

The following Councilmembers were present: Lorensen, McCraw, Bolduc, Narverud, Langeness, Pream and Aarestad. Absent: Arlt. Mayor Lorensen chaired the meeting.

PUBLIC FORUM

PRESENTATIONS/PROCLAMATIONS/PUBLIC INFORMATION ANNOUNCEMENTS

Hydrocephalus Awareness Month Proclamation - Lorensen proclaimed September as Hydrocephalus Awareness Month. Hydrocephalus is a chronic neurological condition caused by an abnormal accumulation of cerebrospinal fluid in the brain, affecting individuals of all ages with no known cure.

APPROVE AGENDA

Council member Pream motioned being seconded by Councilmember Bolduc to approve the agenda with the addition of addendum items 5.1, 8.31, and 8.6.

On vote being taken, the resolution was unanimously passed.

CONSENT AGENDA

RESOLUTION NO. 09.181.25: Approval of August 19, 2025 Council Proceedings

Presented as part of the Consent Agenda, Councilmember Steve Narverud introduced RESOLUTION 09.181.25, being seconded by Councilmember Michele McCraw, that:

THEREFORE, BE IT RESOLVED, by the City Council, to approve the August 19, 2025 Council proceedings.

On vote being taken, the resolution was unanimously passed.

RESOLUTION NO. 09.182.25: Approval of Thief River Falls Bills, Disbursements and Council Per Diems

Presented as part of the Consent Agenda, Councilmember Steve Narverud introduced RESOLUTION 09.182.25, being seconded by Councilmember Michele McCraw, that:

THEREFORE, BE IT RESOLVED, the City Council to authorize payment of bills and disbursements in the total amount of \$1,837,515.00 and Council per diems in the amount of \$357.50. A printout of the approved payments, disbursements and per dimes are attached

hereto and made a part hereof.

On vote being taken, the resolution passed unanimously.

RESOLUTION NO. 09.183.25: Approval of School District #564 Homecoming Parade

Presented as part of the Consent Agenda, Councilmember Steve Narverud introduced RESOLUTION 09.183.25, being seconded by Councilmember Michele McCraw, that:

WHEREAS, Reid Froiland, Senior Class Advisor, on behalf of Lincoln High School, has applied for a parade application permit. The route is detailed in the attached map and has been approved by the Chief of Police. Staging will begin at noon on September 26 at Oakland Park Road between Riverside Ave and Greenwood St. Parade will end at CES north bus parking lot. The route has been changed from prior years due to bus constraints. Students at Challenger will not need to be bussed with this new route and students from Franklin will walk to the event.

THEREFORE, BE IT RESOLVED Approval of parade application to Lincoln High School for their Homecoming Parade September 26, 2026 from 1 pm - 2:15 pm.

On vote being taken, the resolution passed unanimously.

NEW BUSINESS

RESOLUTION NO. 09.184.25: Unpaid sidewalk snow removal charges to 2026 property tax

Following discussion, Councilmember Michele McCraw introduced Resolution 09.184.25, being seconded by Councilmember Jason Aarestad, that:

WHEREAS, Sidewalk snow removal charges remain unpaid to the City of Thief River Falls.

WHEREAS, Pursuant to City Code Section 91.01 and Minnesota State Statute 429.101, the City may certify to the Pennington County Auditor the unpaid snow removal charges. by the City Council, to certify the following unpaid sidewalk snow removal charges from the 2024-2025 snow season to the Pennington County Auditor for collection as part of the property owner's property tax statement in 2026:

<u>OWNER</u>	<u>ADDRESS</u>	<u>PARCEL</u>	<u>AMOUNT</u>
Justin Stanley	519 5 th St W	25.003.068.10	\$144.20
TRF Rentals LLC	521 Dewey Ave N	25.013.033.60	\$36.59
Michael Skjerven	724 Dewey Ave N	25.016.027.70	\$36.59
Spring Thias	227 Markley Ave N	25.006.244.10	\$36.59
Taylor Netland	940 Main Ave N	25.022.090.00	\$72.12
Michael Larson	1016 Duluth Ave N	25.021.019.20	\$36.59
Skyler Weiland	621 Labree Ave N	25.014.033.50	\$35.53

THEREFORE, BE IT RESOLVED Approve the certification of unpaid sidewalk snow removal charges to property owners' 2026 property taxes.

On vote being taken, the resolution passed unanimously.

RESOLUTION NO. 09.185.25: City of Thief River Falls Ordinances - First Reading, Passage and Adoption

Following discussion, Councilmember Scott Pream introduced Resolution 09.185.25, being seconded by Councilmember Jason Aarestad, that:

WHEREAS, Ordinance Sections:

52.10 Cost sharing for upgrade or change for existing or new electric customer.

54.14 Water Usage In A Critical Water Deficiency.

70.01 Statutes Adopted By Reference of Traffic Code and MN Stat 171 references.

70.02 Application to all drivers in regard to ordinance laws.

70.03 Scope and Orders of a Police Officer.

72.05 Following Traffic Directions of a Peace Officer.

72.06 Parallel Parking Regulation.

73.03 Bicycles, Roller Blades, Roller Skates and Skateboards regulation.

73.04 Unlawful to Hitch Rides or Attach to a Motor Vehicle.

73.05 Where to Ride a Bicycle.

73.06 Bicycle to Yield Right of Way to Pedestrians.

73.07 Regulation related to carrying items on a Bicycle.

73.08 Regulation of Lighting and Brake Equipment on Bicycles.

73.09. Unlawful to sell Bicycle without Reflector.

91.02. Definition of Tree Diseases.

91.15. Public Nuisance Regulation.

91.16. Regulation of Public Nuisances Affecting Health.

94.12. Animals to Receive Basic Care.

110.27. Licenses (Fees) Required for Certain Performances and Exhibitions.
Obscenity and Nudity Prohibited.

110.28. Regulation of Public Dances.

110.29. Plumber Licensure.

111.021. Licensees Required to Post Licenses.

111.023. Limitation on ownership of more than one off-sale intoxicating liquor license.

111.024. Conditional License Restrictions May Be Imposed by Council.

111.026. Insurance Certificate Requirements.

111.031. On-Sale Intoxicating Malt Liquor in Conjunction With Wine License Regulations.

111.033. Brewer TapRoom License Regulations.

111.045. Unlawful Acts for Minors - Possess or Consume Alcoholic Beverages.

111.046. Licensed Gambling Only Allowed.

111.047. Sale of Alcohol By Employee Treated Same As By Employer.

111.049. Regulation of Alcohol on Certain Grounds and Buildings.

111.053. Nudity or Obscenity Prohibited on Licensed Premises.

130.01. Regulation of Disorderly Conduct.

130.25. Acts and Items Prohibited.

130.28. Regulation of Exposure of Unused Container/Refrigerators.

152.020. Regulation of Flood Plain Districts.

THEREFORE, BE IT RESOLVED Approve the first reading of recommended ordinances
and forego the second reading.

On vote being taken, the resolution passed unanimously.

RESOLUTION NO. 09.186.25: Approval of City of Thief River Falls Ordinances Update

Following discussion, Councilmember Kelly Langness introduced Resolution 09.186.25, being seconded by Councilmember Scott Pream, that:

WHEREAS, The following ordinance sections were not included with last ordinance code update. With approval, the ordinances will be sent to the codifier at Civicplus for inclusion in the 4th quarter update and for 2026 publication.

THEREFORE, BE IT RESOLVED To approve the Ordinance sections that were not delivered to the Codifier for inclusion in the Ordinance Code Update.

Chapter 52: Electricity

Section 52:10 Cost sharing for upgrade or change for existing or new customer

(A) Cost sharing for new service for commercial and industrial accounts.

1. Customer shall pay 40 percent of the cost of the transformer, primary wire, and related material used in the installation of the primary wire and transformer. Customer shall pay 40 percent of the cost of the labor incurred by City in installing the primary wire and transformer.

Customer shall provide and install a concrete or fiberglass pad for the transformer acceptable to City, a metering cabinet or transition cabinet, and all secondary lines and lugs from the transformer to the transition cabinet and to the point of contact in the building being served. ***(B) Cost sharing for upgrade or change for existing commercial and industrial accounts.***

1. Customer shall pay 60 percent of the cost of the transformer, primary wire, and related materials used in the installation of the primary wire and transformer. Customer shall pay 100 percent of the cost of the labor incurred by City in installing the primary wire and transformer.
2. Customer shall provide and install all secondary lines and lugs from the transformer to the transition cabinet and to the point of contact in the building being served.
3. Customer shall provide and install a new or improved concrete or fiberglass pad for the transformer acceptable to City, if needed.
4. Customer shall provide and install any needed metering cabinet or transition cabinet.

(C) Easement, payment, and modification.

1. Customer shall provide any easement that is needed by City for the installation or upgrade, which easement shall be acceptable to City.

2. Customer shall make payment within 30 days after billing by City, any unpaid balance to bear interest at maximum legal rate.
3. The percentages of costs for materials and labor paid by a customer may be modified by City by resolution of the City Council.

Chapter 54: Water

Section 54:14

§ 54.14 WATER USAGE IN A CRITICAL WATER DEFICIENCY.

SECTION 1. PURPOSE.

This ordinance establishes water conservation restrictions; and the plan will be in effect at any time the governor declares by executive order a critical water deficiency, pursuant to Minnesota Statutes section 103G.291.

SECTION 2. DEFINITIONS.

2.1 Clerk in statutory cities means the person assigned duties pursuant to Minn. Stat. § 412.151; or the city manager pursuant to Minn. Stat. § 412.601 – 412.751 or in charter cities as determined by city charter.

2.2 Department means the city water department.

2.3 Emergency means the declaration of a critical water deficiency by the governor.

2.4 Irrigation means the watering of shrubs, trees, sod, seeded areas, gardens, lawns, or any other outdoor vegetation, except outdoor vegetation utilized for agricultural purposes.

2.5 Notification to public means notification through local media, including interviews and issuance of news releases.

2.6 Public water supplier means the city or other entity that owns, manages, or operates a public water supply, as defined in Minn. Stat. § 144.382, subdivision 4.

2.7 Reclaimed water means water collected from rooftops, paved surfaces, or other collection devices and all water utilized more than once before re-entering the natural water cycle.

2.8 Water recirculation system means any system which enables a user to reuse water at least once prior to returning the water to the natural water cycle.

SECTION 3. APPLICATION.

3.1 This ordinance applies to all customers of public water suppliers who own or control water use on any premises.

3.2 No person shall make, cause, use, or permit the use of water received from a public water supply for residential, commercial, industrial, governmental, or any other purpose in any manner contrary to any provision in this ordinance.

3.3 Mandatory emergency conservation measures shall be implemented based upon the declaration of a critical water emergency by the governor.

SECTION 4. DECLARATION OF CRITICAL WATER DEFICIENCY.

Upon the declaration of a critical water deficiency by the governor, the public water supplier shall immediately post notice of the emergency declaration at the usual meeting place of the city council, or the official city bulletin board. The city shall provide notification to the public as quickly as possible or through established water supply plans emergency response plans or procedures.

SECTION 5. MANDATORY EMERGENCY WATER CONSERVATION MEASURES.

Upon declaration of a water emergency and notification to the public, the following mandatory restrictions upon nonessential water use shall be enforced:

- (1) Outdoor irrigation of yards, gardens, golf courses, parklands, and other non-agricultural land, except for those areas irrigated with reclaimed water, is prohibited.
- (2) Washing or spraying of sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas with water from any pressurized source, including garden hoses, except to alleviate immediate health or safety hazards, is prohibited.
- (3) The outdoor use of any water-based play apparatus connected to a pressurized source is prohibited.
- (3) Restaurants and other food service establishments are prohibited from serving water to their customers, unless water is specifically requested by the customer.
- (5) Operation of outdoor misting systems used to cool public areas is prohibited.
- (6) The filling of swimming pools, fountains, spas, or other exterior water features is prohibited.
- (7) The washing of automobiles, trucks, trailers, and other types of mobile equipment is prohibited, except at facilities equipped with wash water recirculation systems, and for vehicles requiring frequent washing to protect public health, safety, and welfare.

SECTION 6. VARIANCES.

The City Clerk or their designee, is authorized to grant variances to this ordinance where strict application of its provisions would result in serious hardship to a customer. A variance may be granted only for reasons involving health or safety. An applicant may appeal the denial of a variance within five (5) days of the decision by submitting a written appeal to the City Clerk. The City Council shall hear the appeal at the next City Council meeting. The decision of the City Council is final.

SECTION 7. VIOLATION.

7.1 Violations shall be determined and cited by the City Clerk or his/her designee. A violator may appeal the citation within five (5) days of its issuance by submitting a written appeal to the City. The City Council shall hear the appeal at the next City Council meeting. The decision of the City Council is final. Violators may be granted an administrative waiver if evidence is

provided that equipment failure was the cause of the violation. A letter from a qualified vendor or equipment invoice will be required to show proof of equipment failure.

7.2 Upon discovery of a first violation, the violator shall be issued, either personally or by mail, a warning letter that sets forth the violation and which shall describe the remedy and fines for future violations.

7.3 Upon subsequent violations at the same location, the violator shall be issued, either personally or by mail, a citation that sets forth the violation and shall describe the remedy. Fines shall be added to the monthly water bill of the owner or current occupant of the premises where the violation occurred. The imposition of the fine shall in no way limit the right of the City to pursue other legal remedies.

SECTION 8. ENFORCEMENT.

The City Clerk or his/her designee is authorized to designate city employees or law enforcement personnel to enforce the provisions of this ordinance.

SECTION 9. SEVERABILITY.

If any provision of this ordinance or the application of any provision to a particular situation is held to be invalid by a court of competent jurisdiction, the remaining portions of the ordinance and the application of the ordinance to any other situation shall not be invalidated.

Ord. 111, 3rd Series – Adopted 07/03/2018

Chapter 70: General Provisions

Section 70.01, 70.02, 70.03

§ 70.01 STATUTES ADOPTED BY REFERENCE.

(A) Except as otherwise provided in this title or in this code, the regulatory and procedural provisions of M.S. Ch. 169, commonly referred to as Traffic Regulations, as amended, is incorporated herein and adopted by reference, including the penalty provisions thereof.

(B) Except as otherwise provided in this title, or elsewhere in this Code, M.S. §§ 171.01, 171.02, 171.08, 171.22, 171.23 and 171.24, as amended, are incorporated herein and adopted by reference, including the penalty provisions thereof.

§ 70.02 APPLICATION.

(A) The provisions of this title applicable to the drivers of vehicles upon the streets shall apply to the drivers of all vehicles, including, but not limited to, those owned or operated by the United States, this state or any county, town, district or any other political subdivision of the state, subject to such specific exemptions as may be set forth in this Code.

(B) Every person riding a bicycle or an animal or driving any animal drawing a vehicle upon a street shall be subject to the provisions of this title applicable to the driver of a vehicle, except those provisions which by their nature can have no application. Provisions specifically referring to bicycles shall be in addition to other provisions of this Code applying to vehicles.

§ 70.03 SCOPE AND ORDERS OF A PEACE OFFICER.

(A) *Scope.* The provisions of this title relate exclusively to the streets, alleys, and private roads in the City and the operation and parking of vehicles refer exclusively to the operation and parking of vehicles upon the streets, alleys, and private roads.

(A) Orders of a peace officer. It is a misdemeanor for any person to willfully fail or refuse to comply with any lawful order of direction of any peace officer invested by law with authority to direct, control or regulate traffic.

Chapter 72: Parking Regulations

Section 72.05, 72.06

§ 72.05 DIRECTION TO PROCEED.

It is a petty misdemeanor for any person to stop or park a vehicle on a street when directed or ordered to proceed by any peace officer invested by law with authority to direct, control, or regulate traffic.

§ 72.06 PARALLEL PARKING.

Except where angle parking is specifically allowed and indicated by curb marking or sign-posting or both, each vehicle stopped or parked upon a street shall be stopped or parked with the right-hand wheels of the vehicle parallel with and within 12 inches of the right-hand edge of the traveled surface, and, where painted markings appear on the curb or the street, the vehicle shall be within the markings, front and rear, provided that upon a one-way street all vehicles shall be so parked, except that the left-hand wheels of the vehicle may be parallel with and within 12 inches from the left-hand edge of the traveled surface, so that the front of the vehicle is pointed in the direction of the flow of traffic upon the one-way street. It is a petty misdemeanor to stop, park, or leave standing any vehicle in violation of this Section.

Chapter 73: Bicycles, Roller Blades, Roller Skates and Skateboards

§ 73.03 MANNER AND NUMBER RIDING.

(A) It is unlawful for any person propelling a bicycle to ride other than upon or astride a permanent and regular seat attached thereto.

(B) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped, except on a baby seat attached to the bicycle, provided that the seat is equipped with a harness to hold the child securely in the seat and that protection is provided against the child's feet hitting the spokes of the wheel or in a seat attached to the bicycle operator.

§ 73.04 HITCHING RIDES.

It is unlawful for any person riding upon any bicycle, coaster, roller skates, roller blades, skate board, sled, or toy vehicle to attach the same or themselves to any vehicle upon a street.

§ 73.05 WHERE TO RIDE.

(A) Every person operating a bicycle upon a street shall ride as near to the right side of the street as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(B) Persons riding bicycles upon a street shall not ride more than two abreast except on paths or parts of streets set aside for the exclusive use of bicycles.

§ 73.06 RIGHT-OF-WAY; SIDEWALKS.

Whenever a person is riding a bicycle upon a sidewalk, the person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing the pedestrian.

§ 73.07 CARRYING ARTICLES.

It is unlawful for any person operating a bicycle to carry any package, bundle, or article which prevents the driver from keeping at least one hand upon the handlebars.

§ 73.08 LIGHTING AND BRAKE EQUIPMENT.

(A) Every bicycle when in use at nighttime shall be equipped with, or its operator shall carry, a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type approved by the Department of Public Safety which is visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector. No person may, at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead, operate a bicycle unless the bicycle or its operator is equipped with reflective surfaces that shall be visible during the hours of darkness from 600 feet when viewed in front of lawful lower beams of headlamps on a motor vehicle. The reflective surfaces shall include reflective materials on each side of each pedal to indicate their

presence from the front or the rear and with a minimum of 20 square inches on each side of the bicycle or its operator of white reflective material. All reflective materials used in compliance with this Section shall meet the requirements as prescribed by the Commissioner of Public Safety.

(B) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

§ 73.09 SALE WITH REFLECTORS.

It is unlawful for any person to sell or offer for sale any new bicycle unless it is equipped with such reflectors as are prescribed in § 73.08.

Chapter 91: Nuisances

§ 91.02 TREE DISEASES.

(A) *Trees constituting nuisance declared.* The following are public nuisances whenever they may be found within the City:

(1) Any living or standing elm tree or part thereof infected to any degree with the Dutch Elm disease fungus *Ceratocystis Ulmi* (Buisman) Moreau or which harbors any of the elm bark beetles *Scolytus Multistriatus* (Eichh.) or *Hylurgopinus Rufipes* (Marsh);

(2) Any dead elm tree or part thereof, including branches, stumps, firewood, or other elm material from which the bark has not been removed and burned or sprayed with an effective elm bark beetle insecticide;

(3) Any living or standing oak tree or part thereof infected to any degree with the Oak Wilt fungus *Ceratocystis fagacearum*;

(4) Any dead oak tree or part thereof which in the opinion of the designated officer constitutes a hazard, including but not limited to logs, branches, stumps, roots, firewood, or other oak material which has not been stripped of its bark and burned or sprayed with an effective fungicide; or

(5) Any other shade tree with an epidemic disease.

(B) *Abatement of nuisance.* It is unlawful for any person to permit any public nuisance as defined in Division (A) of this Section to remain on any premises the person owns or controls within the City. The City Council may by resolution order the nuisance abated. Before action is taken on that resolution, the City Council shall publish notice of its intention to meet to consider taking action to abate the nuisance. This notice shall be mailed to the affected property owner and published once no less than one week prior to the meeting. The notice shall state the time and place of the meeting, the street affected, action proposed, the estimated cost of the abatement, and the proposed basis of assessment, if any, of costs. At such hearing or adjournment thereof, the City Council shall hear any property owner with reference to the scope and desirability of the proposed project. The City Council shall thereafter adopt a resolution confirming the original

resolution with modifications as it considers desirable and provide for the doing of the work by day labor or by contract.

(C) **Record of costs.** The City Administrator shall keep a record of the costs of abatement done under this Section for all work done for which assessments are to be made, stating and certifying the description of the land, lots, parcels involved, and the amount chargeable to each.

(B) **Unpaid charges.** On or before September 1 of each year, the City Administrator shall list the total unpaid charges for each abatement against each separate lot or parcel to which they are attributable.

§ 91.15 PUBLIC NUISANCE.

Whoever by their act or failure to perform a legal duty intentionally does any of the following is guilty of maintaining a public nuisance, which is a misdemeanor:

(A) Maintains or permits a condition which unreasonably annoys, injures or endangers the safety, health, morals, comfort, or repose of any considerable number of members of the public;

(B) Interferes with, obstructs or renders dangerous for passage any public highway or right-of-way or waters used by the public; or

(C) Is guilty of any other act or omission declared by law or §§ 91.16, 91.17 or 91.18, or any other part of this Code to be a public nuisance and for which no sentence is specifically provided.

§ 91.16 PUBLIC NUISANCES AFFECTING HEALTH.

The following are hereby declared to be nuisances affecting health:

(A) Exposed accumulation of decayed or unwholesome food or vegetable matter;

(B) All diseased animals running at large;

(C) All ponds or pools of stagnant water;

(D) Carcasses of animals not buried or destroyed within 24 hours after death;

(E) Accumulations of manure, refuse, or other debris;

(F) Privy vaults and garbage cans which are not rodent-free or fly-tight or which are so maintained as to constitute a health hazard or to emit foul and disagreeable odors;

(G) The pollution of any public well or cistern, stream or lake, canal or body of water by sewage, industrial waste, or other substances;

(H) All noxious weeds and other rank growths of vegetation upon public or private property;

- (I) Dense smoke, noxious fumes, gas and soot, or cinders, in unreasonable quantities;
- (J) All public exposure of people having a contagious disease; and
- (K) Any offensive trade or business as defined by statute not operating under local license.
- (L) Construction debris and solid waste.

under this Section. The City Council may then spread the charges or any portion thereof against the property involved as a special assessment as authorized by M.S. § 429.101 as it may be amended from time to time and other pertinent statutes for certification to the County Auditor and collection the following year along with the current taxes.
Penalty, see § 10.99

Chapter 94: Animals

§ 94.12 BASIC CARE.

All animals shall receive from their owners or keepers kind treatment, housing in the winter, and sufficient food and water for their comfort. Any person not treating their pet in a humane manner will be subject to the penalties provided in this Section.

Chapter 110: General Licensing and Regulations

§ 110.27 SHOWS.

(A) ***License Required.*** It is unlawful for any person to present any public show, movie, caravan, circus, carnival, theatrical or other performance, or exhibition without first having obtained a license therefor from the City.

(B) ***Application.*** Application for a license shall be made to the City Administrator on an application provided by the City Administrator. The license may be approved by the City Council and issued by the City Administrator upon payment of required fee and completion of other requirements.

(C) ***License Fees.***

(1) The annual license fee for each local theater presenting only films shall be established by the Council by resolution and may be changed from time to time.

(2) The license fee for any circus, menagerie, carnival, or like exhibition shall be established by the Council by resolution and may be changed from time to time.

(D) ***Exceptions.*** No license shall be required in the following instances:

(1) Performances presented in the local schools and colleges, under the sponsorship of such schools and colleges, and primarily for the students thereof only;

(2) Performance of athletic, musical, or theatrical events sponsored by local schools or colleges using student talent only; or,

(3) Any performance or event in, or sponsored by, bona fide local church and nonprofit organizations, provided that the organization shall be incorporated.

(E) *Obscenity Prohibited.*

(1) ***Definitions.*** For the purpose of this Division (E), the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(a) ***NUDITY.*** Uncovered, or less than opaquely covered, post-pubertal human genitals, pubic areas, the post-pubertal human female breast below a point immediately above the top of the areola or the covered human male genitals in a discernibly turgid state. For purposes of this definition, a female breast is considered uncovered if the nipple only or the nipple and the areola only are covered.

(b) ***OBSCENE PERFORMANCE.*** A performance which in whole or in part depicts or reveals nudity, sexual conduct, sexual excitement or sado-masochistic abuse or which includes obscenities or explicit verbal descriptions or narrative accounts of sexual conduct.

Chapter 111: Alcoholic Beverages

§ 111.021 POSTING.

All licensees shall post their licenses in a conspicuous place in the premises for which it is used.

§ 111.023 LIMITATION ON OWNERSHIP.

The City may not issue more than one off-sale intoxicating liquor license to any one person or for any one place.

§ 111.024 CONDITIONAL LICENSES.

Notwithstanding any provision of law to the contrary, the Council may, upon a finding of the necessity therefor, place such conditions and restrictions upon a license as it, in its discretion, may deem reasonable and justified.

§ 111.026 INSURANCE CERTIFICATE REQUIREMENTS.

(A) Whenever an insurance certificate is required by this Chapter, the applicant shall file with the City Administrator a certificate of insurance showing:

- (1) That the limits are at least as high as required;
 - (2) That coverage is effective for at least the license term approved; and
 - (3) That the insurance will not be canceled or terminated without 30 days written notice served upon the City Administrator.
- (B) Cancellation or termination of the coverage shall be grounds for license revocation.

§ 111.031 ON-SALE INTOXICATING MALT LIQUOR IN CONJUNCTION WITH WINE LICENSE.

Authorization. The holder of an on-sale wine license issued by the City pursuant to Section 111.030 who is also licensed by the City to sell 3.2 percent malt liquor at on-sale pursuant to Section 111.065, and whose gross receipts are at least 60% attributable to the sale of food, may sell intoxicating

- (A) malt liquors at on-sale without an additional license from the City.

(B) *Restrictions.*

(1) No on-sale of intoxicating malt liquors shall be made between 1:00 a.m. and 12:00 Noon on Sunday, nor between the 12:00 Midnight and 8:00 a.m. on Monday, nor between the hours of 1:00 a.m. and 8:00 a.m. on Tuesday through Saturday.

(2) It is unlawful to consume or display or allow consumption or display of intoxicating malt liquors on any premises between the hours of 1:00 a.m. and 8:00 a.m. on the days of Monday through Saturday, nor between the hours of 1:00 a.m. and 12:00 Noon on Sunday.

(3) It is unlawful to sell intoxicating malt liquors to persons to whom intoxicating liquor sales are not permitted by the Code.

(4) It is unlawful for any licensee to make any sale of intoxicating malt liquors pursuant to this Section except for consumption on the licensed premises and in conjunction with the sale of food.

(5) No person under 18 years of age may sell or serve intoxicating malt liquors on licenses premises.

(Ord. No. 13, 3rd Series – Adopted 09/28/04)

§ Sec. 111.033. - BREWER TAPROOMS

SECTION 1.

- (a) License Authorized. Notwithstanding any provision of the City Code to the contrary, the Council may issue a brewer taproom license for the on-sale consumption of malt liquor produced on the licensed premises or adjacent to one brewery location owned by the brewer.
- (b) Applicant. The applicant for a license under this section must be a brewer licensed under Minnesota Statute Section 340A.301, Subd. 6(c), (i), or (j).
- (c) Terms and conditions of license.
 - (1) No license is valid until approved by the Commissioner.
 - (2) The on-sale of malt liquor, permitted by this Sec. 111.033, may only be made during the days and hours that on-sale of liquor may be made by holders of on-sale intoxicating liquor licenses issued pursuant to this Chapter 111.
 - (3) A brewer may only hold one (1) brewer taproom license under this Sec. 111.033 and may not have an ownership interest in a brewery licensed under Minnesota Statutes §340A.301, Subd. 6, clause (d).
 - (4) The only alcoholic beverage that may be sold or consumed on the licensed premises of the holder of a brewer taproom license will be the malt liquor produced by the brewer upon the brewery premises.
 - (5) All other provisions of this chapter, and all other applicable laws, statutes, ordinances, rules and regulations shall be applicable to licenses issued pursuant to this Sec. 111.033 and the licensees of such licenses, unless inconsistent with the provisions of this section.
 - (6) Nothing in this Sec. 111.033 precludes the holder of a brewer taproom license from also holding a license to operate a restaurant on the premises of the brewery.
- (d) Fees. The annual license fee for a license issued pursuant to this Sec. 111.033 shall be as established from time to time by a resolution/fee ordinance amendment of the City Council.

§ 111.045 MINORS; UNLAWFUL ACTS.

(A) Consumption. It is unlawful for any:

- (1) Licensee to permit any minor to consume alcoholic beverages on licensed premises;
or
- (2) Minor to consume alcoholic beverages except in the household of the minor's parent or guardian and then only with the consent of the parent or guardian.

(B) *Purchasing.* It is unlawful for any person:

(1) To sell, barter, furnish, or give alcoholic beverages to a minor unless the person is the parent or guardian of the minor and then only for consumption in the household of the parent or guardian;

(2) Minor to purchase or attempt to purchase any alcoholic beverage; or

(3) To induce a minor to purchase or procure any alcoholic beverage.

(C) *Possession.* It is unlawful for a minor to possess any alcoholic beverage with the intent to consume it at a place other than the household of the minor's parent or guardian. Possession of an alcoholic beverage by a minor at a place other than the household of the parent or guardian creates a rebuttable presumption of intent to consume it at a place other than the household of their parent or guardian. This presumption may be rebutted by a preponderance of the evidence.

(D) *Entering Licensed Premises.* It is unlawful for any minor to enter the municipal liquor store unless accompanied by a parent or legal guardian or to enter licensed premises for the purpose of purchasing or consuming any alcoholic beverage. It is not unlawful for any person who has attained the age of 18 years to enter licensed premises for the following purposes:

(1) To perform work for the establishment, including the serving of alcoholic beverages, unless otherwise prohibited by statute;

(2) To consume meals; and

(4) To attend social functions that are held in a portion of the establishment where liquor is not sold. It is not unlawful for a licensee to employ as a musician a person under 18 years of age to perform on licensed premises. It is unlawful for a licensee to permit a person under the age of 18 years to enter licensed premises unless as permitted herein or attending a social event at which alcoholic beverages are not served or in the company of a parent or guardian.

(E) *Misrepresentation of Age.* It is unlawful for a minor to misrepresent their age for the purpose of purchasing or consuming alcoholic beverage.

(F) *Proof of Age.* Proof of age for purchasing or consuming alcoholic beverages may be established only by a valid driver's license issued by Minnesota, another state or a province of Canada and including the photograph and date of birth of the licensed person; by a valid Minnesota identification card; by a valid Canadian identification card with the photograph and date of birth of the person, issued by a Canadian province; in the case of a foreign national, from a nation other than Canada, by a valid passport; or a valid military identification card issued by the United States Department of Defense.

§ 111.046 GAMBLING PROHIBITED.

It is unlawful for any licensee to keep, possess, or operate, or permit the keeping, possession or operation on licensed premises of dice or any other gambling device or permit raffles to be conducted, except as are licensed by the Charitable Gambling Control Board and then only except as it complies with the established policy of the City.

§ 111.047 SALE BY EMPLOYEE.

Any sale of an alcoholic beverage in or from any premises licensed under this Chapter by any employee authorized to make the sale in or from the place is the act of the employer as well as of the person actually making the sale; and every employer is liable to all of the penalties, except criminal penalties, provided by law for the sale, equally with the person actually making the sale.

§ 111.049 ALCOHOLIC BEVERAGES IN CERTAIN BUILDINGS AND GROUNDS.

It is unlawful for any person to introduce upon, or have in their possession upon, or in, any public elementary or secondary school ground, or any public elementary or secondary school building, any alcoholic beverage, except for experiments in laboratories and except for those organizations who have been issued temporary licenses to sell alcoholic beverages and for any person to possess alcoholic beverages as a result of a purchase from those organizations holding temporary licenses.

§ 111.053 NUDITY OR OBSCENITY PROHIBITED.

(A) The City Council finds it be in the best interests of the public health, safety, and general welfare of the people of this City that certain types of activities are prohibited as provided in this Section upon the premises of licensed liquor, wine, and 3.2% malt liquor establishments so as to best protect and assist the owners and operators and employees of these premises, as well as patrons and the public in general. The Council also finds that the standard set forth in this Section reflect the prevailing community standards of the City. The provisions of this Section are intended to prevent harm stemming from the physical immediacy and combination of alcohol, nudity and sex. The Council also intends to prevent any subliminal endorsement of sexual harassment or activities likely to lead to the possibility of various criminal conduct, including prostitution, sexual assault and disorderly conduct.

(B) It is unlawful for any licensee to permit or allow any person or persons on the licensed premises when the person does not have his or her buttocks, anus, breast, and genitals covered with a nontransparent material.

(C) A violation of this Section is a misdemeanor and is justification for revocation or suspension of any liquor, wine or 3.2% malt beverage license.

130.01 Disorderly Conduct

It is unlawful for any person, in a public or private place, knowing or having reasonable grounds to know, that it will or will tend to alarm, anger, or disturb others or provoke any assault or breach of the peace, to do or permit upon premises owned or controlled by them the following:

- (A) Engage in brawling or fighting;
- (B) Disturb an assembly or meeting, not unlawful in its character;
- (C) Engage in offensive, obscene or abusive language or in boisterous and noisy conduct tending reasonably to arouse alarm, anger, or resentment in others;
- (D) Willfully and lewdly exposes their person or the private parts thereof or procures another to so expose their self and any open or gross lewdness or lascivious behavior or any act of public indecency;
- (E) Voluntarily enters the water of any lake, river, or City public swimming pool within the limits of the City between the hours of 10:00 p.m. and 8:00 a.m., except with specific permission or enters the water without being garbed in a bathing suit sufficient to cover their person and equal to the standards generally adopted and accepted by the public;
- (F) Races the motor of any motor vehicle;
- (G) Causes the spinning or skidding of wheels or tires causing tire squeals or similar noise;
- (H) Causes the making or production of an unnecessary noise by shouting or by any other means of mechanism, including the blowing of any automobile or other vehicle horn;
- (I) Use a flash or spotlight in a manner so as to annoy or endanger others;
- (J) Drinks or displays any intoxicating liquor or 3.2 malt liquor in or about any premises where the drinking or display is prohibited by law;
- (K) Causes defacement, destruction, or otherwise damage to any premises or any property located thereon;
- (L) Strews, scatters, litters, throws, disposes of or deposits any refuse, garbage, or rubbish unto any premises, except into receptacles provided for such purpose;
- (M) Enters any motor vehicle of another without the consent of the owner or operator; or
- (N) Fails or refuses to vacate or leave any premises after being requested or ordered, whether orally or in writing, to do so, by the owner or person in charge thereof or by any law enforcement agent or official; provided, however, that this provision shall not apply to any person who is owner or tenant of the premises involved nor to any law enforcement or other government official who may be present thereon at that time as part of their official duty, nor shall it include the spouse, children, employee, or tenant of such owner or occupier.

130.25 ACTS PROHIBITED; EXCEPTION.

- (A) *Acts prohibited.* It is unlawful for any person to:

- (1) Recklessly handle or use a gun or other dangerous weapon or explosive so as to endanger the safety of another;
- (2) Intentionally point a gun of any kind, capable of injuring or killing a human being and whether loaded or unloaded, at or toward another;
- (3) Manufacture or sell for any unlawful purpose any weapon known as a sling-shot or sand club;
- (4) Manufacture, transfer, or possess metal knuckles or a switch blade knife opening automatically;
- (5) Possess any other dangerous article or substance for the purpose of being used unlawfully as a weapon against another;
- (6) Sell or have in possession any device designed to silence or muffle the discharge of a firearm; or
- (7) Furnish a minor under 18 years of age with a firearm, air gun, ammunition, or explosive without the written consent of the minor's parent or guardian or of the Police Division.

(B) *Exception.* Nothing in Division (A) of this Section shall prohibit the possession of the articles therein mentioned if the purpose of the possession is for public exhibition by museums or collectors of art.

§ 130.28 EXPOSURE OF UNUSED CONTAINER.

It is unlawful for any person, being the owner or in possession or control thereof, to permit an unused refrigerator, freezer, or other container sufficiently large to retain any child with doors which fasten automatically when closed to allow children access to the same without removing the doors, lids, hinges, or latches.

Chapter 152: Zoning Code

DISTRICT REGULATIONS

§ 152.020 FLOOD PLAIN DISTRICT (FP).

(A) *Purpose.*

- (1) Protect areas that have potential flood hazard.
- (2) Provide those areas prone to flooding the legal designation necessary to receive national flood insurance.
- (3) Provide protection to areas adjacent to designated flood plains.

(B) *Authority, interpretation and requirements.*

(1) **Authority.** The legislature of the state has, in M.S. Chapter 103F and M.S. § 462.351, delegated the responsibility to local government units to adopt regulations designed to minimize flood losses.

(2) **Official flood plain maps.** The official zoning districts map of the City shall delineate the 100 year flood hazard areas. The flood insurance study for Pennington County, Minnesota and Incorporated Areas, prepared by the Federal Emergency Management Agency dated May 3, 1990 and the Flood Insurance Rate Map dated May 3, 1990 (annotated by the Letter of Map Revision issued by the Federal Emergency Management Agency, Case No. 14-05-0815P, with an effective date of September 18, 2014, including all attached maps, tables, and flood profiles) are incorporated into this Section. The official zoning map shall be on file in the office of the Zoning Administrator.

(3) **Notification.** The Zoning Administrator shall submit by mail to the Commissioner of Natural Resources a copy of any application for proposed variances or zoning amendments affecting the Flood Plain District sufficiently in advance so that the Commissioner will receive at least ten days notice of the hearing. A copy of all decisions granting variances or zoning amendments within the Flood Plain

District shall be forwarded by mail to the Commissioner of Natural Resources within ten days of such action.

(4) **Structures.** Structures shall not be permitted within the Flood Plain District other than for public facilities which public facilities must receive prior approval of appropriate state agencies.

(c) **OBSCENITIES.** Those slang words currently generally rejected for regular use in mixed society, that are used to refer to genitals, female breasts, sexual conductor excretory functions or products, either that have no other meaning or that in context are clearly used for their bodily, sexual, or excretory meaning.

(d) **PERFORMANCE.** Any play, motion picture film, dance, or other exhibition pictured, animated or live performed before an audience.

(e) **SADO-MASOCHISTIC ABUSE.** Flagellation or torture by or upon a person who is nude or clad in undergarments or in revealing or bizarre costume or the condition of being fettered, bound, or otherwise physically restrained on the part of one so clothed.

(f) **SEXUAL CONDUCT.** Human masturbation, sexual intercourse or any touching of the genitals, pubic areas or buttocks of the human male or female or the breasts of the female, whether alone or between members of the same or opposite sex or between humans and animals in an act of apparent sexual stimulation or gratification.

(g) **SEXUAL EXCITEMENT.** The condition of human male or female genitals or the breasts of the female when in a state of sexual stimulation or the sensual experiences of humans engaging in or witnessing sexual conduct or nudity.

(2) **Unlawful acts.** It is unlawful for any licensee, for a monetary consideration or other valuable commodity or service, to knowingly or recklessly:

- (a) Exhibit an obscene performance;
- (b) Directly or indirectly sell an admission ticket or other means to gain entrance to an obscene performance; or
- (c) Directly or indirectly permit admission of a person to premises whereon there is exhibited an obscene performance.

(3) *Defense to prosecution.* In any prosecution under this Section it is an affirmative defense and for the defendant to prove:

(a) That the defendant was a bona fide school, museum, or public library or was acting in the course of their employment as an employee of such organization or of a retail outlet affiliated with and serving the educational purpose of such organization; or

(b) That the defendant was charged with exhibiting or selling an admission ticket, or permitting admission to a performance, those portions of which might otherwise be contraband forming merely an incidental part of an otherwise non-offending whole and serving some legitimate purpose therein other than titillation.

§ 110.28 DANCES.

(A) *Regulation of public dances.* All public dances held in this City shall be conducted in accordance with the provisions of this Section.

(B) *Definitions.* For the purpose of this Section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1) *PUBLIC DANCE.* Any dance where the general public may participate, whether or not a charge for admission for dancing is made.

(2) *DANCING PLACE.* Any room or space or other area, whether indoors or outside, which is open to the general public for the purpose of participating in public dancing.

(C) No person shall conduct a public dance in this City unless a permit has been obtained from the City Administrator prior to the holding of the dance. The fees for a permit shall be as established by resolution, which resolution may be amended from time to time. In addition to this fee, the applicant shall pay the cost to the City of providing a police officer or officers to be present at the dance. The City Council shall establish criteria for determining the number of police officers required to be present at any dance. No permit shall be issued until the fee and the cost of for providing the police officer or officers has been paid.

(D) *Application.* Any person desiring a permit to hold a public dance in this City shall submit an application for a permit on the form provided by the City Administrator submitted to the City Administrator at least 14 days before the date of the proposed dance. The application shall set forth the name and address of the applicant who shall be the person responsible for conducting the public dance and any business, committee, or organization sponsoring the dance, the place where the dance is to be

held, the date of the dance, and the time of its beginning and end. A request for any use of a City building or other City property shall be included with the permit application and no permit shall be issued until the fees for the use of the City building or other City property have also been paid.

(E) Location. The applicant shall make sure that adequate parking is available for the persons wishing to attend the dance and make sure that the location is safe and accessible. This information shall also be provided to the City Administrator before a permit shall be issued.

(F) Permit to be Posted. When a permit is issued, the holder of the permit shall post the permit in a prominent location on the premises on which the dance is to be held during the time the dance is occurring. The applicant shall be present at all times while the dance is occurring.

(G) Liquor License Required. No person shall give, hold, conduct, or permit any public dance where liquor will be served, as defined in M.S. Ch. 340A, without obtaining a license from the City.

(H) Police Officer Presence. No public dance shall occur without at least one police officer, or more if more are required under the criteria established by the City Council, present at the public dancing place during the duration of the dance and after the dance, until all of the

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General Licensing and Regulations

§ 110.30

participants have left the public dancing place.

(I) Hours. No public dance shall occur between the hours of 1:00 a.m. and 8:00 a.m.

(J) Minors Denied Admission. No person under the age of 21 shall be allowed to be present by the permit holder or any police officer at a public dance where alcohol is sold or consumed, unless accompanied by a parent or guardian.

(K) Certain Behavior Prohibited. No person present at any public dance shall engage in any disorderly conduct as defined by M.S. § 609.72 as it may be amended from time to time, and any disorderly person shall be immediately removed from the dance by the police officer present at the public dancing place. Should a substantial number of persons at the public dance engage in disorderly conduct, the police officer present shall terminate the dance and remove all persons from the public dancing place.

(L) Lighting. In order to protect the safety of persons attending a public dance, public dancing places shall be adequately illuminated and dancing therein while lights are extinguished, dimmed, or turned low so as to give inadequate or imperfect illumination is hereby prohibited. All exit areas shall be illuminated at all times during the public dance with light having intensity of not less than one footcandle at floor level. Illumination of less than 0.5 footcandles in any area where dancing is occurring, permitted, or encouraged is prohibited.

(M) All public dances shall be subject to the provisions of this Code regulating noise.

(N) *Exceptions.* This section shall not apply to any dance sponsored by a local school, incorporated church, youth center, or non-profit organization where the dance is held on the premises of the local school, incorporated church, youth center, or non-profit organization.

§ 110.29 PLUMBERS.

No person, firm, or corporation shall engage in or work at the business of a master plumber or journeyman plumber unless licensed to do so by the State Commissioner of Health.

On vote being taken, the resolution passed unanimously.

RESOLUTION NO. 09.187.25: 8.31 Summary Approval of City of Thief River Falls Ordinance Update

Following discussion, councilmember Michele McCraw introduced Resolution 09.187.25, seconded by Councilmember Steve Narverud, that:

WHEREAS A RESOLUTION OF THE CITY OF THIEF RIVER FALLS, MINNESOTA, PROVIDING FOR THE SUMMARY PUBLICATION OF STATED ORDINANCES ATTACHED HERETO AS EXHIBIT “A”, AMENDING THE CITY CODE.

WHEREAS, State law requires that all ordinances adopted be published prior to becoming effective; and

WHEREAS, the City Council for the City of Thief River Falls has determined that publication of the total and a summary of the stated ordinances attached as Exhibit “A” would clearly inform the public of the intent and effect of the ordinances; and

WHEREAS, the City Council for the City of Thief River Falls has reviewed the summary of the stated ordinances attached and incorporated herein as Exhibit “B”.

THEREFORE BE IT RESOLVED, the City Council for the City of Thief River Falls hereby:

1. Approves the text of summary of the stated ordinances attached as “Exhibit “B”
2. Directs the City Administrator to post a copy of the entire text of the stated ordinances attached as Exhibit “A” in all public locations designated by City Council
3. Directs the City Administrator to publish the summary in the City’s legal newspaper within ten days
4. Directs the City Administrator to file the executed ordinance upon the books and records of the City along with proof of publication
5. Said resolution was passed by a 4/5ths vote.

EXHIBIT "B"

Summary Ordinance Sections:

52.10 Cost sharing for upgrade or change for existing or new electric customer.

Customer to pay 40% of the cost related to primary wire and transformer. Customer shall provide acceptable pad for transformer.

54.14 Water Usage In A Critical Water Deficiency.

Establishes water conservation restrictions to be in effect at any time the Governor declares by executive Order a critical water deficiency. It would apply to all customers provided water by the City. Includes restrictions on water usage if declared.

70.01 Statutes Adopted By Reference of Traffic Code and MN Stat 171 references.

Adopts the State Traffic Regulation Chapter 169 and portion of Chapter 171 related to driver's license and unlawful use of the same.

70.02 Application to all drivers in regard to ordinance laws.

States that all motor vehicles and bicycles or animal drawn vehicles are subject to the provisions of the traffic code.

70.03 Scope and Orders of a Police Officer.

States that it is a misdemeanor offense to willfully fail or refuse to comply with the lawful order or direction of a peace officer with authority to direct, control or regulate traffic.

72.05 Following Traffic Directions of a Peace Officer.

It is a petty misdemeanor for any person to stop or park a vehicle on a street when directed to proceed by a peace officer with lawful authority.

72.06 Parallel Parking Regulation.

Ordinance controls the manner and locations of motor vehicles when parallel parking. It is a petty misdemeanor to stop, park or leave standing a vehicle in violation of the ordinance.

73.03 Bicycles, Roller Blades, Roller Skates and Skateboards regulation.

Governs the manner of riding a bicycle and prohibits carrying more persons than the bicycle was designed for, except for properly secured child carrying seats.

73.04 Unlawful to Hitch Rides or Attach to a Motor Vehicle.

It is unlawful for any person riding a bicycle, coaster, roller skates, roller blades, skate board, sled or toy vehicle to attach the same or themselves to any vehicle upon a street.

73.05 Where to Ride a Bicycle.

Bicycles upon streets shall ride as near to the right side of the street as practicable, exercising due caution.

73.06 Bicycle to Yield Right of Way to Pedestrians.

Bicyclists shall yield right of way to any pedestrians and shall give audible signal before overtaking or passing a pedestrian.

73.07 Regulation related to carrying items on a Bicycle.

Ride must be able to keep at least one hand on the handlebars at all times when carrying articles or packages.

73.08 Regulation of Lighting and Brake Equipment on Bicycles.

Defines required reflective materials on bicycles.

73.09. Unlawful to sell Bicycle without Reflector.

All bicycle sales must comply with reflectors as prescribed by ordinance.

91.02. Definition of Tree Diseases.

Defines certain tree fungus and dead trees as public nuisances and allows for abatement.
Allows charges of abatement to be assessed to property owner.

91.15. Public Nuisance Regulation.

Ordinance makes it a misdemeanor to maintain a public nuisance.

91.16. Regulation of Public Nuisances Affecting Health.

Ordinance provides definitions of public nuisances affecting health

94.12. Animals to Receive Basic Care.

All animal owners shall provide kind treatment, housing and sufficient food and water for their animals.

110.27. Licenses (Fees) Required for Certain Performances and Exhibitions. Obscenity and Nudity Prohibited.

Ordinance provides licenses for certain public performances, circus, carnival or theatrical performances. It excepts certain church, school and athletic events.
Prohibits Nudity or Obscene Performance.

110.28. Regulation of Public Dances.

Defines dances, and requires permits and certain conditions such as location, hours, lighting, noise, police officer present, etc. Provides exceptions for church, school, youth center, and non-profits.

110.29. Plumber Licensure.

Prohibits any person, firm or corporation to engage in the work of a master plumber or journeyman plumber unless licensed to do so by the Commissioner of health.

111.021. Licensees Required to Post Licenses.

Alcohol licenses to be posted in conspicuous place on premises.

11.023. Limitation on ownership of more than one off-sale intoxicating liquor license.

City may not issue more than one off-sale intoxicating liquor license to any one person for any one place.

111.024. Conditional License Restrictions May Be Imposed by Council.

Council may place such conditions and restrictions upon a license as it may deem reasonable and justified.

111.026. Insurance Certificate Requirements.

When insurance is required for a license, the certificate of insurance shall be filed with the City Administrator. Provides for notice of cancellation or termination of coverage.

111.031. On-Sale Intoxicating Malt Liquor in Conjunction With Wine License Regulations.

The holder of an on-sale wine license issued by the City, who is also licensed to sell 3.2% malt liquor, and whose gross receipts are at least 60% attributable to the sale of food, may sell intoxicating malt liquors at on-sale without additional license from the City.

111.033. Brewer TapRoom License Regulations.

Provides for the licensure and regulation of tap rooms for the on-sale consumption of malt liquor produced on the licensed premises. Governs days and hours of operation.

111.45. Unlawful Acts for Minors - Possess or Consume Alcoholic Beverages.

Minors are not permitted to consume alcohol on licensed premises. Minors may consume alcoholic beverages in the household of the minor's parent or guardian with the consent of said parent or guardian.

Prohibits sale, purchase, possession and entrance by minors of alcoholic beverages or entering of licensed premises for unlawful purposes. Allows people over age of 18 to serve liquor in licensed premises, consume meals or attend social events in licensed premises.

111.45. Sale of Alcohol By Employee Treated Same As By Employer.

Makes the employer liable for unlawful sales and acts of its employees.

111.049. Regulation of Alcohol on Certain Grounds and Buildings.

Regulates possession of alcohol on school grounds or buildings.

111.053. Nudity or Obscenity Prohibited on Licensed Premises.

Nudity and/or Obscenity is prohibited upon licensed establishments. Violation is a misdemeanor.

130.01. Regulation of Disorderly Conduct.

Defines acts of disorderly conduct.

130.25. Acts and Items Prohibited.

Makes it unlawful to endanger another with a gun or other dangerous weapon. Unlawful to manufacture or sell a slingshot or sandclub as a weapon, or to manufacture or possess metal knuckles or an automatically opening switchblade. Unlawful to sell or possess a silencer.

130.28. Regulation of Exposure of Unused Container/Refrigerators.

Regulates the removal of doors and latches which fasten automatically on an unused refrigerator or freezer or similar container.

152.020. Regulation of Flood Plain Districts.

Defines and regulates flood control districts, provides for official flood control maps and regulates structure placements.

All ordinances would be subject to applicable penalty provisions and would be in full force and effect after passage and publication.

On vote being taken, the resolution was passed unanimously.

RESOLUTION NO. 09.188.25: Ordinance First Reading and Adoption - Careless Operation Section 73.03

Following discussion, Councilmember Jason Aarestad introduced Resolution 09.188.25, being seconded by Councilmember Kelly Langness , that:

WHEREAS, AN ORDINANCE OF THE CITY OF THIEF RIVER FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 73 ENTITLED "BICYCLES" BY ADDING ORDINANCE SECTION 73.03, "CARELESS OPERATION", AND BY ADOPTING BY REFERENCE PENALTY PROVISIONS.

THE CITY COUNCIL OF THIEF RIVER FALLS ORDAINS:

Section 1. The City Code Chapter 73 is hereby amended to add Ordinance 73.03., which shall read as follows:

73.03. CARELESS OPERATION. No person shall operate or halt any personal wheeled vehicle, whether self-propelled or powered by some other means, carelessly or heedlessly in disregard of the rights of others, or in a manner that endangers or is likely to endanger any property or any person, including other operators of personal wheeled vehicles, pedestrians, or motor vehicles. For purposes of this ordinance, "personal wheeled vehicles" include, but are not limited to, bicycles, electric assisted bicycles, golf carts, all terrain vehicles, off-highway vehicles, off-road vehicles, off highway motorcycles, electric or self-powered scooters, skateboards, hoverboards, or any other device containing wheels and capable of transporting a person.

Section 2. City Code references to Penalty and Violations are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. This ordinance shall be in force and effect from and after its passage, approval, and publication.

Passed by the unanimous vote of the City Council of Thief River Falls, Minnesota, on the 2nd day of September, 2025.

Mayor

ATTEST:

City Administrator

THEREFORE, BE IT RESOLVED Approve the first reading of the recommended ordinance Careless Operation Section 73.03 and forego the second reading.

On vote being taken, the resolution passed unanimously.

RESOLUTION NO. 09.189.25: Approval of Careless Operation Ordinance Section 73.03

Following discussion, Councilmember Julie Bolduc introduced Resolution 09.189.25, being seconded by Councilmember Jason Aarestad, that:

WHEREAS, AN ORDINANCE OF THE CITY OF THIEF RIVER FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 73 ENTITLED "BICYCLES" BY ADDING ORDINANCE SECTION 73.03, "CARELESS OPERATION", AND BY ADOPTING BY REFERENCE PENALTY PROVISIONS.

THE CITY COUNCIL OF THIEF RIVER FALLS ORDAINS:

Section 1. The City Code Chapter 73 is hereby amended to add Ordinance 73.03., which shall read as follows:

73.03. CARELESS OPERATION. No person shall operate or halt any personal wheeled vehicle, whether self-propelled or powered by some other means, carelessly or heedlessly in disregard of the rights of others, or in a manner that endangers or is likely to endanger any property or any person, including other operators of personal wheeled vehicles, pedestrians, or motor vehicles. For purposes of this ordinance, "personal wheeled vehicles" include, but are not limited to, bicycles, electric assisted bicycles, golf carts, all terrain vehicles, off-highway vehicles, off-road vehicles, off highway motorcycles, electric or self-powered scooters, skateboards, hoverboards, or any other device containing wheels and capable of transporting a person.

Section 2. City Code references to Penalty and Violations are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. This ordinance shall be in force and effect from and after its passage, approval, and publication.

Passed by the unanimous vote of the City Council of Thief River Falls, Minnesota, on the 2nd day of September, 2025.

THEREFORE, BE IT RESOLVED To approve the Ordinance amending City Code Chapter 73 Section 73.03 "Careless Operation."

On vote being taken, the resolution unanimously passed.

RESOLUTION NO. 09.190.25: 2026 Western Star 47X Dump Truck

Following discussion, Councilmember Scott Pream introduced Resolution 09.190.25, being seconded by Councilmember Steve Narverud.

WHEREAS, the following the City of Thief River Falls Public Works Department has had an active dump truck fleet of 4 dump trucks. In 2025, on truck was sold on auction due to the inability to pass DOT inspection protocol. Currently, we are one truck absent from fleet.

THEREFORE BE IT RESOLVED, approval of the City Administrator to sign a Bill of Sale Acknowledgement form, a hold document, and to complete the lease documentation when the information becomes available for a 2026 Western Star 47x Dump Truck in the amount of \$182,125.50.

On vote being taken, the resolution passed unanimously.

COUNCIL BOARDS AND COMMISSIONS REPORTS

- Jason noted the safety concern at the Greenwood roundabout especially with school starting today. He reminded drivers to watch for pedestrians and stop when people are waiting/in the crosswalk.
- Scott noted Northern Pride received an award from MN Share for safety.
- Mike noted a list of commissions and boards assignments was given to each councilmember and requested they review their current assignments.
- Mike reviewed his mayoral update with the council.

UPCOMING MEETINGS

- Public Utilities Committee - Sept 8 at 7:00 am
- Public Safety Committee - Sept 8 at 4:30 pm
- Administrative Committee - Sept 9 at 4:30 pm
- Public Works Committee - Sept 10 at 4:30 pm
- City Council Meeting - Sept 16 at 5:30 pm

INFORMATIONAL ITEMS

- Summer hours ended at City Hall Sept 1. Regular business hours are M-F 8-430pm Labor Day thru Memorial Day.

ADJOURNMENT

There being no further discussion, Councilmember Scott Pream motioned being seconded by Councilmember Kelly Langness to adjourn at 6:06 pm. ON vote being taken, the Chair declared the motion unanimously carried.

Mayor Mike Lorenson

Attest: City Administrator Angela Philipp _____