

**CITY OF TONKA BAY  
COUNTY OF HENNEPIN  
STATE OF MINNESOTA**

**ORDINANCE NO. 2015-03**

**Section 1. THE CITY COUNCIL OF THE CITY OF TONKA BAY, MINNESOTA AMENDS SECTION 710, OFFENSES AGAINST THE PUBLIC PEACE AS FOLLOWS:**

**\*710.01**      JUVENILE CURFEW    \*Amended January 27, 1987

Subd. 1      Juveniles 14 and Younger

It shall be unlawful for any juvenile 14 years of age or younger to be on or upon any public street, alley, park, playground, or place open to the public, or place of amusement and entertainment, vacant lot, or other unsupervised place in the City of Tonka Bay between the hours of 10:00 p.m. and 5:00 a.m. of the following day. This section shall not apply when the juvenile is accompanied by the juvenile's parent, legal guardian or by an adult acting with the knowledge and approval of the parent or legal guardian or when engaged in requirements of his legitimate employment.

Subd. 2      Juveniles 15 Through 17

It shall be unlawful for any juvenile 15, 16 or 17 years of age to loiter, idle, wander, or play on or upon any public street, alley, park, playground, or place open to the public, or place of amusement and entertainment, vacant lot, or other unsupervised place in the City of Tonka Bay between the hours of 12:00 midnight and 5:00 a.m. This section shall not apply when the juvenile is accompanied by the juvenile's parent, legal guardian or by an adult acting with the knowledge and approval of the parent or legal guardian.

Subd. 3      Unlawful Gathering

It shall be unlawful for any juvenile under the age of 18 to be present at a gathering of two or more persons when one or both of the following conditions exist:

- a.      When a juvenile has reason to believe that illicit drugs are present or being used at a gathering. For the purpose of this section, illicit drugs shall be deemed to be those prohibited by Minnesota Statute.
- b.      When a juvenile is at a place uncontrolled by their parent(s) and has reason to believe that alcoholic beverages are being used unlawfully, as defined by Minnesota Statute.

Subd. 4      Liability of Parent(s)

It shall be unlawful for any parent, legal guardian or other adult having authorized care, custody or control of any juvenile under the age of 18, to knowingly permit such juvenile to violate the provisions of Subdivisions 1, 2 or 3.

Subd. 5      Liability of Proprietor

It shall be unlawful for any person operating or in charge of any place of amusement, entertainment or refreshment, or other place of business, to knowingly permit any juvenile under the age of 18 years to violate the provisions of Subdivisions 1, 2 or 3 while on said premises, and such person shall immediately order such juvenile to leave. If such juvenile refuses to leave said premises, such person shall immediately

notify the South Lake Minnetonka Public Safety Department of the violation.

Subd. 6 Penalty

- a. Any juvenile who violates Subdivisions 1, 2 or 3 may be sent or taken home or placed under proper custody by any police officer of the South Lake Minnetonka Public Safety Department.
- b. Any juvenile who violates Subdivisions 1 or 2 shall be deemed a juvenile petty offender as defined by Minnesota Statute.
- c. Any parent, legal guardian or other adult person who violates the provisions of Subdivision 4 shall be guilty of a petty misdemeanor.
- d. Any proprietor and/or employee who violates the provisions of Subdivision 5 shall be guilty of a petty misdemeanor.

**710.02 LURKING OR LOITERING**

No person shall lurk, lie in wait, or conceal himself in or about any building, yard, lot, street or alley within the City of Tonka Bay with the intent to do mischief or to pilfer, or for any immoral purpose, or to commit any crime, or misdemeanor whatever, such acts to be prima facie evidence of such intent. Violation of this section shall constitute a misdemeanor.

**710.03 DISORDERLY CONDUCT**

Whoever does any of the following in a public or private place, knowing or having reasonable grounds to know that it will or tend to alarm, anger, or disturb others, or provoke any assault, or breach of peace, is guilty of disorderly conduct.

- a. Engages in brawling or fighting; or
- b. Disturbs an assembly or meeting, not unlawful in its nature; or
- c. Engages in offensive, obscene, or abusive language, or in boisterous and noisy conduct tending reasonably to arouse alarm, anger, or resentment in others.
- d. Using profane, vulgar or indecent language in or about any public buildings, store or place of business or upon any of the streets, alleys or sidewalks of the city so as to be audible and offensive;
- e. Appearing on any public street or other public place in an intoxicated condition or drinking intoxicating liquor on any street or in a vehicle upon a public street.

Subd. 1 Penalty

Any person convicted of violating this section shall be guilty of a misdemeanor.

**710.04 OFFENSES RELATING TO MORALITY AND DECENCY**

Minnesota Statutes Chapter 617 relating to offenses relating to morality and decency is hereby incorporated by reference.

**710.05 BOATS AND ANIMALS IN BATHING AREA**

The following acts shall be prohibited:

- a. No person, firm, or corporation between the dates of May 15 and September 14 shall propel or cause to be propelled or launched, boats, whether by motor power or otherwise, into any waters designated by the proper authorities of the city as a public swimming area or access to waters for emergency vehicles, provided, however, that this

provision shall not apply to the propulsion of boats or vehicles into such waters in cases of emergency for the purpose of aid or necessity.

b. It shall be unlawful for any owner or custodian to allow any animal, including but not limited to dogs, cats and horses, in or on any public beach, public swimming area, or public park between April 15th and October 15th of any calendar year.

**710.06      FISHING**

No person shall use any part of or be or stand on any public street, road, highway, alley and/or other public property, for the purpose of fishing therefrom, where official signs authorized by the city of Tonka Bay prohibit said use, act or purpose.

**710.07      FIREWORKS**

No person, firm or corporation shall possess, sell, expose or offer for sale, give away, use or explode any fireworks in the city of Tonka Bay except that pyrotechnic displays under proper supervision and by special permit of the council may be made.

**710.08\*      ALCOHOL PROHIBITED IN PARKS** (Amended 9-8-15)

No person shall possess, consume, or dispense any alcoholic beverage, 3.2 percent malt liquor or intoxicating liquor in any City Park, unless a temporary liquor license has been approved by the City Council as referenced in City Ordinance Section 600. A special events permit may be required dependent upon the type of event and number of attendees.

**Section 2.      EFFECTIVE DATE.**

This ordinance shall take effect upon its adoption by the City Council and its publication in the City's official newspaper.

---

Gerry De La Vega, Mayor

ATTEST:

---

Lindy Crawford, City Clerk/Administrator

First Reading:      August 25, 2015  
Second Reading:    September 8, 2015  
Publication:        September 17, 2015