

- 8) A person engaged in practicing or attempting any trick or devise to procure money or other thing of value, if such trick or devise is made a public offense by any 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 or 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 or lodging in taverns, grocery stores, market places, uninhabited buildings or any open area and not giving good account of himself.
- 10) A person not blind, over sixteen (16) years of age and who has not resided in Swift County at any time for a period of six months prior thereto, and not having 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 him.
- 11) Any person found guilty of the foregoing offense shall be deemed guilty of a misdemeanor and may be punished as provided in these Ordinances.

**90.05 Discharge of Firearms Prohibited.** No person shall discharge any firearm of any description or fire, explode or set off any other explosive instrument, substance or material within the limits of the City of Kerkhoven, unless it is in the discharge of official duty prescribed by these Ordinances or by the laws of the State of Minnesota, or upon the written permission of the City Council.

**90.06 Fireworks.**

- 1) Prohibitions. Except as otherwise provided in subdivision 2, it shall be unlawful for any person to offer for sale, sell, use or explode any fireworks, firecrackers, rockets, torpedoes or other explosive contrivances within the corporate limits of the City of Kerkhoven. This Ordinance shall not, however, apply to the keeping and storage of such merchandise for shipment outside this City provided a special permit for such storage has been issued by the City Council.
- 2) Permit Required. Any person, group or organization desiring to use any fireworks or explosive contrivances to display within the City limits, shall make written application to the City Clerk at least fifteen (15) days in advance of the date of the display. The City Council, with the advice and consent of the Fire Chief shall then determine whether the operator of the display is competent and whether the display is of such a character and is to be so located, discharged or fired so that it will not be hazardous to property or endanger any person. Further, the proposed display shall conform to the rules and regulations of the State Fire Marshal provided thereto. If the proposed display meets all of the foregoing criteria, the City Clerk shall issue a permit for the display upon payment of a fee of Two Dollars (\$2.00).
- 3) Limitation on Permit. Permits granted pursuant to subdivision 1 shall be lawful only for the display to which the permit relates.
- 4) Permits Non-Transferable. Permits granted pursuant to subdivision 2 shall not be transferable.
- 5) Seizure Permitted. Fireworks or explosive contrivances used in violation of these Ordinances may be seized by the City law enforcement officers and subsequently destroyed by said officers.

- 6) Penalty. The seizure of any fireworks or explosive contrivances by law enforcement officers shall not prevent any person who violates these firework provisions from being prosecuted as provided elsewhere in these Ordinances.

#### 90.07 **Gambling.**

- 1) Gambling Prohibited. Gambling with cards, dice, gambling tables, slot machines, or other gambling devices within the City of Kerkhoven is hereby prohibited.
- 2) Gambling Halls Prohibited. The keeping of all houses or places for the purpose of gambling or gaming and the keeping or setting up of any gambling device designed to be used in gambling within the corporate limits of this City is also prohibited.

#### 90.08 **Billiards and Pool.**

- 1) License Required. No person shall be engaged in the business of operating a billiard, pool or pigeon hole table or allow such tables to be kept in their premises without having first obtained a license therefor as provided in these Ordinances.
- 2) License. A person desiring a license under subdivision 1 shall apply to the City Clerk therefor and shall pay to said Clerk for said license the sum of Five Dollars (\$5.00) per annum for each and every such table kept for use in their place of business.
- 3) Transfer of License. Upon payment of the foregoing sum, the City Clerk shall issue a license for a term of one year from the date of its issuance. For cause shown, and upon payment of One Dollar (\$1.00) to cover the cost thereof, such license may be transferred to another person or persons for the balance of the license year. Said transfer of such license shall be authorized only upon motion made to the City Council and the City Council approving the same by majority vote.
- 4) Order Required. Any person who obtains a license as provided herein, shall keep an orderly place and not permit or suffer any games to be played on the Sabbath Day.
- 5) Revocation. Any license issued to this chapter may be revoked if the City Council should find following notice to the licensee and a hearing thereon that the said licensee has not complied with the provisions of subdivision 4 herein.

#### 90.09 **Pinball Machines.**

- 1) License Required. No person shall allow pinball machines or other gaming or electronic amusement devices to be operated on a business location under his control and operation without first obtaining a license as hereinafter provided.
- 2) License. A person desiring a license under subdivision 1 shall apply to the City Clerk therefor and shall pay to the Clerk as a fee the sum of Twelve and 50/100 Dollars (\$12.50) per annum for each and every pinball machine, gaming or electronic amusement device kept for use in their place of business.
- 3) Transfer of License. Upon payment of the foregoing sum, the City Clerk shall issue a license for a term of one year from the date of its issuance. For cause shown and upon payment of One Dollar (\$1.00) to cover the cost thereof, such license may be transferred to another person or persons for the balance of the license year. Any such transfer shall be authorized only upon motion made to the City Council and the Council's approval by a majority vote.

- 4) Restrictions. Any person who obtains a license as provided herein shall keep an orderly place and not permit any wagering with respect to the playing of any of the amusement machines.

90.10 **Curfew.**

- 1) Regulating Conduct of Minors. It shall be unlawful for any minor under the age of eighteen (18) years to loiter or be in or upon the public streets, highways, alleys, parks, playgrounds or other public places or private unsupervised places, or to ride in or park in a vehicle in any of the foregoing places in the City of Kerkhoven between the hours of 10:00 p.m. and 4:00 a.m. of the following day provided, however, that the provisions of this section shall not apply to any such minor accompanied by his or her parent, guardian or other adult person having the care and custody of the minor, or when the minor is upon an errand directed by his or her parent, or any other adult person having the care and custody of the minor.
- 2) Regulating Conduct of Adults in Charge of Minors. It shall be unlawful for the parent, guardian or other adult person having the care and custody of a minor under the age of eighteen (18) years to permit such minor to violate the provisions of subdivision 1.
- 3) School Night. The provisions of subdivisions 1 and 2 shall not apply if the minor under the age of eighteen (18) is returning home after attending a school athletic, musical or social activity conducted for the benefit of its students provided, however, the limitation of subdivisions 1 and 2 shall apply between the hours of 12:30 a.m. and 4:00 a.m.

DERIVATION: July 24, 1969.