



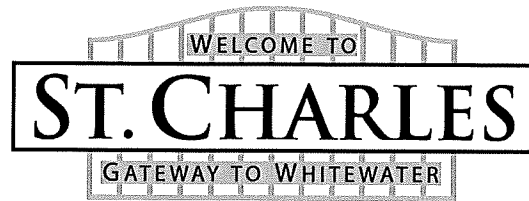
The City Council of the City of St. Charles welcomes you to its
 Regular Meeting of Tuesday, March 24, 2020 at 6:00 p.m.
 at 830 Whitewater Avenue, City Council Chambers, St. Charles, Minnesota.

ITEM	ACTION REQUESTED
1. Call to Order	
2. Pledge of Allegiance	
3. Approval of the Agenda	
4. Notices and Communications –	
5. Review of Financials	
6. COVID-19 Updates	INFORMATION
7. Resolution #19-2020 Declaring A Local Emergency	APPROVE
8. WOW Request	APPROVE
9. 2019 Watermain-Pay Request No.2-Final	APPROVE
10. Resolution #20-2020 Donation in Memory (Goodrich)	APPROVE
11. Ordinance #619 Establishing Park Hours (1 st Reading)	APPROVE
12. Ordinance #620 Prohibiting the Discharge of Firearms (1 st Reading)	APPROVE
13. Ordinance #621 Drinking In Public & Exceptions (1 st Reading)	APPROVE

UNSCHEDULED PUBLIC APPEARANCES: Members of the audience may address any item not on the agenda. State Statute prohibits the City Council from discussing an item that is not on the agenda, but the City Council does listen to your concerns and has staff follow up on any questions you raise.

ADJOURNMENT

Please Note: Some or all councilmembers may participate by telephone or other electronic means as permitted through Minn. Stat. 13D.021.



MEMORANDUM for the CITY COUNCIL of St. Charles for
Tuesday, March 24, 2020

- 6. COVID-19 Updates.** Various informational notices are included in the packet and a brief report will be given on activities being conducted.
- 7. Resolution #19-2020 Declaring a Local Emergency.** Enclosed is a resolution for consideration as reviewed and recommended by Flaherty & Hood.
- 8. WOW Request.** Enclosed is a request for the planned What's On Wednesday events for consideration.
- 9. 2019 Watermain-Pay Request No. 2—Final.** Please see the enclosed letter and review by WHKS to provide for the final pay request for the 2019 Watermain project.
- 10. Resolution #10-2020 Donation in Memory (Fran Goodrich).** Please see the enclosed resolution for consideration.
- 11. Ordinance #619 Establishing Park Hours (1st Reading).** The enclosed resolution was reviewed by Park Board and recommended for approval.
- 12. Ordinance #620 Prohibiting the Discharge of Firearms (1st Reading).** The enclosed resolution was reviewed by Park Board and recommended for approval. A similar ordinance existed at one time (2007-2008) and was deleted from the published Code by mistake. The ordinance has been updated by Flaherty & Hood.
- 13. Ordinance #621 Drinking In Public & Exceptions (1st Reading).** The enclosed resolution was reviewed by Park Board and recommended for approval.



City Services will be closed to the public beginning March 23rd.

- ♦ City staff will be available to assist Citizens by phone M-F 8am-5pm
- ♦ Current updates can be found on the City's website www.stcharlesmn.org and Facebook page www.facebook.com/stcharlesmn
- ♦ Utility Bills can be paid using checks, money orders or cashiers checks (no cash) in the outdoor drop box, online at www.stcharlesmn.org or via phone by calling 877-885-7968.

Department	Contact	Phone	E-mail/Website
General City Information		507-932-3020	www.stcharlesmn.org
Covid-19 updates			www.stcharlesmn.org
City Utility Bill Questions		507-932-3020	cityhall@stcharlesmn.org
City Facebook Page		507-932-3020	www.facebook.com/stcharlesmn
Deputy Clerk	Janell Dahl	507-932-3020	jdahl@stcharlesmn.org
Building Permits	Janell Dahl	507-932-3020	jdahl@stcharlesmn.org
Mayor	John Schaber		mayor@stcharlesmn.org
Parks & Recreation	Rick Schaber	507-932-3020	rschaber@stcharlesmn.org
Park/Rec Registration Questions	Cassie Smith	507-932-3020	csmith@stcharlesmn.org
City Administrator	Nick Koverman	507-932-3020	nkoverman@stcharlesmn.org
Public Works	Kyle Karger	507-932-3020	kkarger@stcharlesmn.org
Water Leaks / Street Issues	Kyle Karger	507-932-3020	kkarger@stcharlesmn.org
Electric Issues	Kyle Karger	507-932-3020	kkarger@stcharlesmn.org
Library (webpage)	Sherry Grossardt	507-932-3227	selco.info
Library (Facebook)		507-932-3227	www.facebook.com/stcharles.lib.mn.us
For emergencies call 911			
Police	For non-emergency needs, call 507-932-8020		www.facebook.com/SCPDMMN
For emergencies call 911			
Fire / Ambulance	For non-emergency needs, call 507-932-4500		

DOVER EYOTA ST. CHARLES AREA SANITARY DISTRICT

John Brogan – Plant Manager
(507) 932-4171

NOTICE TO THE COMMUNITIES OF DOVER, EYOTA AND ST. CHARLES MN

DATE: March 19, 2020

SUBJECT: Sanitary Sewer Concerns

Due to possible stockpiling and the resulting shortage of toilet paper as a result of COVID-19 concerns, we have heard of the increased use and flushing of non-flushable materials such as baby wipes, napkins and paper towels. While the “flushable” wipes concern is not new to wastewater facilities, there is an increased risk due to the current lack of availability of toilet paper. We ask that you not flush anything other than toilet paper.

Flushing anything other than toilet paper can create expensive problems for homeowners and the Sanitary District’s facilities. Flushing wipes (even those labeled “flushable”) and other non-toilet paper materials causes backups, equipment and pipe breakages, and possibly even force raw sewage back into peoples’ homes. Since we are a public utility, the cost to repair these damages is borne by the individual homeowners or the public. We want to avoid any and all of these problems to keep our facility up and running.

We ask that you pay close attention to what is being used in your home and make sure you are **only flushing toilet paper**. As a reminder, the following products are **NOT** flushable and must be disposed of in a waste basket:

- Paper towels
- Napkins
- Wet wipes/baby wipes (even those labeled as “flushable” wipes)
- Kleenex
- Diapers
- Feminine hygiene products
- Gauze/Band-Aids

Thank you for helping keep our communities and the Sanitary District’s facility clean and functioning! If you have any questions or concerns, please call the Dover Eyota St. Charles Area Sanitary District at (507) 932-4171.

John Brogan
Dover Eyota St. Charles Sanitary District
district@hbcsd.net



1700 North Broadway • Suite 128
Rochester, MN 55906
507-282-8206 • FAX 281-0391

TO: City/Township/County Administrator

FROM: Jay Kruger

DATE: March 18, 2020

RE: Inspection Services

As a company, the health and well-being of our customers, employees and families is the upmost importance.

NOTICE:

Effective Thursday, March 19, 2020, Construction Management Services will suspend all in-home (occupied) non-essential inspections until further notice.
(i.e. flat fee installs, finish lower level, remodel projects)
Applicants are to contact CMS for direction on inspections.

New construction inspections will proceed as usual.

All inspections outside the homes will proceed as usual.

All commercial inspections will proceed as usual.

Call if you have any questions.

STATE OF MINNESOTA

Executive Department



Governor Tim Walz

Emergency Executive Order 20-04

Providing for Temporary Closure of Bars, Restaurants, and Other Places of Public Accommodation

I, Tim Walz, Governor of the State of Minnesota, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat.

Confirmed cases of COVID-19 in Minnesota are rapidly increasing. On March 15, 2020, Minnesota detected the first confirmed cases caused by “community spread”—infections not epidemiologically linked to overseas travel. This development requires Minnesota to take additional proactive measures, including enhanced community mitigation, to slow the spread of this pandemic. Slowing the spread of COVID-19 is critical to ensuring that our healthcare facilities remain able to accommodate those who require intensive medical intervention.

In this time of uncertainty and peacetime emergency, Minnesotans must continue to maintain their essential activities. I encourage supermarkets, pharmacies, and other establishments providing essential retail goods and services to remain open, subject to best practices, including social distancing, established by the Centers for Disease Control and Prevention and the Minnesota Department of Health. That said, certain other public accommodations in which Minnesotans congregate pose a threat to the public health by providing environments for the spread of COVID-19.

Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(1), the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency. Any person who willfully violates

such an order or rule is guilty of a misdemeanor and upon conviction must be punished by a fine not to exceed \$1,000 or by imprisonment for not more than 90 days.

For these reasons, I order as follows:

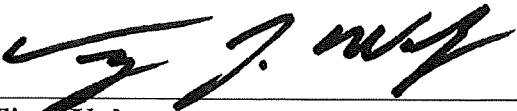
1. Beginning no later than March 17, 2020 at 5:00 pm, and continuing until March 27, 2020 at 5:00 pm, the following places of public accommodation are closed to ingress, egress, use, and occupancy by members of the public:
 - a. Restaurants, food courts, cafes, coffeehouses, and other places of public accommodation offering food or beverage for on-premises consumption, excluding institutional or in-house food cafeterias that serve residents, employees, and clients of businesses, child care facilities, hospitals, and long-term care facilities.
 - b. Bars, taverns, brew pubs, breweries, microbreweries, distilleries, wineries, tasting rooms, clubs, and other places of public accommodation offering alcoholic beverages for on-premises consumption.
 - c. Hookah bars, cigar bars, and vaping lounges offering their products for on-premises consumption.
 - d. Theaters, cinemas, indoor and outdoor performance venues, and museums.
 - e. Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, and spas.
 - f. Amusement parks, arcades, bingo halls, bowling alleys, indoor climbing facilities, skating rinks, trampoline parks, and other similar recreational or entertainment facilities.
 - g. Country clubs, golf clubs, boating or yacht clubs, sports or athletic clubs, and dining clubs.
2. Places of public accommodation subject to this Executive Order are encouraged to offer food and beverage using delivery service, window service, walk-up service, drive-through service, or drive-up service, and to use precautions in doing so to mitigate the potential transmission of COVID-19, including social distancing. In offering food or beverage, a place of public accommodation subject to this section may permit up to five members of the public at one time in the place of public accommodation for the purpose of picking up their food or beverage orders, so long as those individuals are at least six feet apart from one another while on premises.
3. This Executive Order does not prohibit an employee, contractor, vendor, or supplier of a place of public accommodation from entering, exiting, using, or occupying that place of public accommodation in their professional capacity.

4. The restrictions imposed by this Executive Order do not apply to any of the following:
 - a. Places of public accommodation that offer food and beverage not for on-premises consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries, other than those portions of the place of public accommodation subject to the requirements of section 1;
 - b. Health care facilities, child care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities;
 - c. Crisis shelters, soup kitchens, or similar institutions; and
 - d. Restaurants and food courts inside the secured zones of airports.
5. For purposes of this Executive Order, “place of public accommodation” means a business, or an educational, refreshment, entertainment, or recreation facility, or an institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.
6. This Executive Order does not alter any of the obligations under law of an employer affected by this Executive Order to its employees or to the employees of another employer.
7. Pursuant to Minnesota Statutes 2019, section 12.45, a person who willfully violates paragraphs 1 of this Executive Order is guilty of a misdemeanor and upon conviction must be punished by a fine not to exceed \$1,000, or by imprisonment for not more than 90 days.
8. Local law enforcement and public health authorities are directed to monitor and enforce this Executive Order in accordance with the law.
9. The prohibitions set forth in paragraph 1 may be extended by a future Executive Order and with approval of the Executive Council.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 16, 2020.



Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on March 16, 2020:

Alice Roberts-Davis
Secretary, Executive Council

City of St. Charles
Resolution #19-2020

A RESOLUTION DECLARING A LOCAL EMERGENCY

WHEREAS, Novel Coronavirus Disease 2019, commonly known as “COVID-19,” which is a respiratory disease that can result in serious injury or death, is spreading globally and has been identified by the World Health Organization (“WHO”) as a pandemic; and

WHEREAS, on March 13, 2020, President Donald Trump declared that the COVID-19 outbreak in the United States constitutes a National Emergency; and

WHEREAS, COVID-19 has been confirmed to exist and be spreading within the State of Minnesota; and

WHEREAS, on March 13, 2020, Governor Tim Walz declared a Peacetime State of Emergency to authorize any and all necessary resources to be used in support of the COVID-19 response; and

WHEREAS, on March 16, 2020, Governor Tim Walz issued an executive order - Providing for Temporary Closure of Bars, Restaurants, and Other Places of Public Accommodation; and

WHEREAS, Minn. Stat. § 12.29 authorizes the Mayor of the City of St. Charles to declare a local emergency, and further provides that the state of local emergency may not be continued for a period in excess of three days except by or with the consent of the City Council of the City of St. Charles; and

WHEREAS, the United States Center for Disease Control (“CDC”) and Minnesota Department of Health (“MDH”) have advised that aggressive community mitigation strategies are necessary to slow the transmission of COVID-19, reduce illness and deaths, and limit the economic impacts of the outbreak; and

WHEREAS, the COVID-19 pandemic is an unforeseen, present, sudden, and unexpected situation, which requires immediate action to be taken to prevent damage to the health, safety, and welfare of the citizens of the City of St. Charles; and

WHEREAS, the necessary resources to respond to and recover from this pandemic will likely exceed those resources available within the City, and additional resources may be needed from Winona County and state and federal sources.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Charles, Minnesota, that:

1. By signing this Resolution, Mayor John Schaber declares that the COVID-19 pandemic constitutes a local emergency within the City of St. Charles, effective March 24, 2020, with

all the powers and responsibilities attending thereto as provided in Minn. Stat. Ch. 12, and as otherwise provided for in the City of St. Charles' City Code and Emergency Operations Plan (EOP).

2. The City Council, by adopting this Resolution, agrees with the Mayor's declaration of a local emergency within the City of St. Charles and hereby extends such state of local emergency until such time as this resolution is rescinded by the City Council.
3. The Mayor and City Council hereby support City staff in their ongoing review of City ordinances, regulatory requirements, operations, practices, events, and resources to determine whether the foregoing should be adjusted or suspended, and to make recommendations regarding additional emergency regulations to support the employees and residents of the City of St. Charles.
4. The Mayor and City Council hereby support City staff in their ongoing operations and support the response to this incident, under the direction and coordination of the City Administrator, including implementing new employee protocols, strategies, and processes to ensure that public services are maintained while best protecting the health, safety and welfare of the public and the City's employees.
5. The Mayor and City Council hereby support the City's City Administrator and other appropriate City staff to request and coordinate appropriate aid and resources from surrounding jurisdictions; including, but not limited to Winona County, the State of Minnesota, and the Federal government, as needed.
6. The Mayor and City Council hereby declares, under Minn. Stat. § 13D.021, that in-person meetings of the City Council and its subcommittees, Economic Development Authority, Planning Commission, Park Board, Library Board and other advisory boards of the City of St. Charles may not be practical or prudent due to the COVID-19 health pandemic and the peacetime emergency declared by Governor Walz pursuant to Minnesota Statutes, Chapter 12, and hereby directs that meetings of the City Council and its subcommittees, Economic Development Authority, Planning Commission, Park and Recreation, Library and other advisory boards of the City may be conducted by telephone or other electronic means, and hereby authorizes the City Administrator to take such action as may be necessary to enable such meetings to occur via telephone or other electronic means pursuant to Minn. Stat. § 13D.021, until such time as it is no longer impractical or imprudent for the City Council, Economic Development Authority, Planning Commission, Park and Recreation, Library and other advisory board to resume in-person meetings. In person meetings for the period specified herein shall be limited to meetings that are required by state law, Charter, or City Code or are otherwise determined necessary and prudent by the City Administrator in consultation with the Mayor.
7. The Mayor and City Council hereby orders that this declaration be given prompt and general publicity and that it be filed promptly by the City Administrator.

PASSED by the City Council of the City of St. Charles on this 24th day of March, 2020.

John Schaber, Mayor

Attest:

Nick Koverman, City Administrator

What's On Wednesday (W.O.W) 2020 Summer Schedule

Dates-

June 3rd --Small Town Summer Kick Off-

June 17 --Around the World- Diversity Night

July 1 --Patriotic Night

July 15 --Salute to our Superheros (Firefighters,Police, Ambulance, Healthcare Workers)

August 5 --Farm to City Night

August 17 --Saints Nation- Back to School

With the success of the 2019 WOW events, the group appreciates the partnership with the City and would like to make the same request for the upcoming 2020 season.

The are as follows:

- access to City Hall bathrooms
- OK for alcohol sales
- garbage cans
- street closure of the portion of St. Charles Avenue on the above listed dates
- cones to block space in back of City Hall
- electrical units (amped up) - Did Andring bring in a temp unit of some sort?

Sincerely,

The W.O.W. committee

2905 South Broadway
Rochester, MN 55904-5515
Phone: 507.288.3923
Fax: 507.288.2675
Email: rochester@whks.com
Website: www.whks.com



March 18, 2020

Mr. Kyle Karger
Public Works Director
City of St. Charles
830 Whitewater Avenue
St. Charles, MN 55972

RE: St. Charles, MN
2019 Watermain
Final Pay Request No. 2

Dear Kyle:

Enclosed is Final Pay Request No. 2 for work on the above referenced project. We recommend that the City accept the project and make final payment in the amount of \$3,169.25 to:

Edge Contracting, Inc.
27854 510th Street
Eyota, MN 55932

Acceptance by the City Council will initiate the start of the two-year maintenance bond, as specified in the contract documents.

Please contact me if you have any questions.

Sincerely,

WHKS & co.

A handwritten signature in blue ink, appearing to read "D. D. Sikkink", is written over the typed name.

Daren D. Sikkink, P.E.

DDS/jl

Enclosure

cc: Nick Koverman, City of St. Charles
Jerry Brehm, Edge Contracting, Inc.

2905 South Broadway
Rochester, MN 55904
Phone 507-288-3923

whks

engineers + planners + land surveyors

Partial Payment Request
For Construction Work Completed

Project: 2019 Watermain
Project No.: 8763.00
Location: St. Charles, Minnesota
Contractor: Edge Contracting, Inc.

Bid Price: \$ 49,027.50

Date: 3/18/2020

Final Estimate #: 2

% Complete: 129.3%

Item No.	Item	Contract Quantity	Unit	Unit Price	Quantity Completed Previous Estimates	Quantity Completed This Estimate	Quantity Completed to Date	Total
1	Mobilization	1	L.S.	\$1,500.00	1	0	1	\$ 1,500.00
2	Clear and Grub Tree	1	Each	\$250.00	1	0	1	\$ 250.00
3	Connect to Existing Watermain	3	Each	\$1,500.00	1	0	1	\$ 1,500.00
4	8" DIP Watermain	750	L.F.	\$43.76	850	0	850	\$ 37,187.50
5	6" DIP Watermain	3	L.F.	\$130.00	0	0	0	\$ -
6	6" Gate Valve & Box	1	Each	\$1,465.00	1	0	1	\$ 1,465.00
7	Watermain Fittings	400	lbs	\$9.95	591	0	591	\$ 5,880.45
8	Rock Excavation	10	CY	\$50.00	0	0	0	\$ -
9	Construction Entrance	1	Each	\$1,000.00	1	0	1	\$ 1,000.00
10	F&I Silt Fence	815	L.F.	\$2.00	815	0	815	\$ 1,630.00
11	F&I Ditch Check, Type 2	5	Each	\$200.00	0	0	0	\$ -
Items Without Quantities								
12	Clear & Grub Easement	1	L.S.	\$ 2,500.00	1	0	1	\$ 2,500.00
13	Watermain Insulation	1	L.S.	\$ 270.00	1	0	1	\$ 270.00
14	Aggregate Base Class 5	48	C.Y.	\$ 24.00	48	0	48	\$ 1,152.00
15	12" X 8" Tapping Sleeve & Valve	1	Lump Sum	\$ 4,560.00	1	0	1	\$ 4,560.00
16	Topsoil Borrow	1	L.S.	\$ 3,740.00	1	0	1	\$ 3,740.00
17	Trucking of Excess Soil	1	L.S.	\$ 750.00	1	0	1	\$ 750.00

Total Work Completed \$ 63,384.95

Less 0% Retainage \$ -

Less Previous Payments \$ (60,215.70)

Net Payment this Estimate \$ 3,169.25

Agreed to By:

 Vice President 3-18-2020
Contractor Signature Title Date

City of St. Charles
Resolution #20-2020

**RESOLUTION ACKNOWLEDGING THE DONATION TO THE ST. CHARLES VOLUNTEER
AMBULANCE ASSOCIATION, ST. CHARLES VOLUNTEER FIRE DEPARTMENT, AND ST.
CHARLES PUBLIC LIBRARY IN MEMORY OF FRAN GOODRICH**

WHEREAS, the City of St. Charles is generally authorized to accept contributions of real and personal property pursuant to Minnesota Statute 465.03 for the benefit of its citizens; and

WHEREAS, the St. Charles Volunteer Ambulance Association has received a donation in the amount of \$305.00.00, the St. Charles Volunteer Fire Department in the amount of \$175.00, and the St. Charles Public Library in the amount of \$300.00 in memory of Fran Goodrich to be used for equipment and capital needs.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ST. CHARLES, MINNESOTA THAT: the City Council of the City of St. Charles acknowledges and accepts the above listed donations in memory of Fran Goodrich.

BE IT FURTHER RESOLVED THAT: the City Council of the City of St. Charles expresses its thanks and appreciation of the donation.

Adopted this 24th day of March, 2020 by the City Council of the City of St. Charles.

CITY OF ST. CHARLES

John Schaber, Mayor

ATTEST:

Nick Koverman, City Administrator

CITY OF ST. CHARLES

ORDINANCE #619

AN ORDINANCE OF THE CITY OF ST. CHARLES, MINNESOTA, AMENDING ST. CHARLES CODE TO ESTABLISH A NEW CHAPTER OF THE ST. CHARLES CITY CODE RETULATING CONDUCT IN CITY PARKS AND WITHIN THAT CHAPTER TO ADOPT AN ORDINANCE ESTABLISHING OPERATING HOURS FOR CITY PARKS

THE CITY OF ST. CHARLES DOES ORDAIN:

Section 1. Title IX: General Regulations, be amended to add a new chapter and section as follows: Chapter 95, City Parks: and Section 95.01 HOURS OF OPERATION FOR CITY PARKS, of the City Code of St. Charles, Minnesota, which shall read as follows:

PUBLIC PARKS

§95.01 HOURS OF OPERATION FOR CITY PARKS

(A) Definitions. For the purpose of this section, the phrase “city park,” or “park,” means the following parks, which include all publicly owned parking lots adjacent thereto, previously established in the City of St. Charles:

- (1) Brookwood Park;
- (2) City Park;
- (3) Jessens Park;
- (4) Kieffer Park;
- (5) Meadow View Park;
- (6) Oakview Park; and
- (7) Whispering Hills Park.
- (8) The portion of Sportsman’s Park within City limits.
- (9) City Hall Park

(B) Operating hours. All city parks as defined herein shall be closed between the hours of 11:00 p.m. and 7:00 a.m. the following day. The City Public Works Director shall erect at the

entrance to city park listed herein a sign that clearly states the operating hours of the park and that presence in the park outside of operating hours is a misdemeanor offense. It is a misdemeanor offense for a person to remain in a motor vehicle that is located within a city park or for the owner of a motor vehicle to leave their vehicle parked unattended in any publicly owned parking lot adjacent to a city park outside of operating hours.

(C) Exceptions. Exceptions to the hours of operation listed in this section are as follows:

- (1) Advanced written permission from the Public Works Director or City Administrator to remain in a park after operating hours; or
- (2) Any event planned and hosted by any City official acting in official capacity.

(D) Penalty. Any person found in the parks after closing hours shall be in violation of this section shall be guilty of a misdemeanor.

(E) Enforcement. This section can be enforced by any person with a Minnesota Peace Officer's License with jurisdiction in the city of St. Charles.

Section 2. This Ordinance shall take effect thirty days after its publication.

adopted this ____ day of _____, 2020 by the City Council of the City of St. Charles, Minnesota.

John Schaber, Mayor

Attest:

Nick Koverman, City Administrator

First Reading:

Date: _____

Ayes: _____
Nays: _____
Absent: _____
Abstain _____

Second Reading:

Date: _____

Ayes: _____
Nays: _____
Absent: _____
Abstain _____

CITY OF ST. CHARLES

ORDINANCE #620

AN ORDINANCE OF THE CITY OF ST. CHARLES, MINNESOTA, AMENDING ST. CHARLES CODE TO ESTABLISH AN ORDINANCE PROHIBITING THE DISCHARGE OF FIREARMS WITHIN THE CITY LIMITS

THE CITY OF ST. CHARLES DOES ORDAIN:

Section 1. Title XIII: General Offenses, Chapter 130: General Offences of the City Code of St. Charles, Minnesota, be amended to add the following new sections and read as follows:

§ 130.30 PROHIBITION OF FIREARM USE WITHIN CITY LIMITS.

Section 1. Prohibition of Firearm Use.

(A) *Prohibited Acts.*

(1) *Generally.* No person shall discharge a firearm, air rifle, air gun, BB gun, slingshot, or other similar device capable of self-propelled discharge within City of St. Charles City limits, except as provided in this Section. Any person in violation of this provision shall be guilty of a misdemeanor.

(2) *Definition.* For purposes of this section, a firearm has the meaning contained in Minn. Stat. § 97A.015, subd. 19, as may be amended from time to time.

(B) *Exceptions.*

(1) *Lawful defense, law enforcement.* Nothing in this article shall be construed to prohibit the firing of a gun, pistol, revolver or other kind of firearm when done in the lawful defense of person or family or in the necessary enforcement of the laws by a law enforcement officer.

(2) *Wildlife Conservation.* Wildlife conservation or animal control officers or other authorized representatives of the city, county, state or federal government, acting in an official capacity, may use a firearm or weapon to restrain the free movement of any animal, wildlife or birds as is permitted by law.

(3) *Veterans Organizations.* Members of authorized veterans and law enforcement Honor Guards discharging a rifle volley as an honorary salute at a cemetery located within the city.

(4) *Firearm Ranges.*

(a) The discharge of firearms shall also be permitted at any trap, skeet or firing range in zoning districts allowing such a property use. This exception applies only upon such days and at such times as the range is open for shooting and when the manager of the range or his lawful agent is present and supervising the shooting of firearms. All trap, skeet and firing ranges shall have signs conspicuously placed on the premises stating the substance of this section.

(b) No person shall possess or consume nonintoxicating malt liquor or intoxicating liquor at any trap, skeet or firing range located in the city.

- (5) *Permit.* Nothing in this section shall be construed to prohibit the firing of a gun, pistol, revolver or other kind of firearm in situations authorized by the City code, and when permission therefor has first been given by the Chief of Police, which permission shall designate the place where and the time when such firearms may be used. Any resident of the City may obtain a permit from the Chief of Police for shooting an air rifle, air gun, BB gun, or other similar device for the shooting of vermin inside a dwelling, building or structure on property within City limits.

(C) *Authority.* This section is enacted pursuant to Minn. Stat. § 412.221, subd. 32, 410.33, and §340A.509.

Section 2. Prohibition of Bow and Arrow Use.

(A) *Prohibited Acts.*

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

(a) *Arrow* - shall mean any shaft, rod or bolt constructed out of any substance.

(b) *Bow* - shall mean any device designed as or commonly known as a bow, long-bow, compound-bow, or cross-bow and fashioned to propel, thrust or project an arrow, shaft, bolt, or rod beyond one foot of the device itself.

- (2) *Shooting of Bows and Arrows Prohibited.* It is unlawful to shoot, discharge or otherwise propel an arrow from a bow in the city except under the conditions listed under Paragraph (c) of this section.

(B) *Exemptions.* Use of bows and arrows in the following circumstances shall be exempted from the general prohibition thereof contained in Paragraph (A) of this section:

- (1) Bows and arrows may be used as authorized in a physical education program in a school when supervised by a member of its faculty;

- (2) Bows and arrows may be used in a community-wide supervised class or event as specifically authorized in advance by the Chief of Police; or
- (3) Bows and arrows may be used in any bow and arrow range specifically established and so designated by the city council.

(C) *Authority.* This section is enacted pursuant to Minn. Stat. § 412.221, subd. 32 and §410.33.

Section 3. This Ordinance shall take effect thirty days after its publication.

Adopted this ____ day of _____, 2020 by the City Council of the City of St. Charles, Minnesota.

John Schaber, Mayor

Attest:

Nick Koverman, City Administrator

First Reading:

Date: _____

Ayes: _____
Nays: _____
Absent: _____
Abstain: _____

Second Reading:

Date: _____

Ayes: _____
Nays: _____
Absent: _____
Abstain: _____

Date of Publication: _____

CITY OF ST. CHARLES

ORDINANCE #621

AN ORDINANCE OF THE CITY OF ST. CHARLES, MINNESOTA, AMENDING ST. CHARLES CODE SECTION ENTITLED “DRINKING IN PUBLIC” TO INCLUDE EXCEPTIONS THEREIN ALLOWING CONSUMPTION OF ALCOHOL WITHIN CERTAIN PUBLIC PLACES

THE CITY OF ST. CHARLES DOES ORDAIN:

Section 1. Title XI: General Offenses, Chapter 113: Section 113.23: Drinking in Public of the City Code of St. Charles, Minnesota, be amended to read as follows:

§113.23 DRINKING IN PUBLIC.

The following provisions shall apply unless a place is licensed under this chapter or unless specific Council authorization is given:

(A) *General Prohibition.* No person shall consume any alcoholic beverages or possess any bottle or receptacle containing an alcoholic beverage in any public place unless otherwise permitted by this chapter, by other City Code provision, or by special permission of the City Council; and

(B) *Exceptions.* Notwithstanding Section 113.23(A), consumption of alcoholic beverages and possession of open bottles or receptacles containing alcoholic beverages shall be allowed within the boundaries of the following public parks during hours the parks are open for public use:

- (1) Brookwood Park;
- (2) City Park;
- (3) Jessens Park;
- (4) Kieffer Park;
- (5) Meadow View Park;
- (6) Oakview Park; and
- (7) Whispering Hills Park.
- (8) The portion of Sportsman’s Park within City limits.
- (9) City Hall Park

(C) *Park Boundaries.* For the purpose of this section the park area extends only to the beginning edge of any street fit for vehicular travel, parking lot serving the public park, privately owned property line bordering the public park, or any sign erected by the City that states, "No Alcohol Beyond This Point." For the purposes of this section streets, alleys, or any other right-of-way or paved boundary surrounding the edge of the park other than sidewalks shall not be considered land within park boundaries.

(D) *Additional prohibitions.* Notwithstanding the exceptions listed in part (B) of this section, alcoholic beverages shall not be possessed or consumed under any of the following circumstances:

- (1) In any of the permitted spaces after the parks have closed, as stated in section 95.01 (B) of the Code;
- (2) By any person who has been charged by citation with any crime committed within the boundary of any park listed in Section (C) of this section during the same day that the person is charged with such a crime.
- (3) When any peace officer licensed by the City of St. Charles or any court of law has otherwise revoked a person's consent to consume alcohol;

(E) *Penalty.* This section can be enforced by any person with a Minnesota Peace Officer's License with jurisdiction in the city of St. Charles. Violation of this chapter is a misdemeanor.

(F) *Enforcement.* The city may impose a voluntary administrative penalty under § 10.90 rather than issuing a criminal citation or complaint.

(1987 Code, § 406.11) (Am. Ord. 515, passed 5-13-2008; Am. Ord. 592, passed 5-23-2017) Penalty, see § [10.99](#)

(G) *Authority.* This section is enacted pursuant to Minn. Stat. §§ 145A.05 and 340A.509.

Section 2. This Ordinance shall take effect thirty days after its publication.

Adopted this ____ day of _____, 2020 by the City Council of the City of St. Charles, Minnesota.

John Schaber, Mayor

Attest:

Nick Koverman, City Administrator

First Reading:

Date: _____

Ayes: _____
Nays: _____
Absent: _____
Abstain _____

Second Reading:

Date: _____

Ayes: _____
Nays: _____
Absent: _____
Abstain _____