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ORDINANCE 111  ORDINANCE PROHIBITING PUBLIC NUISANCES

Section 111.01: DEFINITIONS. As used herein, the following terms shall be defined as follows:

Subd. 1: Disorderly House. Shall mean a building, dwelling, apartment or establishment in which actions, conduct or activities occur in violation of laws relating to:

a) The sale of intoxicating liquor or non-intoxicating malt liquor;

b) The sale or possession of controlled substances as defined in Minn. Stat. §152.01, Subd. 4.

c) The consumption or possession of intoxicating liquor or non-intoxicating malt liquor by underage persons in violation of Minn. Stat. §340A.503, Subds. 1 and 3.

d) The maintenance or participation in a noisy party or gathering in violation of St. Joseph Ordinance 102, Section 102.02, Subd. 6.

Subd. 2: Owner. Shall mean the legal or equitable owner of real property as those terms have been commonly interpreted by the courts of the State of Minnesota. "Owner" shall not include a mortgagee, contract for deed vendor, or the holder of an unrealized remainder interest in property.

Subd. 3: Possessor. Shall mean the person, people or entity having legal right to possess the property or a portion thereof. "Possessor" shall include those holding a leasehold interest in property, or a portion thereof such as an apartment.

Section 111.02: PUBLIC NUISANCE DECLARED. The following acts are declared to be public nuisances which endanger the safety, health, morals, comfort or repose of members of the public.

Subd. 1: Maintain a disorderly house.

Subd. 2: Starting or allowing illegal fires.

Subd. 3: Permitting an activity on property which knowingly results in the deposit of litter in violation of Minn. Stat. §609.68.

Subd. 4: Permitting an activity on property which knowingly results in trespass or damage to the property of others.
CHAPTER X – NUISANCES & OFFENSES

Section 111.03: **PENALTIES**:

Subd. 1: Any Possessor of property at which a public nuisance occurs shall be guilty of a misdemeanor.

Subd. 2: The Owner of property at which a public nuisance occurs, if different than the Possessor, may also be guilty of a misdemeanor if the Owner is aware of the existence of the nuisance and fails to take reasonable action available to abate the nuisance.

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