

## **CHAPTER 5: CRIMES**

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### **5.01 ADOPTION OF STATE LAWS**

The City of Arlington hereby adopts by reference all Minnesota state statutes and regulations describing crimes, to include, but not limited to, all statutes under Minnesota Statutes Chapter 609.

### **5.02 VIOLATION PENALTIES**

Any violation of any section of this chapter shall be punishable as a misdemeanor under Minnesota Statute 609.02, Subdivision 3, or any laws amending or replacing such statute. However, in the discretion of the city, any such violation may be certified as a petty misdemeanor.

### **5.03 JUVENILE CURFEW**

A. It shall be unlawful for any person under the age of 16 years to be in or upon any public street, highway, alleyway, park, playground or other public grounds between the hours of 11:00 p.m. and 5:00 a.m.

B. It shall be unlawful for any person 16 years of age or older but under the age of 18 years to be in or upon any public street, highway, alleyway, park, playground or other public grounds between the hours of 12:00 midnight and 5:00 a.m.

C. It shall be unlawful for the parent or guardian of a person under the age of 18 years to allow said juvenile to violate the rules of this Section 5.03.

D. The terms of this Section 5.03 shall not apply if the minor is accompanied by his or her parents or guardian, or when the minor is upon an emergency errand or upon legitimate business directed by his or her parents or guardian. The terms of this Section 5.03 also shall not apply if the minor is participating in or traveling directly to or from a school or community sponsored athletic, musical, dramatic or social activity.

#### **5.04 EXHIBITION DRIVING**

No person shall turn, speed up, stop, slow down, or otherwise operate a motor vehicle within the City in a manner which causes unnecessary engine noise, backfire, squealing tires, skidding, sliding, swaying, throwing of sand or gravel, high speed turn, "fishtailing", high speed U-turn, weaving or swaying of the vehicle, or any other similar activity. The squealing or screeching of tires, the throwing of sand, gravel or snow, or the leaving of skid marks or black rubber tire imprints on the pavement shall be considered prima facie evidence of a violation of this section.

#### **5.05 PROHIBITED U-TURNS**

That portion of Main Street within the City of Arlington which is designated with a solid yellow line down the middle of said street shall be a zone in which U-turns are prohibited. A U-turn for purpose of this ordinance is any turn in which the driver of a motor vehicle causes the vehicle to cross the solid yellow center line of the street to either proceed in the opposite direction from the direction in which the vehicle was originally heading, or to cross the solid yellow center line of the street to park on the opposite side of the street from the side on which the vehicle was originally traveling.

#### **5.06 WEAPONS RESTRICTIONS**

A. Definitions. For purposes of this ordinance, the following terms will have the meanings given them in this Section:

- (1) "Weapons" means any of the following:
  - (a) All firearms, including any device from which is propelled any missile, projectile, or bullet by means of explosives, gas, compressed air, springs, or elastic material, including air and "BB" guns, and slingshots.
  - (b) Bows and arrows, crossbows, and similar devices. Blowguns.
  - (c) Dagger, dirk, stiletto, or sword.
  - (d) Switchblade knife, spring blade knife or any knife the blade of which can be opened gravity or a flick of the wrist.
  - (e) Blackjack, sand club, sap, pipe club, bludgeon.
  - (f) Chain club or chains assembled or used or intended to be used as a weapon.

- (g) Artificial knuckles or other objects designed to be worn over the fist or knuckles.
- (h) Throwing devices with cutting or pointed edges.
- (i) Japanese or other nightsticks, nutcracker, nunchaku, chaka, flail, karate stick, morning star.
- (j) Spear, lance.

(2) "Public place" means any area, building or structure which is open and accessible to the public within the city limits of Arlington.

B. Possession Prohibited. No person shall have a weapon in his or her possession, custody, or control in (a) a public place except by permit of the Police Chief, (b) in the residence of another without their permission, or (c) in the passenger compartment of a motor vehicle unless in compliance with Section C. This section shall not apply to a handgun carried in compliance with Minnesota Statutes.

C. Transportation of Weapon. A weapon may be transported in a motor vehicle only if it is:

- (1) a firearm which is unloaded and in a gun case expressly made to contain a firearm, and the case fully encloses the firearm by being zipped, snapped, buckled, tied, or otherwise fastened, and without any portion of the firearm exposed, or an unloaded firearm in the closed trunk of the motor vehicle.
- (2) a weapon other than a firearm which is in the closed trunk of a motor vehicle.
- (3) a handgun carried in compliance with Minnesota Statutes.

D. Discharge of Firearm. No person in any public or private place shall shoot or discharge any firearm, as defined in this Ordinance, whether it is loaded with powder, blank cartridges or any other explosive, bullet, pellet, or shot, except in compliance with a permit from the Police Chief.

E. use of Bow and Arrow. It is unlawful for any person to shoot a bow and arrow or crossbow or similar device in the city limits, except in compliance with a permit from the Police Chief.

F. Exceptions. This ordinance shall not apply to the discharge of a firearm in the lawful defense of person, property, or family, or in the necessary enforcement of law. This ordinance shall not apply to law enforcement officers while on duty, or to persons in possession of handguns in compliance with a handgun permit under Minnesota Statutes.

G. This ordinance shall not be construed to authorize or permit the ownership and possession of any otherwise unlawful items including but not limited to switch blade knives, spring bladed stilettos, zip guns, machine guns or other fully automatic firearms, sawed-off shotguns or other illegal devices prohibited by federal law, state statutes or local ordinance.

H. Confiscation. Any weapon adjudged by any court of competent jurisdiction to have been worn, carried, possessed, used or handled in violation of any ordinance or state statute, may be confiscated and disposed of by the Police Chief, who may provide for its sale, destruction or other disposition.

I. Selling or Furnishing Weapon to a Minor. The selling, giving, loaning or furnishing in any way of a weapon to a minor under the age of 18 years without the written consent of his or her parent or guardian, is hereby prohibited.

J. Permits. Any person wishing to discharge a firearm, bow, crossbow, or similar device within the city limits shall apply to the Police Chief for a permit to do so. The City Council shall establish the rules, forms and fees for such permits by resolution from time to time. The granting of such permits shall be in the sole discretion of the Police Chief, taking into consideration the safety, health and welfare of the applicant and the general public.