

Ordinances of THE VILLAGE OF LAMBERTON

ORDINANCE NO 1—NEW SERIES

An Ordinance to Provide a Complete Ordinance Code for the Village of Lamberton.

The Village Council of the Village of
Lamberton does ordain:

ARTICLE I

Board of Health

Sec. 1.—Board of Health Created.
A village board of health of three members, to be appointed by the council at its first meeting following any regular municipal election is hereby created. The chairman of said board shall be a physician and village health officer.

Sec. 2.—Duty of Board of Health.
The board of health shall make such investigations and reports and obey such directions concerning communicable diseases as the state department of health may require or give, and shall enforce all statutes, ordinances, and lawful rules and regulations concerning public health.

Sec. 3.—Duty of Health Officer.
The health officer shall execute the lawful orders of the state and village boards of health and perform such other duties as are or may be prescribed by statute, or by regulation of the State Board of Health.

Sec. 4.—Control of Communicable Diseases. The health officer shall employ necessary medical and other help to control communicable diseases. All statements of expense incurred in establishing, enforcing, and releasing quarantine shall, after payment, be certified to the county auditor for allowance of one-half the amount by the county board to the village as provided by law.

ARTICLE II

Sanitary Inspection

Sec. 1.—On or before April 15, in each year, the health officer shall post a notice in three public places ordering persons thoroughly to clean all yards and adjoining alleys, vaults, cesspools, sheds, and barns on, and to remove all tin cans, manure and refuse from premises owned and occupied by them or alleys adjoining their premises by May 1.

Sec. 2.—During the month of May the street commissioner, or marshal, under the direction of the health officer, shall inspect all public and private property to determine whether or not such notice has been complied with. If necessary, the street commissioner, marshal, or health officer shall issue orders to individual occupants and property owners to clean up their premises, and shall reinspect the premises before June 1, to insure compliance therewith.

Sec. 3.—The street commissioner or marshal shall report in writing to the

health officer, and the latter shall report to the council, concerning the sanitary inspection, and any recommendations in connection therewith. On or before July 1, a copy of the health officer's report shall be sent to the State Department of Health.

ARTICLE III

Soil Absorption Systems

Sec. 1.—No person shall construct maintain any soil absorption system for the disposal of human excreta nor cause or permit the same to be done on any premises owned, occupied or controlled by him except in conformity with this article.

Sec. 2.—The term "soil absorption system" shall be construed to include all methods of disposing of human excreta except through a general sewer system, flushed by water and installed under the approval of the state department of health, and shall include all privies, septic tanks, and cesspools.

Sec. 3.—All soil absorption systems shall be constructed hereafter in accordance with the plans and specifications therefor adopted by the council and on file in the office of the village clerk or in such manner as may be approved by the health officer and by motion of the council.

Sec. 4.—Privies heretofore or hereafter constructed shall be located and maintained in accordance with the following rules:

(a)—They shall not be located closer than twenty feet to any place of human habitation, nor closer than fifty feet to any well or spring from which water is obtained for drinking or culinary purposes, nor so that seepage from the privy vault will drain into any such well or spring.

(b)—They shall be located and constructed so that no surface water will drain into the privy vault.

(c)—The roof shall be tight. The door shall be tight and self-closing. The privy and privy vault shall be fly-tight. Adequate ventilation shall be provided.

(d)—The privy seat shall be kept clean. The building shall be painted on the outside and in good repair.

(e)—When the vault has become filled with excreta within one foot of the surface of the ground, the privy shall be moved if possible, over a new vault. The excreta in the old vault shall be covered with earth to the level of the surrounding ground and the fill shall be protected from disturbance for a period of three months. If it is not practicable to move the privy, when the vault is filled within one foot of the surface of the ground, the excreta shall be treated with a strong disinfectant and may be removed only by the permission and under the direction of the health officer.

Sec. 5.—Septic tanks, cesspools and other means of sewage disposal, depending upon absorption of the li-

quids into the soil for their operation heretofore or hereafter constructed in this village, shall be located and maintained in accordance with the following rules:

(a)—The tanks, cesspools, or overflow soil absorption pipes extending therefrom shall not be located within 50 feet of any well or spring from which water is obtained for drinking and culinary purposes.

(b)—When sludge accumulates in the tank in sufficient quantity to interfere with its efficient operation, it shall be removed under the direction of the health officer and buried so as to be inaccessible to human beings or animals and so as not to endanger any domestic or public water supply.

(c)—When the soil around any cesspool or drain tile absorption system becomes so clogged that it will no longer absorb the liquids placed therein, additional soil absorption facilities shall be provided, and any abandoned cesspool shall be condemned by the health officers and filled with earth to the level of the surrounding ground.

(d)—Every septic tank shall be so constructed as to be easily accessible for cleaning and inspection from the top through suitable openings. Covers for such manhole openings shall be rigid, durable and securely fastened. Ventilation shall be provided through the main house drain and house stack. The main drain to the tank shall be laid without a trap.

(e)—It shall be the duty of every person constructing a septic tank or cesspool to file a record of the exact location of the tank and all appurtenances thereto, in the office of the village clerk. The clerk shall keep the record of all such installations in a securely bound book.

Sec. 6.—No person shall dispose of any human excreta except in a soil absorption system constructed and maintained in accordance with the provisions of this article, or in a general sewer.

Sec. 7.—No person shall place any human excreta or sludge in any body of water or any abandoned or deep well, or on the surface of the ground without burying it.

Sec. 8.—The street commissioner, under the direction of the health officer, shall see that this article is obeyed. He shall make an annual inspection of all soil absorption systems, and report to the health officer as to their condition.

ARTICLE IV

Offensive Trades

Sec. 1.—No person may engage in any trade or employment within the village which is hurtful to the inhabitants, or dangerous to the public health or injurious to neighboring property, or from which noisome odors arise, without first securing a

permit therefor from the local board of health.

Sec. 2.—The local board of health shall when reasonably necessary designate by order filed with the village clerk places within the village where such offensive trades and employments may be carried on, and may revoke the same by like orders.

Sec. 3.—Within twenty-four hours after written notice of any revocation, every person exercising such trade or employment in the locality to which it relates, shall cease to do so.

Sec. 4.—Within five days after receipt of notice as provided in Section 3 hereof, any party aggrieved by such order may appeal therefrom to the district court as provided by law. During the pendency of the appeal the business must not be carried on on penalty of a dismissal of appeal.

ARTICLE V Stockyards

Sec. 1.—No person shall construct or maintain a stockyard in this village otherwise than as provided herein or permit the same to be done on any premises owned, occupied or controlled by him.

Sec. 2.—The term "stockyards" as used in this article shall be construed to mean any place where live stock is confined temporarily awaiting transportation and shall not include places where live stock is kept permanently.

Sec. 3.—Every stockyard in this village shall be constructed, operated and maintained in accordance with the following rules and regulations:

- (a)—The yard shall be kept reasonably clean and free from manure and other refuse. When in use, the yard shall be cleaned daily and the refuse disposed of as provided by ordinance.
- (b)—No stockyard may hereafter be constructed within 300 feet of any human habitation except upon written permission of the affected property owners and of the local board of health.
- (c)—Animals may be kept in the yard before shipment not longer than forty-eight hours between April 1 and November 1, and not longer than seventy-two hours between November 1 and April 1.

Sec. 4.—Whenever in the judgment of the local board of health a stockyard or the conduct thereof is a menace to public health or is a public nuisance for any reason, they shall notify the person owning or operating such stockyard, requiring him to remove such condition or remedy such defect within a time, not exceeding thirty days to be specified in the order. If at the expiration of such time such order has not been complied with, the Board may prohibit further use of the yard.

Sec. 5.—Whenever any railroad stockyard has been condemned by the local board of health as provided in Section 4 hereof, the council shall so notify the State Railroad and Ware-

house Commission requesting that adequate and suitable facilities be provided for the loading of stock, unless facilities are otherwise provided.

ARTICLE VI Eating Places

Sec. 1.—**Unsanitary Conditions Prohibited.** An eating place, for the purpose of this article is defined to be any place where food is served for pay. No person shall operate any eating place in a filthy, unclean or unsanitary condition.

Sec. 2.—**Power of the Board of Health.** If, in the opinion of the board of health, after an investigation, any eating place is operated in violation of Section 1, the board of health shall notify in writing the owner or manager of such eating place to place the same in a sanitary condition within reasonable time to be stated in said notice, in no case less than two days, and failure to comply with said notice within the time stated shall be deemed a violation of this article.

Sec. 3.—**Diseased Employers Prohibited.** No person shall work in or about any eating place, nor allow any person to work in any such place, whose condition is such that disease may be spread to his associates, direct or through the medium of food or food products, whether such condition be due to a contagious, infectious or venereal disease, in its active or convalescent stages, or to the presence of disease germs, whether accompanied by, or without any symptoms of the disease itself.

Sec. 4.—**Certificates of Good Health.** No person shall handle or sell food products in any eating place without having secured from the village health officer a certificate of good health annually on or before the first day of January, or at the time of beginning work. The health officer may charge the person examined a fee of two dollars (\$2.00) for the examination and the issuance of the certificate. Whenever a complaint is made, or whenever in the opinion of the board of health the same is necessary, special physical examinations of persons suspected of violating Section 3 hereof shall be held.

Sec. 5.—**License Required.** Every person who owns or operates any eating place shall procure annually on the first day of January, or at the time of commencing such business, a license from the village clerk, for which he shall pay \$1.00 each year.

ARTICLE VII

Care of Trees and Destruction of Weeds

Sec. 1.—**Supervision by Street Commissioner—Permits.** The street commissioner under the council shall have control over the care and trimming of all trees on public grounds, and may prevent all injurious cutting thereof. No person shall trim or cut any such trees in the process of erecting or maintaining poles, or wires, or any

other structure or evacuating without a permit so to do. The permit shall define as explicitly as possible the work to be done. It may be granted by the street commissioner if he deem the work reasonably necessary; if he refuses, an appeal may be taken to the council.

Sec. 2.—**Duty of Property Owners and Occupants.** Every property owner and occupant of property shall keep the trees and shrubs in or adjacent to the street and sidewalk abutting on property owned or occupied by him, whether such trees or shrubs be on such property or on public property, trimmed and in a healthy condition, and in a condition which does not endanger any person using the street or sidewalk; and every property owner and occupant of property shall keep the grass and weeds cut on property owned or occupied by him and out to the center of every street or alley abutting thereon.

Sec. 3.—**Penalty.** If any person fails to perform any duty prescribed in Section 2, he shall be guilty of a misdemeanor; and if the council shall have passed a resolution specifying the work to be done and a reasonable time within which it shall be done, and such resolution shall have been served upon the person liable, personally, or by registered mail, or if no address for such person or any agent of such person be known by posting on the property, then the necessary work shall be done by the street commissioner under the direction of the council, and at the expense of the person served.

Sec. 4.—**Recovery of Expenditure.** Such expenditures may be recovered at the discretion of the council either by a civil action or by assessment against the property.

ARTICLE VIII Traffic Code

Sec. 1.—The provisions of titles I, II and III of the Uniform Highway Traffic Act, as set forth in Chapter 412 of the Session Laws of Minnesota for 1927, are hereby adopted as a traffic code for this village; and it shall be unlawful for any person to operate any vehicle in this village, or to use the streets of this village in any manner contrary to that prescribed in those titles of the said act.

Sec. 2.—**Penalties.** Every person violating any provision of the traffic code of this village shall be guilty of a misdemeanor and punished as provided elsewhere in the village ordinances; provided, any person who drives a vehicle within the village while under the influence of intoxicating liquor or narcotics shall be punished by imprisonment for not less than ten days nor more than three months and costs, or, in the discretion of the court, by a fine of not more than \$100.00.

Sec. 3.—**Parking of Trucks on Certain Streets.** All trucks, unattended,

are prohibited from parking on either side of "D" street between first street and third street and on either side of second street between "D" street and "C" street.

ARTICLE IX

Licensing and Regulating Use of Bicycles

Sec. 1.—A License Required. No person shall ride or propel a bicycle upon any street or other public highway in the Village of Lamberton, Minnesota, or upon any part thereof without first having secured and attached to such bicycle a proper license tag as hereinafter provided.

Sec. 2.—Procedure. Application for a license to own and operate a bicycle within the Village of Lamberton, Minnesota, shall be made to the village clerk of said village upon a form to be approved by the Common Council of said village. The application shall be accompanied by a fee of twenty-five (25) cents to be paid in to the village treasury upon the granting of such license. Upon receipt of such application in proper form, the village clerk of said village shall provide, at the expense of the village, a license tag which shall be attached to the frame of the bicycle in a substantial manner. The removal of such tag except by proper authority shall be a violation of this ordinance.

Sec. 3.—Condition of License. Every license issued hereunder shall be deemed to be granted subject to the following conditions:

- (a)—No person shall ride or propel a bicycle on a street or other public highway in the Village of Lamberton with another person on the bicycle.
- (b)—No bicycle shall be ridden faster than is reasonable and proper, but every bicycle shall be operated with regard to the safety of the operator and other persons upon the streets and other public highways of the village.
- (c)—Persons riding bicycles shall observe all traffic signs, obey all traffic rules and regulations and stop at all stop signs.
- (d)—No bicycle shall be permitted on any street or other public highway of the village between 30 minutes after sunset and 30 minutes before sunrise, without a headlight visible under normal atmospheric conditions from the front thereof for not less than 300 feet indicating the approach or presence of the bicycle, firmly attached to such bicycle and properly lighted, and without a red reflector attached to and visible from 200 feet from the rear thereof. The said headlight shall give a clear, white light.
- (e)—No person shall ride or propel a bicycle upon any street or other public highway in the village abreast of any other person riding or propelling a bicycle.

(f)—Every person riding or propelling a bicycle upon any street or other public highway in the village shall observe all traffic rules and regulations applicable thereto, and, shall turn only at intersections, signal for all turns, ride at the right-hand side of such street or highway, pass to the left when passing overtaken vehicles and individuals that are slower moving and shall pass vehicles to the right when meeting.

(g)—It shall be unlawful to ride a bicycle upon any sidewalk in the Village of Lamberton.

Sec. 4.—No person shall deface, mutilate or remove license tags placed upon the bicycle.

Sec. 5.—It shall be unlawful for any person to loan, sell, assign or transfer his or her said license tag, provided, however, where more than one person in a family use the same bicycle, such fact shall be noted on the application and the license granted shall be deemed to be granted to each person named.

ARTICLE X

Snow on Sidewalks

Sec. 1.—Snow Removal. All snow remaining on a public sidewalk more than twelve hours after its deposit thereon, is a public nuisance; and no owner or occupant of any property, vacant or otherwise, adjacent to such sidewalk, shall fail to use due diligence to keep such walk safe for pedestrians; nor shall any such owner or occupant in any event allow snow to remain on the walk longer than twelve hours after its deposit thereon.

Sec. 2.—Removal by Village. The street commissioner shall remove from all public sidewalks all snow which may be discovered thereon beginning twelve (12) hours after it has ceased to fall, and he shall keep a record showing the cost of said removal adjacent to each separate lot, and shall deliver such information to the clerk.

Sec. 3.—Assessment of Cost. The clerk shall, upon direction of the council, extend the cost of said removal of snow as a special tax against the lots or parcels of ground abutting on which walks were cleared, and such special tax shall be certified to the county auditor for collection as other special taxes.

Sec. 4.—Suit for Cost. The clerk shall at the direction of the council, bring suit in the name of the village in any court of competent jurisdiction to recover the cost of said removal from the owner or occupant of any property abutting on which walks were cleared.

Sec. 5.—Penalty for Failure to Remove Snow. If the council so directs, any person who violates section 1 of this article shall be prosecuted, and if convicted of said violation shall be deemed guilty of a misdemeanor.

Sec. 6.—Duty of Clerk. The clerk shall present to the council the report of the street commissioner on removal of snow, and request the council to determine by resolution whether the procedure in Section 3, Section 4 or Section 5, of this article shall be followed, or any combination of said procedures.

ARTICLE XI

Volunteer Fire Department

Sec. 1.—Fire Department Established. There is hereby established in this village a volunteer fire department consisting of a fire warden and assistant warden and 18 firemen.

Sec. 2.—Chief of Department. The chief of the volunteer fire department shall be, on confirmation by the council, fire warden.

Sec. 3.—Duty of Chief. The warden shall have control over all fire fighting apparatus and shall be solely responsible for its care and condition. He shall make a report to the village council at its meetings in March and September as to the condition of the equipment and needs of the fire department. He may submit additional reports and recommendations at any meeting of the council and shall report suspensions by him of members of the fire department at the first meeting of the council following such suspension. He shall be responsible for the proper training and discipline of the members of the fire department and may suspend any member for refusal or neglect to obey orders pending final action by the council on his discharge or retention.

Sec. 4.—Records. The warden shall keep in convenient form a complete record of all fires. Such records shall include the time of the alarm, location of fire, cause of fire (if known) type of building, name of owner and tenant, purpose for which occupied, value of building and contents, members of the department responding to the alarm and such other information as he may deem advisable or as may be required from time to time by the village council or state insurance department.

Sec. 5.—Practice Drills. The chief shall hold practice drills of at least one hour's duration for the fire department, whenever he thinks it advisable, and give the firemen instructions in approved methods of fire fighting and fire prevention.

Sec. 6.—Firemen. The assistant chief and firemen shall be not less than 18 years of age nor more than 65 years of age and able-bodied. They shall pass a satisfactory mental and physical examination and shall become members of the fire department only after a six month's probationary period.

Sec. 7.—Loss of Membership. Firemen absent from three consecutive drills or calls shall forfeit membership in the department.

Sec. 8.—Compensation. The mem-

bers and officers of the fire department shall receive compensation as follows: All officers and firemen, \$1.00 for first hour; \$0.50 for each hour thereafter.

Sec. 9.—Minimum Pay. In computing compensation for fires, one hour shall be considered as the minimum to be paid to any fireman or officer and any fraction of an hour shall be considered an hour.

Sec. 10.—Charter Members. Charter members of the fire department shall not be required to serve a probationary period before receiving firemen's rating.

ARTICLE XII

Fire Limits and Building Code

Sec. 1.—Fire Limits. The fire limits of this village are hereby established to include the following property: All property located in the East One-half ($E\frac{1}{2}$) of Block Three (3), East One-Half ($E\frac{1}{2}$) of Block Eight (8), West One-Half ($W\frac{1}{2}$) of Block Two (2), West One-Half ($W\frac{1}{2}$) of Block Nine (9) of the original plat of the Village of Lamberton, Redwood County, Minnesota.

Sec. 2.—Building Requirements. The erection or alteration hereafter of any building in violation hereof shall be a misdemeanor, and the building shall be made to conform hereto or shall be removed.

Sec. 3.—Walls and Roofs. Every building hereafter erected, and every alteration of any building, within the fire limits shall be enclosed with the roof and the top and sides of all walls constructed wholly of incombustible materials, and shall have roof structures, including cornices and dormer windows, covered with incombustible material. This section shall not apply to temporary one-story buildings for the use of builders on or adjoining lots whereon buildings are being constructed, nor to outhouses not exceeding thirty-six square feet in area and eight feet high and located five feet or more from any lot site and thirty feet or more from any building over one-story high or walls with a backing of wood or other combustible material.

Sec. 4.—Moving Buildings. No building which does not comply with the requirements of the preceding section may be moved from without to within the fire limits.

Sec. 5.—Existing Buildings. Any existing building within the fire limits which does not comply with the requirements of section 3 hereof, if damaged by fire, decay or otherwise to one-half or more of its value, exclusive of foundation, and any such building condemned by the fire warden as unsafe, may not be repaired or rebuilt as a non-fire resistant structure; and no existing wooden shingle roof within the fire limits, if damaged more than twenty-five per cent of its present value, shall be renewed or repaired with other than approved incombustible roof covering.

Sec. 6.—Chimneys. In every building hereafter erected, altered, or repaired within this village, all chimneys shall be constructed of brick, or other incombustible materials, and be lined on the inside with an approved fire tile laid in cement mortar, from one foot below the smoke pipe intake in each flue continuously to four inches above its extreme height. No flue shall serve more than one fire. Brick and reinforced concrete chimneys must be at least four inches in thickness. Hollow tile and ashlar chimneys must be at least twelve inches in thickness. No plaster may be used on the inside of any flue and joints between fire tiles must be struck smooth. The joints of any two adjoining sets of flue linings shall be offset at least seven inches. Where there are more than two flues in a chimney, at least every third flue shall be separated from the others by a smoke-tight with either division wall of brick or concrete at least three and three-fourths inches thick and bonded into the side wall. All chimneys shall be topped out at least three feet above the point of contact if a flat roof and at least two feet above the ridge of a pitched roof. No chimneys in any building hereafter erected shall be cut off below in whole or in part, and supported on brackets, but shall be wholly supported by masonry resting upon an adjacent footing properly constructed upon the ground or foundation. All wooden beams or framework shall be separated at least two inches from the chimney and no wood furring shall be used against or around any chimney, but the plastering shall be directly on the masonry or on metal lath.

Sec. 7.—Electric Installations. All electrical installations shall be made in accordance with the National Electrical Code, a copy of which shall be kept on file in the office of the village clerk, and no electrical equipment may be installed or used which does not comply therewith.

Sec. 8.—Permits. No person may erect or demolish any structure of any kind or add to the outside dimensions thereof, nor relocate any building already constructed or which may hereafter be constructed, without first procuring from the village clerk a permit to do so approved by the fire warden, before such work is commenced. The application for the permit shall state the exact site to be occupied, the material dimensions, and estimated cost of the proposed structure, the purpose for which the same is to be occupied and the probable time when the work will be completed.

Sec. 9.—Fee for Permit. The fee for building permits shall be as follows: Work costing \$100 to \$1,000...\$1.00
Work costing \$1,000—\$1.00 for the first \$1,000 and 25c for each additional \$1,000 or fraction thereof.

No fee shall be charged for the issuance of an electrical permit.

Sec. 10.—Monthly Inspection. The fire warden shall make an inspection of all buildings when deemed necessary by him or by the council, to ascertain and cause to be corrected any conditions likely to cause fire or any violations of the ordinances affecting fire hazards. In private dwellings such inspection shall be restricted to chimneys, electrical wiring, basements, closets, attics. Whenever he shall find upon any premises an accumulation of waste paper or any other inflammable materials, so situated as to endanger property, or shall find obstructions to or on fire escapes, stairs, passageways, doors or windows, liable to interfere with the operation of the fire department or egress of occupants in case of fire, he shall order the same to be removed or abated. He shall inspect all buildings in course of construction or moving and see that such construction and moving are proceeding in all respects in accordance with the ordinances. Before any building so constructed or moved may be occupied the owner or prospective occupant thereof shall secure from said fire warden a certificate of occupancy which shall certify that the building complies with all the state statutes and village ordinances to the best of his knowledge and belief.

ARTICLE XIII

Trash Burning

Sec. 1.—Trash Burning Regulated. That it shall be unlawful for any person to burn and sweepings, trash, lumber, leaves, papers, grass or other combustible material in any street, alley, yard, or upon any lot within the limits of this village except in the manner hereinafter provided in this article.

Sec. 2.—No person shall burn any of the materials enumerated in Section 1 of this article except between the hours of 6 A. M. and 9 P. M., and then only under the supervision of an adult person who shall remain until the fire is entirely extinguished. Leaves and small brush may be burned in the street only when there is no wind. No trash may be burned within the fire limits except in a trash burner substantially constructed of fire-proof materials in such a manner that the fire will not cause it to come apart, and that all burning material shall be retained inside the burner.

ARTICLE XIV

Radio Use and Regulation

Sec. 1.—Prohibition. No person shall maintain any device so as to interfere with radio reception within this municipality. This prohibition shall be all inclusive except:

- (a)—It shall not prohibit interference between midnight and 7 A. M. of any day.
- (b)—It shall not prohibit interference upon wave lengths of more than 600 meters.
- (c)—It shall not prohibit x-ray machines, violet ray machines, dia-

thermal machines or other medical devices causing interference, provided such interference is reduced so far as reasonably possible and equipped with usable device tended to reduce interference.

Sec. 2.—Any person violating any provision of the ordinance shall be guilty of a misdemeanor, and when any person has been notified in writing by any peace officer that he is violating this ordinance he shall within a reasonable time not to exceed ten days be required to correct the interference, and his failure to do so shall be considered a separate offense under this ordinance. But the giving of such notice shall not be a pre-requisite for prosecution of a single offense hereunder.

ARTICLE XV

Fireworks Permit

Sec. 1.—Fireworks Business Regulated. No person shall sell or offer for sale, or give away any fireworks except under permit. The fee for such permit shall be \$1.00. Such permits shall be valid only between June 25 and July 4 of the year in which issued, and shall not be construed to authorize the sale of fireworks, the use of which has been forbidden.

ARTICLE XVI

Regulating Billiard Halls

Sec. 1.—Definition. The term "billiard hall" shall embrace any place where one or more billiard or pool tables are kept for hire.

Sec. 2.—License Application Fee. No billiard hall and no bowling alley may be conducted as a public place of business without a license. Application for said license shall be filed with the clerk. The license fee for each billiard hall and bowling alley shall be five dollars (\$5.00) per year for each table or bowling alley, payable in advance.

Sec. 3.—Refusal of License. The council will not issue a license to any person who, or to any firm or corporation of which any member, officer or director, has been convicted of a felony or is of immoral character or is an habitual user of intoxicating liquors or narcotic drugs. The council may, in any case, for other reasonable cause, refuse to issue the license.

Sec. 4.—Issuance. When so ordered by the council the clerk shall issue the license. The license shall specify the name of the licensee, the specific place where the business is to be carried on, the number of tables or alleys authorized and the beginning and expiration dates.

Sec. 5.—Posting License. No person shall post such license upon premises other than those for which the license was issued nor deface or destroy any such license.

Sec. 6.—Practices Prohibited. It shall be unlawful for a licensee or for any licensee in such licensed place,

or in any appurtenant or connected place.

(1)—To permit any form of gambling.

(2)—To permit any person to become disorderly.

(3)—To operate such licensed business, either as a private club or otherwise between 12 P. M. and 6 A. M., or at any time on Sunday.

(4)—To sell or possess or allow the sale or possession of any intoxicating liquors.

(5)—Knowingly to employ any person who has been convicted of a felony.

Sec. 7.—Responsibility of Licensee. The conduct of the agents and employees of a licensee in said business shall be deemed the conduct of the licensee himself.

Sec. 8.—Revocation. A second conviction for violation of this article shall automatically revoke any license. The council may at any time, for cause, and on such reasonable hearing as it may prescribe, revoke a license and such revocation shall be final. No license shall be granted to any person, or to any firm or corporation with which any person is connected, if such person or a firm or corporation with which he was connected has within the year immediately preceding suffered a revocation of its license.

Sec. 9.—Duplicate Licenses. A duplicate license to replace a lost original or a license for a different location, the original being surrendered, may be issued by the council at its discretion, under such regulations as it may prescribe and on the payment of a fee of two dollars (\$2.00.)

ARTICLE XVII

Public Dances

Sec. 1.—State Law to Govern. All dances held in this village hereafter shall be conducted in accordance with the provisions of Chapter 139 of the Session Laws of Minnesota for 1923, regulating the conduct of dances as heretofore or hereafter amended. The definitions of terms in the first section of said act are hereby adopted, except that the term "public dancing place" shall be taken to mean any place in which dancing may be or is being carried on, other than a private residence, and the term "public dance" shall be taken to apply to every dance held in a public dancing place, whether an admission fee is charged or not.

Sec. 2.—Permits. No person shall conduct a public or private dance in this village unless a permit shall have been procured therefor from the village clerk. The fees for such permit shall be \$2.00 for each dance or \$25.00 for the year or otherwise as set by resolution of the council.

Sec. 3.—Application. Any person desiring a permit to hold or conduct a public or private dance in this village shall make application therefor to the clerk. The application shall set

forth the name and address of the person, persons, committee or organization who are to conduct the dance; time and place where such dance is to be held; and the area of the dance floor. The application shall also show affirmatively that each of the applicants is a person of good moral character and reputation in the community in which he lives, and that none of the applicants has within five years prior to the making of such application been convicted of a felony, gross misdemeanor, or of violating any of the provisions of Chapter 139 of the Session Laws of Minnesota for 1923 or of any ordinance or law regulating dances any place in the United States; also that no one of the applicants is a keeper of any disorderly house of any kind; also that the place where the dance is to be conducted does not have any so-called "Private apartments" or "Private rooms" furnished or used for any other than legitimate business purposes which adjoin such dancing places or which may be reached by elevator, stairway, or passageway leading from such dancing place; also that the place where the dance is to be given is properly ventilated and equipped with necessary toilets, wash rooms, and lighting facilities. Such application shall also be accompanied by the affidavits of two freeholders in the village to the effect that they have read the application as signed by the applicant and that all the statements made therein are true of their own personal knowledge.

Sec. 4.—Granting of A Permit. Permit to Be Posted. The village clerk shall refer such application and the accompanying affidavits to the council, which in its discretion may grant or refuse to grant the permit applied for. The persons named in the permit shall be responsible under the law for the manner in which such dance is to be held and conducted.

ARTICLE XVIII

Auction Sales

Sec. 1.—No person shall conduct or cause to be conducted any auction sale in this village without first securing therefor a license from the Village Clerk. The fees shall be \$5.00 for the first day on which said auction is to be conducted and \$1.00 for each succeeding day except for the Lamberton Sales Pavilion which is sponsored by the Village of Lamberton, and wherein the license is to be procured from the Village Clerk shall be \$1.00 for each day and each succeeding day for a transient auctioneer conducting any auction sale therein, and the fees for said licenses herein may be changed or set from time to time by resolution of the village council. This article shall not apply to judicial sales conducted by a court officer, nor to any sale by a transient merchant as elsewhere defined in this ordinance.

ARTICLE XIX

Transient Merchants, Hawkers, Peddlers, and Solicitors

Sec. 1.—Definitions. The following terms are hereby defined as used in this article:

- (a)—“Transient Merchant.” Any person who is engaged in selling any goods, wares, or merchandise, either as principal or agent from a stationary location in a building or upon a vacant lot which he occupied as a tenant at will, or under a lease for a shorter term than six months or from a railroad car, or from a truck, or from a vehicle stationarily located in the street is a transient merchant.
- (b)—“Hawker.” Any person who shall sell and edible goods or products from a wagon, vehicle, or pack, going about from place to place carrying said goods or products for the purpose of sale and delivery, is a hawker.
- (c)—“Solicitor.” Any person selling goods by sample or taking orders for future delivery and accepting a deposit or advance payment, is a solicitor; provided, that any person taking orders which are to be filled by goods shipped from other states and delivered to the purchaser in the original package shall not be included in the term “solicitor.”
- (d)—“Peddler.” Any person who shall sell any non-edible goods or product from a wagon, vehicle, or pack, going about from place to place, carrying said goods or product for the purpose of sale and delivery is a peddler.

Sec. 2.—License Required. It shall be unlawful for any transient merchant, hawker, peddler, or solicitor to sell or offer for sale any goods, wares or merchandise or to do any business or attempt to do any business in this village without first having obtained from the village clerk a license to do so.

Sec. 3.—Application for License. Before and license shall be issued to any person to vend, sell, hawk, or peddle goods, or solicit orders under this article, the person desiring said license shall file a written application therefor with the village clerk. Said application shall show:

- (1)—The name of the applicant and of all persons associated with him in his business;
- (2)—The type of business for which the license is desired;
- (3)—The place where the business is to be carried on in case of transient merchants;
- (4)—The length of time for which said license is desired;
- (5)—A general description of the thing or things to be sold;
- (6)—The present place of business of the applicant;
- (7)—The places of residence of the applicant for the five years just past.

Blank applications shall be issued by the clerk on payment of \$1.00 which amount is credited on the license fee if the license is granted.

Sec. 4.—License. Every application for license under this article shall bear the written approval of the president of the village council after an investigation of the moral character of the applicant. When the applicant presents to the clerk an application in proper form for any business not prohibited by law and pays the proper fee hereinafter set forth said clerk shall issue to said applicant a license to conduct, pursue, or carry on the business for which said license was requested for the period requested.

Sec. 5.—Licenses Prohibited. No licenses shall be issued to hawk or peddle meat; poultry; furs; eyeglasses; medicines; watches; jewelry; plated wear; or silverware.

Sec. 6.—License Fees. Fees for licenses under this article shall be as follows:

Solicitors, per day	\$ 5.00
Solicitors, per year	15.00
Transient Merchant, per day	10.00
Transient Merchant, per month	50.00
Transient Merchant, six months	150.00
Hawkers, on foot, per day ..	1.00
Hawkers, with push cart, per day	2.00
Hawkers, with wagon or auto, per day	2.50
Hawkers, on foot, per year ..	10.00
Hawkers, with push cart, per year	15.00
Hawkers, with wagon, per year	25.00
Hawkers, with automobile, per year	50.00
Peddlers, on foot, per day ..	2.50
Peddlers, with push cart, per day	5.00
Peddlers, with wagon, per day	7.50
Peddlers, with automobile, per day	10.00

Sec. 7.—Duration of License. Each license shall be valid only for the period specified therein and no license may extend beyond the 31st day of March of each year.

Sec. 8.—License Not Transferable. Licenses issued under this article shall be non-transferable. No refunds shall be made on unused portions of licenses except upon resolution of the council. Each person engaged in the business of vending, hawking or peddling goods or soliciting orders must secure a separate license.

Sec. 9.—Practices Prohibited. No person, licensed under this article, shall call attention to his business or to his goods, wares, or merchandise, by crying them out, by blowing a horn, by ringing a bell, or by any loud or unusual noise.

Sec. 10.—Revocation of Licenses. Licenses issued under this article shall be revocable without notice, by the council whenever in their opinion

the good order of the village requires it.

Sec. 11.—Exemption. This article shall not be held to include the licensing of sales conducted pursuant to statute by the order of any court, nor of persons selling personal property at wholesale to retail dealers, nor of milkmen, nor icemen, nor of any farmer or truck gardener selling or offering the products of his own or any leased farm or stock, nor of any blind person who is a bona fide resident of Minnesota.

ARTICLE XX

Dog Tax

Sec. 1.—Restriction on Dogs At Large. Every dog at large in this village shall wear in plain sight a tag indicating that the dog license for the current fiscal year has been paid. No person shall allow any dog belonging to him or in his care to be at large except in conformity with this article.

Sec. 2.—License Fee. The annual dog license fee shall be as follows: Male or spayed dog—\$1.00. Female dog (if not spayed)—\$3.00. The payment of such fee shall authorize the dog for which it is paid, to be at large while wearing its tag, except as provided in sections 3, 6 and 7 below. Such fee shall be paid to the clerk who shall deliver to the person paying the tax a receipt therefor, and a metal tag to be worn by the dog. If such tag be lost, a duplicate may be issued, on presentation of the receipt and the payment of \$1.00.

Sec. 3.—Female Dogs. No person owning or keeping any female dog shall allow the same at large while in heat.

Sec. 4.—Counterfeiting Tags. No person shall counterfeit or attempt to counterfeit the tags provided for in section 2 of this article or take from any dog a tag legally placed upon it with the intent to place it upon another dog, or place such tag upon another dog.

Sec. 5.—Tags Not Transferable. Dog tags shall not be transferable and no refunds shall be made on any dog tax paid because of leaving the village or death of the dog before expiration of the license period.

Sec. 6.—Muzzling Proclamation. The president of the council is hereby authorized, and it is hereby made his duty, whenever in his opinion the danger to the public from rabid dogs, is imminent, to issue a proclamation ordering all persons owning or keeping a dog to confine the same securely on their premises unless a wire muzzle completely enclosing the head of such dog be placed on said dog and kept upon it at all the times it is at large. No person shall violate such proclamation and every police officer is hereby authorized and instructed to kill any dog running at large during the time fixed in said proclamation without said muzzle, without notice to the owner.