

CHAPTER 10

PUBLIC PROTECTION, CRIMES AND OFFENSES

SEC. 10.01. DANGEROUS WEAPONS AND ARTICLES.

Subd. 1. Acts Prohibited. It is unlawful for any person to:

A. Recklessly handle or use a gun or other dangerous weapon or explosive so as to endanger the safety of another; or

B. Intentionally point a gun of any kind, capable of injuring or killing a human being and whether loaded or unloaded, at or toward another; or

C. Manufacture or sell for any unlawful purpose any weapon known as a sling-shot or sand club; or

D. Manufacture, transfer or possess metal knuckles or a switch blade knife opening automatically; or

E. Possess any other dangerous article or substance for the purpose of being used lawfully as a weapon against another; or

F. Sell or have in his/her possession any device designed to silence or muffle the discharge of a firearm; or

G. Permit, as a parent or guardian, any child under fourteen (14) years of age to handle or use, outside of the parent's or guardian's presence, a firearm or air gun of any kind, or any ammunition or explosive; or

H. Furnish a minor under eighteen (18) years of age with a firearm, air gun, ammunition, or explosive without the written consent of his/her parent or guardian or of the Police Department; or

I. Possess, sell, transfer, or have in possession for sale or transfer, any weapon commonly known as a throwing star, nun chuck, sharp stud or splat gun. For the purposes of this Subparagraph, (1) a "throwing star" means a circular metallic device with any number of points projecting from the edge, (2) a "nun chuck" means a pair of wood sticks or metallic rods separated by chain links attached to one end of each such stick or rod, (3) a "sharp stud" means a circular piece of metal attached to a wrist band, glove, belt or other material which protrudes one-fourth inch, or more, from the material to which it is attached, and with the protruding portion pyramidal in shape, sharp or pointed, and (4) a "splat gun" means a weapon which, by means of compressed air or gas, emits a projectile containing paint or other substance.

Subd. 2. Exception. Nothing in Subdivision 1 of this Section shall prohibit the possession of the articles therein mentioned if the purpose of such possession is for public exhibition by museums or collectors of art.

Subd. 3. Discharge of Firearms and Explosives. It is unlawful for any person to fire or discharge any cannon, gun, pistol or other firearm, firecracker, sky rocket or other fireworks, air gun, air rifle, or other similar device commonly referred to as a B-B gun. This section shall not apply to the discharge of legal fireworks as defined in Subd. 5B.

Subd. 4. Exception. Nothing in Subdivision 3 of this Section shall apply to a display of fireworks by an organization or group of organizations authorized in writing by the Council, or to a peace officer in the discharge of his/her duty, or to a person in the lawful defense of his/her person or family. This Section shall not apply to the discharge of firearms in a range authorized in writing by the Council.

Subd. 5. Possession and Sale of Fireworks.

A. Sale of Fireworks. it is unlawful to sell fireworks in the City of Pipestone in violation of M. S.. § 624.20 through 624.25, inclusive, which are adopted by reference. “Legal fireworks” as defined in this Section may, however, be sold upon issuance of a license issued by the City.

B. Definition. For the purpose of this Section “legal fireworks” is defined to mean:

Wire or wood sparklers of not more than 100 grams of mixture per item, other sparkling items which are non-explosive and non-aerial and contain 75 warns or less of chemical mixture per tube or a total of 200-grams or less for multiple tubes, snakes and glow worms, smoke devices, or trick noisemakers which include paper streamers, party poppers, string poppers, snappers, and drop pops, each consisting of not more than twenty-five hundredths grains of explosive mixture.

C. Application. The application for a license shall contain the following information: name, address, and telephone number of applicant; the address of the location where fireworks will be sold; the type of legal fireworks to be sold; the estimated quantity of legal fireworks that will be stored on the licensed, premises.

D. Processing Application. The application must be filed with the City Clerk together with the permit fee. Following an inspection of the premises proposed to be licensed, the City shall issue the permit if the conditions for license approval are satisfied and the location is property zoned. If the City denies the permit application, the permit applicant may, within ten (10) days, appeal the decision to the City Council.

E. Conditions of License. The license shall be issued subject to the following conditions:

1. The license is non-transferable, either to a different person or location.
2. The licensed premises must contain an automatic sprinkler system.
3. The license must be publicly displayed on the licensed premises.
4. Premises must be posted "NO SMOKING".
5. The premises are subject to inspection by City employees including police officers, Fire Chief and Fire Marshal during normal business hours.
6. The sale of legal fireworks must be in an allowed area of the premises.
7. The premises must be in compliance with the State Building Code and State Fire Code.

F. License Period and License Fee. Licenses shall be issued for a calendar year at an established fee of \$100.00 per year. License fees shall not be prorated.

G. Revocation of License. Following written notice and an opportunity for a hearing, the City may revoke a license for violation of this Section or state law concerning the sale, use or possession of fireworks. If a license is revoked, neither the applicant nor the licensed premises may obtain a license for twelve (12) months.

Subd. 6. Exposure of Unused Container. It is unlawful for any person, being the owner or in possession or control thereof, to permit an unused refrigerator, ice box, or other container, sufficiently large to retain any child and with doors which fasten automatically when closed, to expose the same accessible to children, without removing the doors, lids, hinges or latches.

Subd. 7. Use of Bow and Arrow. It is unlawful for any person to shoot a bow and arrow or other similar device within the City limits except in a Physical Education Program in a school supervised by a member of its faculty, a community-wide supervised class or event specifically authorized by the Chief of Police, or a bow and arrow range authorized by the Council.