



CITY OF SPRING PARK  
CITY COUNCIL AGENDA  
SEPTEMBER 16, 2019 – 7:00 PM  
SPRING PARK CITY HALL

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ADOPT MEETING AGENDA
4. ADOPT CONSENT AGENDA\*
  - a. City Council Work Session Meeting Minutes from August 19, 2019
  - b. Regular City Council Meeting Minutes from August 19, 2019
  - c. Ordinance 19-01: Amending Chapter 1 Related to Administrative Fines
  - d. Ordinance 19-02: Amending Chapter 8 Related to Dog Licenses
  - e. Ordinance 19-03: Amending Chapter 13 Related to Mobile Food Units
  - f. Ordinance 19-04: Amending Chapter 12 Related to Tobacco
  - g. Resolution 19-14: Approving Summary Publication of Ordinance 19-04
  - h. Resolution 19-15: Approving Local Water Management Plan
5. PUBLIC FORUM \*\*
6. PRESENTATIONS & GUEST SPEAKERS
7. PUBLIC HEARINGS
8. PETITIONS, REQUESTS, & APPLICATIONS
9. ORDINANCES & RESOLUTIONS
  - a. Resolution 19-16: Approving Preliminary Levy
10. REPORTS OF OFFICERS AND COMMITTEES
  - a. Mayor & Council
  - b. City Staff
  - c. Contract Staff
11. NEW BUSINESS & COMMUNICATIONS
  - a. Purchase Order 19-01: Wilkes Park Playground Improvements
12. CLAIMS FOR PAYMENT
  - a. September 16, 2019 Claims
13. UPCOMING MEETINGS & TRAINING
  - a. September 18 – Police Commission Meeting – 8:00 AM
  - b. September 25 – LMCD Work Session at 6:00 PM with Regular Meeting at 7:00 PM
  - c. October 7 – Regular City Council Meeting – 7:00 PM
14. MISCELLANEOUS (INFORMATION ONLY)
  - a. Mound Fire Department August Report
  - b. Mound Fire Department Press Release
  - c. Household Hazardous Waste Collection Events Flyer
15. ADJOURNMENT

\* The Consent Agenda lists those items of business which are considered to be routine, recommended for approval, and/or which need no discussion. The several separate items listed on the Consent Agenda are acted upon by one motion. There will be no separate discussion of these items unless a Council Member makes a request, in which event the item will be removed from the Consent Agenda and placed elsewhere on the regular agenda for Council discussion and action.

\*\* Under Public Forum individuals may address the City Council about any item not contained on the regular agenda. Each speaker should keep their statements to three minutes to allow sufficient time for others. The Council will take no official action on items discussed at the forum, with the exception of referral to staff for future report.



CITY OF SPRING PARK  
 WORK SESSION MINUTES  
 AUGUST 19, 2019 – 6:00 PM  
 SPRING PARK CITY HALL

CALL TO ORDER - The work session was called to order by Mayor Rockvam at 6:00 p.m.

Council Members Present: Jerome P. Rockvam, Mayor; Pamela Horton; Gary Hughes; Catherine Kane Palen; and Megan Pavot

Staff Present: Dan Tolsma, City Administrator; Brian Hare, City Engineer; Mary Tietjen, City Attorney; and Theresa Schyma, City Clerk

1. WEST ARM WEST FEASIBILITY STUDY REVIEW

City Engineer Hare presented a summary of the feasibility study including:

- Project Area History
- Fire Apparatus Access Road restriction, NFPA/IFC Non-compliance and Risk
- Aging Sanitary/Water and Risk
- Proposed Improvements and Cost

Ben Foster, Mound Fire Department, spoke about the fire department’s vehicle inventory and what vehicles are able to access West Arm Road West in an emergency. He detailed challenges and issues with the current configuration of the road in regards to emergency vehicles. He discussed the non-compliance issues with the National Fire Protection Association (NFPA) and International Fire Code (IFC). He stated that current law does apply to existing structures but it not a mandated requirement based on age of structure; however, any alterations to current buildings or the addition of new buildings would trigger non-compliance.

Mayor Rockvam asked if removing center pillar of the bridge would help current access issues.

Mr. Foster responded yes.

Council Member Hughes stated that the Hennepin County Regional Rail Authority (HCRRA) had an issue in the past with the City’s request to remove the center pillar since it is their property.

City Administrator Tolsma responded that since that time it seems the Three Rivers Park District (TRPD) has said that all permissions would need to go through their office in regards to that bridge. However, in recent discussions with the TRPD they did seem open to looking at options for modifying or even possibly replacing it with another bridge they currently have in stock.

Council Member Pavot stated that removing the center pillar would give additional width for vehicles but it would not give additional height to vehicles which is another issue as well.

Mayor Rockvam stated that as long as the City uses salt to address any snow and ice buildup then height isn't an issue. He added that he would like to see the center pillar removed but has heard from some residents who do not want to see it removed since they view the pillar as a traffic calming measure.

City Engineer Hare also discussed the scenario of getting some land from HCRRA to widen the road which is similar to what occurred on West Arm Road East.

City Engineer Hare asked Mr. Foster about the low clearance issue.

Mr. Foster responded that low clearance is an issue but the fire department vehicles have never truly been unable to get to a house during a past emergency.

City Engineer Hare added that increasing the width of the road is beneficial to allow other emergency vehicles to access at one time.

Council Member Hughes added that residents who are located at the end of the road also have no other way out if there are emergency vehicles blocking the road.

Council Member Pavot asked Mr. Foster for clarification on if the City would be in violation of the NFPA/IFC if a new home is built or a current home is improved on West Arm Road West.

Mr. Foster responded yes, but stated there is also some gray area, because if one building on the road is altered then the road needs to meet all current standards; it does kind of change for everybody on the road because the road will no longer be in compliance.

City Attorney Tietjen asked Mr. Foster if the NFPA considered the extent of an alteration or remodel and if minor repairs would trigger the NFPA.

Mr. Foster responded that the State Fire Code doesn't address those specifics but he believes that anything requiring a building permit could potentially trigger non-compliance.

Mayor Rockvam asked if the City would be liable for a future incident if the City chooses not to do anything regarding the access issues on West Arm Road West if it shows the City is in violation of the NFPA. He further asked if insurance would cover the City in that scenario.

City Attorney Tietjen responded that if it is an existing road before the requirements went into place then strictly speaking the City would not have a legal obligation to bring it into compliance right now. However, there is always a slightly higher risk to the City when the City is aware of problems but has chosen not to resolve them. The City does have a fair amount of discretion in setting priorities and budgets but you can open the door to issues when there are known risks. As far as how insurance would cover that type of incident, that is really a question for the City's insurance carrier.

Council Member Pavot stated she believes that this is something the City should be ahead of since it is borderline unsafe and because major remodels or new structures are going to trigger the NFPA; the housing stock on West Arm Road West is aging so it is safe to assume that some of those homes will be remodeled or rebuilt in the near future.

City Administrator Tolsma also discussed another option of creating an access for public safety/emergency vehicles only that is not striped or signed for through travel. He discussed potential administrative issues when residents request the road be opened for housing, building, or landscaping projects.

Council Member Pavot asked how that road would differ from a regular road and what the benefits would be.

City Engineer Hare responded that it would be more cost prohibitive.

Mayor Rockvam stated that another issue for creating that type of access road is that the land necessary does not belong to the City. That land has been with the same family for over 50 years and they have opposed this type of request before.

City Administrator Tolsma responded that there would need to be discussions with property owners but it is important to discuss all options in order to get the Council on board with their preferred option so that the project can move forward.

Council Member Hughes asked about the most recent documentation for removing the center pillar of the bridge.

City Engineer Hare responded that the last documentation was from 2006. He added that since it has been quite some time since that documentation that the City would need to have a structural engineer look at it and go from there.

Mayor Rockvam stated that the City needs to approach the TRPD to see if it is a possibility and go from there.

Mr. Foster stated that it would probably be most beneficial for emergency vehicle access to remove the center pillar. He added that the City needs to figure out some way to make the road more accessible to emergency vehicles; if there is not an access road then the City needs to have a very strict plowing schedule to ensure snow and ice cannot buildup under the bridge since it creates a low clearance issue for emergency vehicles in the winter. He also asked about compliant turnarounds.

City Engineer Hare responded that a modified hammerhead turnaround could be a possibility with land acquisition but a cul-de-sac or a full hammerhead turnaround is not really an option.

City Engineer Hare detailed the history and age of infrastructure including sanitary sewer, storm sewer, and water mains, asset management plan results/priority list, consequences of failures, and trenchless technology.

Mayor Rockvam asked about cost of the project especially if the City decided to complete only the water and sewer work.

City Engineer Hare responded that the figure of \$300,000 wouldn't include creating an access road or restoration of the damaged road that is beyond its age cycle.

Mayor Rockvam stated that the residents are not in favor of this project but if the NFPA states that you can't remodel or add new homes until you are compliant then that is a key piece of information that needs to be considered.

Mayor Rockvam stated the best option is to get land on the south side of the road from HCRRA.

City Engineer Hare responded that HCRRA has said they are going to look at cost and we are currently waiting on a response from their ROW representative.

City Engineer Hare stated there is a cost benefit to doing this project all at once but there is also a benefit to parsing out the project for less hardship on residents.

Council Member Pavot said that the City needs to comply with the standard now and be proactive. She wants the City to consider the options and get this right the first time.

Council Members Horton and Kane Palen agree with Council Member Pavot.

The City Council consensus was to continue this discussion at a future work session.

2. MISCELLANEOUS – None.
3. ADJOURN – The work session was adjourned by unanimous consent at 7:03 p.m.

Date Approved: September 16, 2019

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Dan Tolsma, City Administrator

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Theresa Schyma, City Clerk



CITY OF SPRING PARK  
 CITY COUNCIL MINUTES  
 AUGUST 19, 2019 – 7:00 PM  
 SPRING PARK CITY HALL

1. CALL TO ORDER - The meeting was called to order by Mayor Rockvam at 7:08 p.m.

Council Members Present: Jerome P. Rockvam, Mayor; Gary Hughes; Pamela Horton; Catherine Kane Palen; and Megan Pavot

Staff Present: Dan Tolsma, City Administrator; Brian Hare, City Engineer; Mary Tietjen, City Attorney; and Theresa Schyma, City Clerk

2. PLEDGE OF ALLEGIANCE – Mayor Rockvam led the audience in the Pledge of Allegiance.

3. ADOPT MEETING AGENDA

M/Hughes, S/Horton to adopt the meeting agenda.

Motion carried 5-0.

4. ADOPT CONSENT AGENDA

- a. Regular City Council Meeting Minutes from August 5, 2019
- b. ~~Resolution 19-14: Approving Local Water Management Plan~~

M/Pavot, S/Horton to adopt the Consent Agenda.

Council Member Hughes asked for clarification on the Local Water Management Plan (LWMP).

City Administrator Tolsma responded that the City is required to approve an LWMP every 10 years and it gets incorporated into our Comprehensive Plan. Full copies are available but I have provided the Executive Summary.

Council Member Hughes stated he believes the LWMP should be a work session discussion item. He wanted to know why the plan seems to exclusively discuss water runoff but not discuss anything about the City's water systems.

City Engineer Hare stated that the LWMP is also called a Surface Water Management Plan which is why the plan addresses water runoff and not the City's water systems. The LWMP is meant to identify known problems and solutions.

Council Members Hughes and Kane Palen believe the LWMP should be discussed at an upcoming work session.

M/Hughes, S/Horton to amend the original motion to remove Item #4b from the agenda so that it can be discussed at an upcoming work session.

Motion carried 5-0.

Original motion carried 5-0.

## 5. PUBLIC FORUM

Randy Bickman, 4652 West Arm Road, stated he is concerned about the proposed rental ordinance. He stated that only two residents in the City have short-term rental properties so he is questioning why the City is spending the money. He also believes that Hennepin County and the State of Minnesota already have ordinances and regulations in place regarding rental properties so he believes the City is trying to duplicate efforts of ordinances that have been in place for a long time. He handed out copies to the City Council of "Landlords and Tenants: Rights and Responsibilities" from the Minnesota Attorney General's Office. He further questioned if the City has ever received any complaints regarding rental properties in the City.

City Administrator Tolsma responded that staff have received complaints on rental properties but currently staff has no avenue to address the issues. He further detailed the types of calls/complaints that staff receive. He added that none of the calls/complaints have been for Mr. Bickman's rental properties so perhaps that is why Mr. Bickman is unaware that staff receive complaints about other rental properties in the city.

Mr. Bickman asked why the City hasn't contacted Hennepin County to deal with the complaints they have received.

City Administrator Tolsma responded that he does refer tenants to Hennepin County because currently the City does not have ordinances in place to deal with these issues on a local level. Hennepin County provides recourse for an issue but it is after the fact; the point of a local rental ordinance is to set a standard that all rental properties in the City need to meet and maintain. There is a reason that 24 cities in Hennepin County have their own local rental property ordinances; they want to be proactive and establish a minimum standard throughout their city. He added that the rental ordinance will be a Council decision but a lot of cities do have a rental ordinance to establish a minimum standard.

Mr. Bickman stated the State of Minnesota, Hennepin County, and Orono Police already have the resources available to take care of what the proposed ordinances are trying to duplicate.

City Administrator Tolsma responded that the City is not attempting to duplicate efforts of other entities. A local rental licensing ordinance does not serve the same role as the process in place with Hennepin County. A local rental ordinance establishes a minimum standard throughout the entire city and provides inspections to ensure that standard is met.

Council Member Pavot added that the goal of the proposed licensing ordinance is to inspect the property before tenants move in and before they find issues that they cannot get resolved with their landlord. She recalled some scenarios that renters have approached her about in the past including moving into their new apartment and not having running water; that a renter needs to go through an escrow process with an unknown time for resolution. Any inspections with the Hennepin

County complaint process are after the fact; a local ordinance inspects before the property is rented. A local rental ordinance also gives the City the power to take away a rental license if minimum standards are not being maintained at rental properties.

Mayor Rockvam stated that the “Landlords and Tenants: Rights and Responsibilities” from the Minnesota Attorney General’s Office is a document that has some real value and said that members of the Planning Commission should receive copies.

City Attorney Tietjen stated that the Planning Commission also needs to be educated on what the “Landlords and Tenants” document is and what it truly does. As City Administrator Tolsma explained, local laws serve a different purpose. The document Mr. Bickman presented tonight only provides remedies after the fact and involves a legal process wherein people go to court and are spending time and money to get resolution. If local ordinances did not work, cities would not have them. There is a reason so many cities have these ordinances; they serve a different purpose than State law.

Council Member Hughes asked City Attorney Tietjen how the other cities that she represents view local rental ordinances.

City Attorney Tietjen responded that her firm represents many cities that have local rental licensing ordinances. If the city implements the ordinance the way it was intended and addresses inspections ahead of time then she has seen it can be successful and accomplishes the purpose for which the ordinance was enacted.

Mayor Rockvam thanked Mr. Bickman for his comments.

6. PRESENTATIONS & GUEST SPEAKERS – None.
7. PUBLIC HEARINGS – None.
8. PETITIONS, REQUESTS, & APPLICATIONS
  - a. Back Channel Brewery Special Event September 21<sup>st</sup> & 22<sup>nd</sup>

M/Pavot, S/Kane Palen to approve Special Event Application No. 19-11 and Temporary On-Sale Liquor License for Back Channel Brewery for a multi-day event on Saturday, September 21 and Sunday, September 22, 2019 with the list of conditions that were attached to the Staff Memo.

Motion carried 5-0.

9. ORDINANCES & RESOLUTIONS – None.
10. REPORTS OF OFFICERS AND COMMITTEES
  - a. Mayor & Council

Mayor Rockvam requested an update on the historical plaque for City Hall.

City Administrator Tolsma provided an update and potential timeline for the plaques at City Hall and the City’s two parks, the park rededication ceremony, and Planning Commission appreciation dinner.

Mayor Rockvam asked about progress on installing temporary safety measures on Sunset Drive.

City Administrator Tolsma discussed a recent meeting with Hennepin County which included discussions concerning temporary safety measures in 2020.

City Engineer Hare stated that the discussions are ongoing but the current plan with Hennepin County is to work on Sunset Drive (CR 51) in 2022 and they would provide input on safety measures of a temporary nature.

b. City Staff – None.

c. Contract Staff – None.

11. NEW BUSINESS & COMMUNICATIONS – None.

12. CLAIMS FOR PAYMENT

a. August 19, 2019 Claims

M/Horton, S/Hughes to approve all claims for payment.

Motion carried 5-0.

13. UPCOMING MEETINGS & TRAINING

a. August 28 – LMCD Work Session at 6:00 PM with Regular Meeting at 7:00 PM

b. September 3 (Tuesday) – Regular City Council Meeting – 7:00 PM

14. MISCELLANEOUS (INFORMATION ONLY)

a. Mound Fire Department July Report

15. ADJOURNMENT

The meeting was adjourned by unanimous consent at 7:53 p.m.

Date Approved: September 16, 2019

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Dan Tolsma, City Administrator

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Theresa Schyma, City Clerk

4/c-g



STAFF MEMO

ORDINANCE AMENDMENTS

1. **BACKGROUND:** Having a clear and current City Code is important for any city. For this reason, City staff have been reviewing certain sections of the City Code to see where updates are needed. The proposed ordinances are updating and clarifying language and in some cases the language is necessary to be more consistent with State Statute.
  
2. **DISCUSSION:** The proposed ordinances were posted on the City’s website and in the lobby of City Hall at least 10 days prior to the September 16, 2019 City Council meeting.
  - **Ordinance 19-01 – Amending language regarding the administrative citation process** – The City Council passed the updated outdoor storage and nuisance ordinances in November 2017. Since that time City staff have been reviewing the enforcement process including the administrative citation process. The proposed amendments update and clarify the language regarding citations.
  - **Ordinance 19-02 – Repealing the City's dog license ordinance** – The City has not issued dog licenses since 2012. Therefore, this outdated ordinance should be removed from the City Code. Repealing the dog licensing ordinance does not impact any other ordinances regarding dog behavior and enforcement.
  - **Ordinance 19-03 – Amending licensing requirements for Mobile Food Units (food trucks) operating in the City** – Hennepin County began requiring food trucks and/or trailers operating in the county to receive a Hennepin County license beginning July 1, 2019. This change affected all food trucks operating in Hennepin County regardless of whether or not they are currently licensed by the Minnesota Department of Health (MDH). For this reason, Spring Park’s City Code needs to be amended to update licensing requirements for all trucks operating in the City.
  - **Ordinance 19-04 – Amending the City's tobacco ordinance in order to update language to be more consistent with State Statute** – At the July 15, 2019 City Council Work Session the City Council consensus was to move forward with non-age related changes to the City’s tobacco ordinance. The purpose of the ordinance is to update and clarify the definitions in the ordinance related to tobacco and which tobacco products and devices are subject to regulation; clarify where smoking is allowed and prohibiting smoking lounges; and, correct and update language in the Code. All currently licensed tobacco operators in the City were mailed a copy of the proposed ordinance on August 8, 2019.
  
3. **RECOMMENDATION:**
  - By Motion: Approve Ordinance Nos. 19-01 through 19-04 amending the Spring Park City Code to update and clarify language.
  - By Motion: Approve Resolution No. 19-14 approving summary publication of Ordinance No. 19-04 pertaining to tobacco and tobacco-related devices and products.

CITY OF SPRING PARK  
HENNEPIN COUNTY, MINNESOTA

ORDINANCE NO. 19 -01

AN ORDINANCE AMENDING CHAPTER 1, SECTION 1-14 OF THE SPRING PARK  
CITY CODE RELATING TO ADMINISTRATIVE CITATIONS AND FINES

THE CITY COUNCIL OF THE CITY OF SPRING PARK, MINNESOTA ORDAINS AS  
FOLLOWS:

Section 1. Chapter 1, Section 1-14(e) of the Spring Park City Code is amended as follows:

(e) *Administrative fines; late payment or failure to pay.*

...

(3) A lien may be assessed against the property and collected in the same manner as taxes. Before the City assesses an unpaid administrative fine against the property, it will give written notice to the violator and an opportunity to be heard by the City Council.

...

~~(5) During the time that an administrative fine remains unpaid the violator shall be ineligible to receive any license, permit or other approval required by the City Code or otherwise to be issued by the city.~~

...

Section 2. Chapter 1, Section 1-14(h) of the Spring Park City Code is amended as follows:

(h) *Criminal penalties. The following are misdemeanors, punishable in accordance with state law:*

~~(1) Failure to pay an administrative fine imposed by administrative citation within ten days after it has been imposed unless the matter is appealed to the city as provided herein.~~

~~(2) Failure to pay an administrative fine within ten days after is has been imposed by the hearing officer, or such other time as may be established by the hearing officer, unless the matter is appealed to district court as provided herein.~~

If the final determination in the administrative penalty process is a finding that no violation occurred, then the city may not prosecute a criminal violation in district court based on the same set of facts. This does not preclude the city from pursuing a criminal prosecution for a violation for the same provision based on a different set of facts. A different date of violation will constitute a different set of facts.

**Section 3. Effective Date.** This ordinance shall be in full force and effective immediately upon its passage and publication.

**ADOPTED by the City Council of Spring Park this 16<sup>th</sup> day of September, 2019.**

CITY OF SPRING PARK

By: \_\_\_\_\_  
Jerome P. Rockvam, Mayor

ATTEST:

By: \_\_\_\_\_  
Theresa Schyma, City Clerk

**CITY OF SPRING PARK  
HENNEPIN COUNTY, MINNESOTA**

**ORDINANCE NO. 19 – 02**

**AN ORDINANCE REPEALING CHAPTER 8, ARTICLE II, DIVISION 2 OF THE  
SPRING PARK CITY CODE RELATING TO DOG LICENSES**

**THE CITY COUNCIL OF THE CITY OF SPRING PARK, MINNESOTA ORDAINS AS  
FOLLOWS:**

**Section 1.** Chapter 8, Article II, Division 2 of the Spring Park City Code is repealed in its entirety.

**Section 2. Effective Date.** This ordinance shall be in full force and effective immediately upon its passage and publication.

**ADOPTED by the City Council of Spring Park this 16<sup>th</sup> day of September, 2019.**

CITY OF SPRING PARK

By: \_\_\_\_\_  
Jerome P. Rockvam, Mayor

ATTEST:

By: \_\_\_\_\_  
Theresa Schyma, City Clerk

**CITY OF SPRING PARK  
HENNEPIN COUNTY, MINNESOTA**

**ORDINANCE NO. 19 -03**

**AN ORDINANCE AMENDING CHAPTER 13, SECTION 13-40 OF THE SPRING PARK  
CITY CODE RELATING TO MOBILE FOOD UNITS**

**THE CITY COUNCIL OF THE CITY OF SPRING PARK, MINNESOTA ORDAINS AS  
FOLLOWS:**

**Section 1.** Chapter 13, Section 13-40 (1)(a) of the Spring Park City Code is amended as follows:

- (a) Mobile food units must be licensed by the ~~Minnesota Department of Health~~ Hennepin County Health Department and must adhere to state regulations for food trucks as provided in the Minnesota Food Code, Minnesota Rules part 4626.1860, Mobile food establishments; seasonal temporary food stands; seasonal permanent food stands. Evidence of the ~~state~~ county license must be provided to the city as part of the local license application.

**Section 2. Effective Date.** This ordinance shall be in full force and effective immediately upon its passage and publication.

**ADOPTED by the City Council of Spring Park this 16<sup>th</sup> day of September, 2019.**

CITY OF SPRING PARK

By: \_\_\_\_\_  
Jerome P. Rockvam, Mayor

ATTEST:

By: \_\_\_\_\_  
Theresa Schyma, City Clerk

CITY OF SPRING PARK  
HENNEPIN COUNTY, MINNESOTA

ORDINANCE NO. 19-04

AN ORDINANCE AMENDING CHAPTER 12, ARTICLE II OF THE SPRING PARK  
CITY CODE PERTAINING TO TOBACCO AND TOBACCO-RELATED DEVICES  
AND PRODUCTS

THE CITY COUNCIL OF THE CITY OF SPRING PARK, MINNESOTA ORDAINS AS  
FOLLOWS:

Section 1. Chapter 12, Article II of the Spring Park City Code is amended as  
follows:

ARTICLE II. - ~~CIGARETTES AND~~ TOBACCO AND TOBACCO-RELATED DEVICES AND  
PRODUCTS<sup>23</sup>

•—DIVISION 1. - GENERALLY

•—Sec. 12-31. - ~~Sale of tobacco to underage persons~~— Purpose and Intent.

(a) Purpose. Because the city recognizes that many persons under the age of 18 years purchase or otherwise obtain, possess and use tobacco, tobacco products and tobacco-related devices, and such sales, possession and use are violations of both state and federal laws; and because studies, which are on file at the state health department and which the city accepts and adopts, have shown that most smokers begin smoking before they have reached the age of 18 years and that those persons who reach the age of 18 years without having started smoking are significantly less likely to begin smoking; and because smoking has been shown to be the cause of several serious health problems which subsequently place a financial burden on all levels of government, this ~~section~~article shall be intended to regulate the sale, possession and use of tobacco, tobacco products and tobacco-related devices for the purpose of enforcing and furthering existing laws, to protect minors against the serious effects associated with the illegal use of tobacco, tobacco products and tobacco-related devices, and to further the official public policy of the state in regard to preventing young people from starting to smoke as stated in Minn. Stat. § 144.391.

(b)

Sec. 12-32. - Definitions.

The following words, terms and phrases, when used in this ~~section~~article, shall have the meanings ascribed to them ~~in this subsection~~, except where the context clearly indicates a different meaning:

**CIGARS** Cigars. Any roll of tobacco that is wrapped in tobacco leaf or in any substance containing tobacco, with or without a tip or mouthpiece, that is not a cigarette as defined in M.S. § 297F.01, subd. 3 as amended from time to time.

~~Compliance checks means the.~~ The system the city uses to investigate and ensure that those authorized to sell tobacco, tobacco products, and tobacco-related devices are following and complying with the requirements of this ~~section~~article. Compliance checks shall involve the use of minors as authorized by this ~~section~~article. Compliance checks shall also mean the use of minors who attempt to purchase tobacco, tobacco products or tobacco-related devices for educational, research and training purposes as authorized by state and federal laws. Compliance checks may also be conducted by other units of government for the purpose of enforcing appropriate federal, state or local laws and regulations relating to tobacco, tobacco products ~~and,~~ tobacco-related devices, electronic cigarettes, electronic delivery devices, and nicotine or lobelia delivery devices.

~~**ELECTRONIC DELIVERY DEVICE AND ELECTRONIC CIGARETTE.**~~ Electronic Delivery Device and Electronic Cigarette. Any product containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of vapor from the product. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device does not include any product that has been approved or certified by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is marketed and sold for such an approved purpose.

~~**HOOKAH.**~~ "Hookah" shall mean a. A pipe with a long, flexible tube by which the smoke is drawn through a jar of water and thus cooled for the use of tobacco or tobacco related products.

~~Individually packaged means the.~~ The practice of selling any tobacco or tobacco product wrapped individually for sale. Individually wrapped tobacco and tobacco products shall include but not be limited to single cigarette packs, single bags or cans of loose tobacco in any form, and single cans or other packaging of snuff or chewing tobacco. Cartons or other packaging containing more than a single pack or other container as described in this definition shall not be considered individually packaged.

~~Loosies means the.~~ The common term used to refer to a single or individually packaged cigarette.

Indoor Area. All space between a floor and a ceiling that is bounded by walls, doorways, or windows, whether open or closed, covering more than 50 percent of the combined surface area of the vertical planes constituting the perimeter of the area. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent.

~~Minor means any.~~ Any natural person who has not yet reached the age of 18 years.

~~Moveable place of business refers to any.~~ Any form of business operated out of a truck, van, automobile or other type of vehicle or transportable shelter and not a fixed address store front or other permanent type of structure authorized for sales transactions.

~~**NICOTINE OR LOBELIA DELIVERY DEVICES.**~~ Nicotine or Lobelia Delivery Devices. Any product containing or delivering nicotine or lobelia intended for human consumption, or any part of such a product, that is not tobacco as defined in this ~~section~~article, not including any product that has been approved or otherwise certified for legal sale by the United States Food and Drug Administration for tobacco use cessation, harm reduction, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

**~~PUBLIC PLACE~~** Public Place. Any enclosed, indoor area used by the general public, including, but not limited to, restaurants; bars; any other food or liquor establishment; retail and other commercial establishments; educational facilities; hospitals; nursing homes; auditoriums; arenas; meeting rooms; waiting rooms; and common areas of rental apartment buildings.

~~Retail establishment~~ means any. Any place of business where tobacco, tobacco products ~~of~~, tobacco-related devices, electronic cigarettes, electronic delivery devices or nicotine or lobelia delivery devices are available for sale to the general public. Retail establishments shall include, but are not limited to, grocery stores, convenience stores and restaurants.

~~Sale~~ means any. Any transfer of goods for money, trade, barter or other consideration.

**~~SAMPLING~~** Sampling. The lighting of tobacco, tobacco products, tobacco-related devices or the activation of and inhaling of vapor from electronic cigarettes in a retail establishment by a customer or potential customer for the purpose of sampling the product or device before a purchase.

~~Self-service merchandising~~ means open. Open displays of tobacco, tobacco products ~~of~~, tobacco-related devices, electronic cigarettes, electronic delivery devices or nicotine or lobelia delivery devices in any manner where any person shall have access to the tobacco, tobacco products or tobacco-related devices, without the assistance or intervention of the licensee or the licensee's employee. The assistance or intervention shall entail the actual physical exchange of the tobacco, tobacco product ~~of~~, tobacco-related device, or nicotine or lobelia delivery device between the customer and the licensee or employee. Self-service merchandising shall not include vending machines.

**~~SMOKING~~** Smoking. Inhaling or exhaling smoke from any lighted or heated cigar, cigarette, pipe, hookah, or any other lighted or heated tobacco or plant product or exhaling vapor from any electronic delivery device, such as vaping. Smoking also includes carrying a lighted or heated cigar, cigarette, pipe, hookah or any other lighted or heated tobacco or plant product intended for inhalation.

**~~SMOKING LOUNGE~~** Smoking Lounge. A tobacco products shop which allows customers to be seated.

~~Tobacco or tobacco-related products~~ means any substance or item containing tobacco leaf, including but not limited to cigarettes; cigars; pipe tobacco; snuff; fine cut or other chewing tobacco; Tobacco and tobacco products includes cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including by vaping, or any component, part, or accessory of a tobacco product; cigars; pipe tobacco, cheroots; stogies; perique; granulated, plug cut, crimp cut, ready-rubbed, and other smoking tobacco; snuff-flowers; snuff flour; cavendish; shorts; plug and twist tobacco; fine cut and other chewing tobaccos; dipping tobaccos; refuse scraps, clippings, cuttings and sweepings of tobacco; dipping tobaccos; and other kinds and forms of tobacco leaf prepared in such manner as to be suitable for chewing, sniffing or smoking. Tobacco excludes any tobacco product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

~~Tobacco Products Shop -related devices~~ means any tobacco product as well as a pipe, rolling papers or other device intentionally designed or intended to be used in a manner which

~~enables the chewing, sniffing or smoking of tobacco or tobacco products.~~ **TOBACCO PRODUCTS SHOP:** A retail establishment with an entrance door opening directly to the outside that derives more than ninety percent (90%) of its gross revenue from the sale of tobacco, tobacco related products, tobacco related devices, electronic cigarettes, electronic delivery devices or nicotine or lobelia delivery devices and in which the sale of other products is merely incidental. "Tobacco products shop" does not include a tobacco products department or section of any individual business establishment with any type of food, liquor, or restaurant license.

**VAPOR LOUNGE:** Tobacco-related devices. Any tobacco product as well as a pipe, rolling papers or other device intentionally designed or intended to be used in a manner which enables the chewing, sniffing or smoking of tobacco or tobacco products.

Vapor Lounge. A vapor products shop which allows customers to be seated.

**VAPOR PRODUCTS SHOP:** Vapor Products Shop. A retail establishment with an entrance door opening directly to the outside that derives more than ninety percent (90%) of its gross revenue from the sale of electronic delivery devices, electronic cigarettes and related products and in which the sale of other products is merely incidental. "Vapor products shop" does not include a vapor products department or section of any individual business establishment with any type of food, liquor, or restaurant license.

~~Vending machine means any.~~ Any mechanical, electric or electronic or other type of device which dispenses tobacco, tobacco products or tobacco-related devices upon the insertion of money, tokens or other form of payment directly into the machine by the person seeking to purchase the tobacco, tobacco product or tobacco-related device.

(Ord. No. 67, §§ 1, 2, 1-20-1998)

~~State Law reference—Definition of "tobacco," Minn. Stat. § 609.685, subd. 1(a); definition of "tobacco-related devices," Minn. Stat. § 609.685, subd. 1(a); except for retail stores which derive at least 90 percent of their revenue from tobacco and tobacco-related products and which cannot be entered at any time by persons younger than 18 years of age, no person shall offer for sale single packages of cigarettes or smokeless tobacco in open displays which are accessible to the public without the intervention of a store employee, Minn. Stat. § 461.18; 21 CFR 897.16(e) applies to cartons and other multipack units, Minn. Stat. § 461.18, subd. 3; a licensing authority shall conduct unannounced compliance checks at least once each calendar year at each location where tobacco is sold to test compliance with Minn. Stat. § 609.685, compliance checks must involve minors over the age of 15, but under the age of 18, who, with the prior written consent of a parent or guardian, attempt to purchase tobacco under the direct supervision of a law enforcement officer or an employee of the licensing authority, Minn. Stat. § 461.12, subd. 5.~~

• ~~Secs. 12-32 — 12-50. - Reserved.~~

• **DIVISION 2. - ADMINISTRATION AND ENFORCEMENT<sup>(a)</sup>**

• **Sec. 12-51. - Violations.**

(a) *Notice.* Upon discovery of a suspected violation, the alleged violator shall be issued, either personally or by mail, a citation that sets forth the alleged violation and which shall inform the alleged violator of his right to be heard on the accusation.

(b) *Hearings.* If a person accused of violating this article so requests, a hearing shall be scheduled, the time and place of which shall be published and provided to the accused violator.

(c) *Hearing officer.* The city council shall serve as the hearing officer. (?)

(d) *Decision.* If the hearing officer determines that a violation of this article did occur, that decision, along with the hearing officer's reasons for finding a violation and the penalty to be imposed under section 12-52, shall be recorded in writing, a copy of which shall be provided to the accused violator. Likewise, if the hearing officer finds that no violation occurred or finds grounds for not imposing any penalty, such findings shall be recorded and a copy provided to the acquitted accused violator.

(e) *Appeals.* Appeals of any decision made by the hearing officer shall ~~be~~ may be filed in the district court ~~for the city.~~

(f) *Misdemeanor prosecution.* Nothing in this section shall prohibit the city from seeking prosecution as a misdemeanor for any alleged violation of this article. If the city elects to seek misdemeanor prosecution, no administrative penalty shall be imposed.

(g) *Continued violation.* Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense.

(Ord. No. 67, § 12, 1-20-1998)

#### ● **Sec. 12-52. - Penalties.**

(a) *Licensees.* Any licensee found to have violated this article, or whose employee shall have violated this article, shall be charged an administrative fine as determined by the city council. In addition, after the third offense, the license shall be suspended for not less than seven days.

(b) *Other individuals.* Other individuals found to be in violation of this article shall be charged an administrative fee as determined by the city council.

(c) *Misdemeanor.* Nothing in this section shall prohibit the city from seeking prosecution as a misdemeanor for any violation of this article.

(Ord. No. 67, § 13, 1-20-1998)

~~State Law reference—Whoever furnishes tobacco or tobacco-related devices to a person under the age of 18 years is guilty of a misdemeanor, Minn. Stat. § 609.685, subd. 2.~~

#### ● **Sec. 12-53. - Exceptions and defenses.**

Nothing in this article shall prevent the providing of tobacco, tobacco products ~~or~~ electronic cigarettes, electronic delivery devices or nicotine or lobelia delivery devices to a minor as part of a lawfully recognized religious, spiritual or cultural ceremony. It shall be an affirmative defense to the violation of this article for a person to have reasonably relied on proof of age as described by state law.

(Ord. No. 67, § 14, 1-20-1998)

~~State Law reference—Any person aggrieved by a decision made under the provisions of Minn. Stat. § 461.12, subds. 2 or 3, may have the decision reviewed in the district court in the~~

~~manner and procedure provided in Minn. Stat. § 462.361, Minn. Stat. § 461.12, subd. 7; due process provisions for those accused of selling or providing tobacco or tobacco-related devices to a minor, Minn. Stat. § 461.12, subds. 2 and 3.~~

### Sec. 12-54.- Severability

If any section or provision of this article is held invalid, such invalidity shall not affect other sections or provisions which can be given force and effect without the invalidated section or provision.

◆ ~~Secs. 12-54~~55 — 12-80. - Reserved.

### ◆ ~~DIVISION 3. - LICENSE~~<sup>E4</sup>

◆ ~~Sec. 12-81. - Required.~~

(a) *Obtaining from city.* No person shall sell or offer to sell any tobacco, tobacco products or tobacco-related devices, electronic cigarettes, electronic delivery devices, or nicotine or lobelia delivery device without having obtained a license to do so from the city. All licenses issued under this section shall be valid only on the premises for which the license was issued and only for the person, to whom the license it was issued. No transfer of any license to another location or person shall be valid.

(b) *Application.* An application for a license to sell tobacco, tobacco products or tobacco-related devices, electronic cigarettes, electronic delivery devices, or nicotine or lobelia delivery devices, shall be made on a form provided by the city. The application shall contain the full name of the applicant, the applicant's residential and business addresses and telephone numbers, the name of the business for which the license is sought, and any additional information the city deems necessary. Upon receipt of a completed application, the city administrator/clerk/treasurer shall forward the application to the city council for action at its next regularly scheduled council meeting. If the ~~administrator/clerk/treasurer shall determine~~city clerk determines that an application is incomplete, ~~he shall~~the clerk will return the application to the applicant with notice of the information necessary to make the application complete.

(c) *Action.* The council may either approve or deny the license, or it may delay action for such reasonable period of time as necessary to complete any investigation of the application or the applicant it deems necessary. If the council ~~shall approve~~approves the license, the ~~administrator/city clerk/treasurer shall will~~ issue the license to the applicant. If the council denies the license, notice of the denial ~~shall will~~ be given to the applicant along with notice of the applicant's right to appeal the council's decision.

(d) *Term.* All licenses issued under this article shall be valid for one calendar year from July 1 through the following June 30. For any license issued after July 1 in any year, the license shall be valid from the date of issue through the following June 30.

(e) *Revocation or suspension.* Any license issued under this article may be revoked or suspended, In such case, the licensee may request or hearing or appeal as provided in sections 12-51 and 12-52.

(f) *Transfers.* All licenses issued under this article shall be valid only on the premises for which the license was issued and only for the person to whom the license was issued. No transfer of

any license to another location or person shall be valid without the prior approval of the city council.

(g) *Moveable place of business.* No license shall be issued to a moveable place of business. Only fixed location businesses shall be eligible to be licensed under this article.

(h) *Display.* All licenses shall be posted and displayed in plain view of the general public on the licensed premises.

(i) *Renewals.* The renewal of a license issued under this article shall be handled in the same manner as the original application. The request for a renewal shall be made at least 30 days but no more than 60 days before the expiration of the current license. The issuance of a license issued under this article shall be considered a privilege and not an absolute right of the applicant and shall not entitle the holder to an automatic renewal of the license.

(Ord. No. 67, § 3, 1-20-1998)

(i) *Smoking.* Except as allowed under Minn. Stat. § 144.414, smoking is not permitted and no person shall smoke within the indoor area of any establishment with a retail tobacco license. Smoking for the purposes of sampling tobacco and tobacco related products is prohibited.

● **Sec. 12-82. - Fees.**

No license shall be issued under this article until the appropriate license fee shall be paid in full. The fee for a license under this article shall be as listed on the appropriate license fee schedule.

(Ord. No. 67, § 4, 1-20-1998)

~~State Law reference— Authority to establish a license fee for sales to recover the estimated cost of enforcing the provisions of Minn. Stat. ch. 461, Minn. Stat. § 461.12, subd. 1.~~

● **Sec. 12-83. - Basis for denial.**

~~The following shall be grounds~~ (a) *Grounds* for denying the issuance or renewal of a license under this article; however, except as may otherwise be provided by law, the existence of any particular grounds for denial does not mean that the city must deny the license; if a license is mistakenly issued or renewed to a person, it shall be revoked upon the discovery that the person was ineligible for the license under this article, include but are not limited to the following:

(1) The applicant is under the age of 18 years.

(2) The applicant has been convicted within the past five years of any violation of a federal, state or local law, ordinance provision, or other regulation relating to tobacco, tobacco products or tobacco-related devices, electronic cigarettes, electronic delivery devices or nicotine or lobelia delivery devices.

(3) The applicant has had a license to sell tobacco, tobacco products or tobacco-related devices, electronic cigarettes, electronic delivery devices or nicotine or lobelia delivery devices revoked within the preceding 12 months of the date of application.

(4) The applicant fails to provide any information required on the application, or provides false or misleading information.

(5) The applicant is prohibited by federal, state or other local law, ordinance or other regulation from holding such a license.

(b) except as may otherwise be provided by law, the existence of any particular grounds for denial does not mean that the city must deny the license;

(c) if a license is mistakenly issued or renewed to a person, it shall be revoked upon the discovery that the person was ineligible for the license under this article;

(Ord. No. 67, § 5, 1-20-1998)

• **Secs. 12-84 — 12-110. - Reserved.**

• **DIVISION 4. - SALES RESTRICTIONS**

• **Sec. 12-111. - Prohibited sales.**

(a) It shall be a violation of this article for any person to sell or offer to sell any tobacco, tobacco ~~product or products~~ tobacco-related ~~device~~ devices, electronic cigarettes, electronic delivery devices or nicotine or lobelia delivery devices:

(1) To any person under the age of 18 years.

(2) By means of any type of vending machine, except as may otherwise be provided in this article.

(3) By means of self-service methods whereby the customer does not need to make a verbal or written request to an employee of the licensed premises in order to receive the tobacco, tobacco ~~product or products~~, tobacco-related device, electronic cigarettes, electronic delivery devices or nicotine or lobelia delivery devices and whereby there is not a physical exchange of the tobacco, tobacco product ~~or~~ tobacco-related device, electronic cigarettes, electronic delivery devices or nicotine or lobelia delivery devices between the licensee or the licensee's employee and the customer.

(4) By means of loosies.

(5) Containing opium, morphine, jimson weed, bella donna, strychnos, cocaine, marijuana, or other deleterious, hallucinogenic, toxic or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process. It is not the intention of this provision to ban the sale of lawfully manufactured cigarettes or other tobacco products.

(6) By any other means, to any other person, or in any other manner or form prohibited by federal, state or local law, ordinance provision, or other regulation.

(b) Smoking and Sampling Prohibitions.

(1) Except for exceptions listed in Minn. Stat. § 144.4167, smoking tobacco shall be prohibited and no person shall smoke in public places and places of work, including outdoor and bar areas of restaurants. Except as provided in Minn. Stat. § 144.4167, subd. 4, tobacco sampling, including sampling of electronic delivery devices and products used in electronic delivery devices, is specifically prohibited within any indoor location in the city.

(2) To ensure that tobacco smoke or vapor electronic delivery devices does not enter public places and places of work and that persons entering such places are not exposed involuntarily to smoke or vapor, smoking and the use of electronic delivery devices are prohibited within twenty-five (25) feet of entrances, exits, open windows and ventilation intakes of public places and places of work. This prohibition does not apply to entrances and exits used solely in the event of an emergency and appropriately signed for that purpose.

(c) Smoking Lounges. Smoking lounges, hookah lounges and vapor lounges are prohibited within the city.

(Ord. No. 67, § 6, 1-20-1998)

~~State Law reference — Except for vending machines in facilities that cannot be entered at any time by persons younger than 18 years of age, no person shall sell tobacco products from vending machines, Minn. Stat. § 461.18, subd. 2; whoever sells tobacco to a person under the age of 18 years is guilty of a gross misdemeanor, Minn. Stat. § 609.685, subd. 1(a).~~

● **Sec. 12-112. - Vending machines.**

It shall be unlawful for any person licensed under this article to allow the sale of tobacco, tobacco products or tobacco-related devices by means of a vending machine unless minors are at all times prohibited from entering the licensed establishment.

(Ord. No. 67, § 7, 1-20-1998)

**State Law reference** — No person shall sell tobacco products from vending machines, except in facilities that cannot be entered at any time by persons younger than 18 years of age, Minn. Stat. § 461.18, subd. 2.

● **Sec. 12-113. - Self-service sales.**

~~It shall be unlawful for a licensee under this article to allow the sale of tobacco, tobacco products or tobacco-related devices by any means whereby the customer may have access to such items without having to request the item from the licensee or the licensee's employee and whereby there is not a physical exchange of the tobacco, tobacco product or the tobacco-related device between the licensee or his clerk and the customer. All tobacco, tobacco products and tobacco-related devices, electronic cigarettes, electronic delivery devices or nicotine or lobelia delivery devices shall either be stored behind a counter or other area not freely accessible to customers, or in a case or other storage unit not left open and accessible to the general public. Any retailer selling tobacco, tobacco products or tobacco-related devices on January 20, 1998, shall comply with this section immediately upon the effective date of this article.~~

(Ord. No. 67, § 8, 1-20-1998)

~~State Law reference — Except for retail stores which derive at least 90 percent of their revenue from tobacco and tobacco-related products and which cannot be entered at any time by persons younger than 18 years of age, no person shall offer for sale single packages of cigarettes or smokeless tobacco in open displays which are accessible to the public without the intervention of a store employee, Minn. Stat. § 461.18, subsd. 1 and 3.~~

● **Sec. 12-114. - Responsibility.**

All licensees under this article shall be responsible for the actions of their employees in regard to the sale of tobacco, tobacco products ~~or~~ tobacco-related devices or electronic cigarettes, electronic delivery devices or nicotine or lobelia delivery devices on the licensed premises; and the sale of such an item by an employee shall be considered a sale by the license holder. Nothing in this section shall be construed as prohibiting the city from also subjecting the clerk to whatever penalties are appropriate under this article, state or federal law, or other applicable law or regulation.

(Ord. No. 67, § 9, 1-20-1998)

● **Sec. 12-115. - Compliance checks and inspections.**

All licensed premises shall be open to inspection by the city police or other authorized city official during regular business hours. From time to time, but at least once per year, the city shall conduct compliance checks by engaging, with the written consent of their parents or guardians, minors over the age of 15 years, but less than 18 years, to enter licensed premises to attempt to purchase tobacco, tobacco products or tobacco-related devices ~~,~~ electronic cigarettes, electronic delivery devices, or nicotine or lobelia delivery devices. Minors used for the purpose of compliance checks shall be supervised by city-designated law enforcement officers or other designated city personnel. Minors used for compliance checks shall not be guilty of unlawful possession of tobacco, tobacco products or tobacco-related devices ~~,~~ electronic cigarettes, electronic delivery devices, or nicotine or lobelia delivery devices when such items are obtained as a part of the compliance check. No minor used in compliance checks shall attempt to use a false identification misrepresenting the minor's age, and all minors lawfully engaged in a compliance check shall answer all questions about the minor's age asked by the licensee or his employee and shall produce any identification, if any exists, for which he is asked. Nothing in this section shall prohibit compliance checks authorized by state or federal laws for educational, research or training purposes, or required for the enforcement of a particular state or federal law or other applicable law or regulation.

(Ord. No. 67, § 10, 1-20-1998)

**State Law reference** — A licensing authority shall conduct unannounced compliance checks at least once each calendar year at each location where tobacco is sold to test compliance with Minn. Stat. § 609.685. Compliance checks must involve minors over the age of 15, but under the age of 18, who, with the prior written consent of a parent or guardian, attempt to purchase tobacco under the direct supervision of a law enforcement officer or an employee of the licensing authority, Minn. Stat. § 461.12, subd. 5.

● **Sec. 12-116. - Other illegal acts.**

Unless otherwise provided, the following acts shall be a violation of this article:

(1) *Illegal sales.* It shall be a violation of this article for any person to sell or otherwise provide any tobacco, tobacco product or tobacco-related device electronic cigarettes, electronic delivery devices, or nicotine or lobelia delivery devices to any minor.

(2) *Illegal possession.* It shall be a violation of this article for any minor to have in his possession any tobacco, tobacco product or tobacco-related device electronic cigarettes, electronic delivery devices, or nicotine or lobelia delivery devices. This subsection shall not apply to minors lawfully involved in a compliance check.

(3) *Illegal use.* It shall be a violation of this article for any minor to smoke, chew, sniff or otherwise use any tobacco, tobacco product or tobacco-related device, electronic cigarettes, electronic delivery devices, or nicotine or lobelia delivery devices.

(4) *Illegal procurement.* It shall be a violation of this article for any minor to purchase or attempt to purchase or otherwise obtain any tobacco, tobacco product or tobacco-related device, electronic cigarettes, electronic delivery devices, or nicotine or lobelia delivery devices; and it shall be a violation of this article for any person to purchase or otherwise obtain such items on behalf of a minor. It shall further be a violation for any person to coerce or attempt to coerce a minor to illegally purchase or otherwise obtain or use any tobacco, tobacco product or tobacco-related device, electronic cigarettes, electronic delivery devices, or nicotine or lobelia delivery devices. This subsection shall not apply to minors lawfully involved in a compliance check.

(5) *Use of false identification.* It shall be a violation of this article for any minor to attempt to disguise his true age by the use of a false form of identification, whether the identification is that of another person or one on which the age of the person has been modified or tampered with to represent an age older than the actual age of the person.

(Ord. No. 67, § 11, 1-20-1998)

~~State Law reference — Whoever sells tobacco to a person under the age of 18 years is guilty of a gross misdemeanor, Minn. Stat. § 609.685, subd. 1(a); whoever furnishes tobacco or tobacco-related devices to a person under the age of 18 years is guilty of a misdemeanor, Minn. Stat. § 609.685, subd. 2; whoever, being under the age of 18, possesses, smokes, chews or otherwise ingests, purchases or attempts to purchase tobacco or tobacco-related devices is guilty of a petty misdemeanor, Minn. Stat. § 609.685, subd. 3.~~

**Section 2. Effective Date.** This ordinance shall be in full force and effective immediately upon its passage and publication.

**ADOPTED** by the City Council of Spring Park this 16<sup>th</sup> day of September, 2019.

CITY OF SPRING PARK

By: \_\_\_\_\_  
Jerome P. Rockvam, Mayor

ATTEST:

By: \_\_\_\_\_  
Theresa Schyma, City Clerk

**RESOLUTION NO. 19-14**

**RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE PERTAINING TO TOBACCO AND TOBACCO-RELATED DEVICES AND PRODUCTS**

**WHEREAS**, the City has adopted the above referenced ordinance; and

**WHEREAS**, Minnesota Statutes, § 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

**WHEREAS**, the verbatim text of the ordinance is cumbersome, and the expense of publication of the complete text is not justified; and

**WHEREAS**, the following summary clearly informs the public of the intent and effect of the ordinance.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Spring Park that the following summary is hereby approved for official publication:

**SUMMARY PUBLICATION  
ORDINANCE NO. 19-04**

**AN ORDINANCE AMENDING CHAPTER 12, ARTICLE II OF THE CITY CODE PERTAINING TO TOBACCO AND TOBACCO-RELATED DEVICES AND PRODUCTS**

On September 16, 2019, the Spring Park City Council adopted an ordinance designated as Ordinance No. 19-04, the title of which is stated above. The purpose of the Ordinance is to: 1) update and clarify the definitions in the ordinance related to tobacco and which tobacco products and devices are subject to regulation; 2) clarify where smoking is allowed and prohibiting smoking lounges; and, 3) correct and update language in the Code.

**BE IT FURTHER RESOLVED**, that the City Clerk is directed to keep a copy of the Ordinance in her office at City Hall for public inspection and to post a full copy of the Ordinance in a public place in the City for a period of two weeks. Copies of the Ordinance are also available upon request by calling 952-471-9051.

Adopted by the City Council of the City of Spring Park, Minnesota this 16<sup>th</sup> day of September, 2019.

\_\_\_\_\_  
Jerome P. Rockvam, Mayor

ATTEST:

\_\_\_\_\_  
Theresa Schyma, City Clerk

4h

**CITY OF SPRING PARK  
HENNEPIN COUNTY, MINNESOTA**

**RESOLUTION NO. 19-15**

**RESOLUTION APPROVING THE CITY OF SPRING PARK  
LOCAL WATER MANAGEMENT PLAN**

**WHEREAS**, a stake holder comment period was conducted and all comments were addressed; and

**WHEREAS**, the City of Spring Park is committed to protecting its water resources through prudent planning and implementation of modern rules; and

**WHEREAS**, all complete planning applications submitted after the approval must comply with the rules and standards laid out in the Local Water Management Plan.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Spring Park approve of the Spring Park Local Water Management Plan.

ADOPTED by the City Council of the City of Spring Park this 16th day of September, 2019.

CITY OF SPRING PARK

Approved:

\_\_\_\_\_  
Jerome P. Rockvam, Mayor

Attest:

\_\_\_\_\_  
Theresa Schyma, City Clerk



MEMO

2020 LEVY & BUDGET

1. **BACKGROUND:** Every Year the City Council is required to establish a preliminary levy and a final levy. For 2020 cities have until September 30<sup>th</sup> to certify their preliminary levy. At the same meeting that the preliminary levy is approved the council must also establish the date and time for a truth in taxation hearing that must take place between November 25<sup>th</sup> and December 28<sup>th</sup>, at which time the budget and final levy will be discussed and public input will be allowed. Following the truth in taxation hearing and before December 28<sup>th</sup> the council must adopt the 2020 budget and certify the final levy.
  
2. **2019 YEAR TO DATE REVENUE & EXPENDITURES:** For 2019 revenues and expenditures have been tracking closely to budgeted amounts throughout the general, water, and sewer funds. Specifically, the general fund is currently at 53.37% (revenue) and 83.08% (expenditures) of budget, water department is currently at 63.92% (revenue) and 59.88% (expenditures) of budget, and the sewer department is currently at 54.57% (revenue) and 66.97% (expenditures). It's important to note that the reason general fund revenue lags behind expenditures is simply because the majority of the City's revenue comes in two payments from the County, the first in July and the second in December.
  
3. **2020 PRELIMINARY LEVY & NOTABLE BUDGET LINE ITEMS:** The preliminary version of the 2020 budget has a levy increase of \$57,344. This amounts to a 5.4% increase, bringing the levy total to \$1,128,501. Notable line items are listed below.
  - Fire service contract is increasing from \$150,750 to \$158,831.
  - Police service contract changes are expected to increase from \$434,000 to \$447,000.
  - Election administration costs are expected to be \$7,000 for the 2020 elections.
  - Semi-annual cleanup costs continue to increase and are expected to cost \$25,000 in 2020.
  - Snow removal budget has increased from \$40,000 to \$55,000.
  - General fund bond payment amount will decrease slightly from \$128,000 to \$127,250.
  - Overall, the total General Fund Budget is increasing from \$1,293,800 to \$1,325,801, or 2.5%

*City of Spring Park*

4349 WARREN AVENUE, SPRING PARK, MINNESOTA 55384-9711 (952) 471-9051 FAX (952) 471-9160  
WWW.CI.SPRING-PARK.MN.US

# 2020 DRAFT BUDGET SUMMARY

## GENERAL FUND

### Revenue

Property Tax Levy	\$1,128,501
Payments in Lieu of Taxes	\$39,000
Licenses & Permits	\$26,600
Zoning & Building Fees	\$39,000
Grants & Aid	\$7,200
Recycling Fees	\$13,000
Fines	\$10,000
Special Assessments	\$5,000
Miscellaneous	\$17,500
Transfer from Reserves	\$40,000
Total	\$1,325,801

### Expenditures

Police	\$465,750
Fire	\$158,831
Public Works	\$180,750
Administration	\$197,020
Contracted Services (Planner, Attorney, Assessor & Building Official)	\$113,950
Parks & Recreation	\$28,250
Waste Services	\$48,000
Debt Service	\$127,250
Total	\$1,325,801

## WATER & SEWER FUNDS

### Revenue

Charges for Service	\$885,000
Miscellaneous	\$12,500
Interest Earnings	\$25,000
Lease Revenue	\$48,800
Transfer from Reserves	\$32,341
Total	\$1,003,641

### Expenditures

Contracted Services (PeopleService)	\$90,000
Operations & Maintenance	\$379,550
Depreciation	\$182,800
Met Council Sewer Charges	\$211,791
Debt Service	\$139,500
Total	\$1,003,641

**CITY OF SPRING PARK  
SPRING PARK, MINNESOTA**

**RESOLUTION 19-16**

**A RESOLUTION ADOPTING 2020 PROPOSED TAX LEVY**

**BE IT RESOLVED** by the Council of the City of Spring Park, County of Hennepin, Minnesota, that the following sums of money be levied for the current year, collectible in 2020, upon taxable property in the City of Spring Park, for the following purposes:

General Fund Levy \$1,128,501.

The City Clerk is hereby instructed to transmit a certified copy of this resolution to the County Auditor of Hennepin County, Minnesota.

Adopted by the City Council of the City of Spring Park, Minnesota on September 16, 2019.

Approved:

\_\_\_\_\_  
Jerome P. Rockvam, Mayor

Attest:

\_\_\_\_\_  
Theresa Schyma, City Clerk



PURCHASE ORDER REQUEST

PO # 19-01

Date: September 16, 2019

Staff Completing Request: Dan Tolsma

Department: Administration

Project: Wilkes Park Playground Improvement

Justification for purchase(s):

Wilkes park playground is in poor condition and is lacking in critical safety measures that are industry standards. The playground committee met with a playground design contractor to determine the best course of action to modernize the playground equipment at Wilkes Park while keeping the fundamental design elements the same by reusing and/or refurbishing as much of the existing equipment as possible. The attached proposal from Landscape Structures meets the goals established by the committee.

No.	Item / Service	Vendor	Estimated Cost
1	Wilkes Park Equipment, Surfacing, Installation	Landscape Structures	\$ 47,576.76
2			\$
3			\$
4			\$
5			\$
6			\$
7			\$
8			\$
Total Project Estimate			\$ 47,576.76

Council Authorization Received: Yes \_\_\_ No \_\_\_

Date of Council Meeting \_\_\_\_\_



**Terms & Conditions**

**Contract:** Seller's Copy of signed quote represents the contract between Seller and Buyer. This form supercedes all previous communications and negotiations and constitutes the entire agreement between the parties. Any changes to this contract are not binding unless jointly agreed in writing via Change Order.

**Quantity:** The quantity of merchandise and/or material to be delivered and/or installed shall not vary from the amount specified unless a different amount is first agreed to via Change Order. Changes are subject to price adjustment.

**Pricing:** Pricing is F.O.B factory. Current year pricing is honored on contracts completed prior to December 3, 2019. Contracts completed after this date are subject to price change.

**Responsibility:** Landscape Structures shall be responsible for any loss or damage to merchandise until delivered to Buyer at F.O.B destination point. Buyer is responsible for loss or damage thereafter.

**Inspection:** Merchandise shall be subject to Buyer's inspection within a reasonable time after the arrival at the ultimate destination. Upon inspection, it is the Buyer's responsibility to notify Flagship Recreation if merchandise does not meet requirements of the order.

**Project Scope (This Section For Quotes Including Installation)**

**Inclusions:**

- One Mobilization
- Public Utility Locates
- Unpacking of Play Equipment
- Assembly of Play Equipment
- Placing, Digging or Surface Mounting Equipment (as specified)
- Concrete for Play Equipment Footings
- Standard Insurance Offer (Detail Provided Upon Request)
- Standard Warranty Offer (Detail Provided Upon Request)
- Standard Wage Rates

**Exclusions (Unless Specifically Quoted):**

- Accepting & Unloading of Order Prior to Installation
- Storage or Security of Equipment
- Private Utility Locates (irrigation, low voltage, lighting, etc.)
- Additional Labor Due to Site Access. Require 8' Wide Clearance from Staging Area to Play Space.
- Additional Labor and/or Related Costs Due to Subsurface Conditions (Rock, Hardpan, Heavy Clay, Ground Water, etc.)
- Additional Labor and/or Related Costs Due to Working in Unstable Soils (Sand, Pea Rock, Mud, Poor Site Drainage, etc.)
- Offsite Removal of Spoils From Footing Holes or Other Excavation. Can be stockpiled for owner removal or left in play space
- Disposal of Packing Material. Can be Stockpiled for Owner Removal or Deposited in Owners Onsite Dumpster
- Removal of Existing Play Equipment, Border or Safety Surfacing Material
- Site Work of Any Kind. Exclusions include, site grading (owner to provide max slope of 1%), site restoration, drainage, etc.
- Border for Play Space
- Bonding of Any Type
- Permits of Any Kind

Please note, quotes including installation are based on site access and site conditions that have been conveyed to Landscape Structures by the owner/owner's representative and based on ideal conditions required to complete the project as quoted. Unless addressed prior to the installation quote being issued or specifically documented herein, any issues encountered that impede the progress or completion of the project as quoted will result in additional charges.

**Acceptance of Quotation:**

<b>Accepted By (Print)</b> Dan Tolsma	<b>PO#:</b>
<b>Signature:</b>	<b>Email:</b> dtolsma@ci.spring-park.mn.us
<b>Title:</b>	<b>Phone:</b>
<b>Date:</b>	<b>Purchase Amount:</b> \$23,888.50





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**Acceptance of Quotation:**

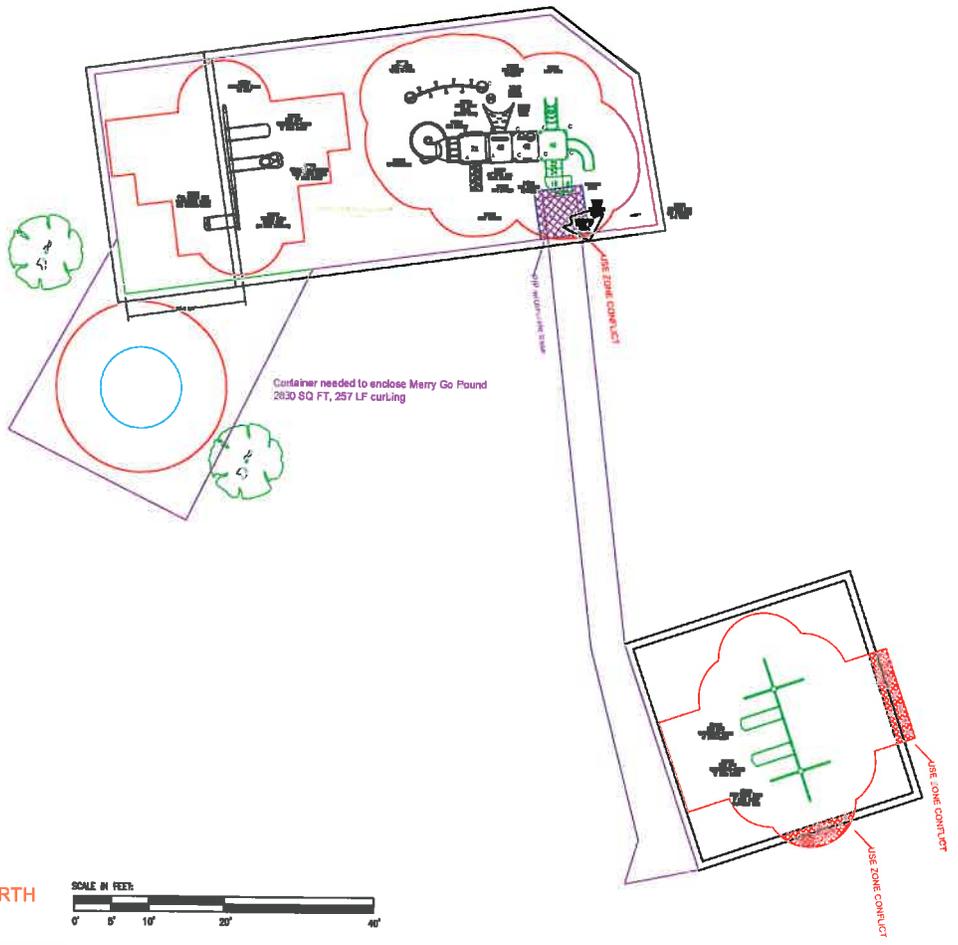
<b>Accepted By (Print)</b> Dan Tolsma	<b>PO#:</b>
<b>Signature:</b>	<b>Email:</b> dtolsma@ci.spring-park.mn.us
<b>Title:</b>	<b>Phone:</b>
<b>Date:</b>	<b>Purchase Amount:</b> \$23,688.26





WILKES PARK - OPT1  
Revision Date: 06-13-2019  
SPRING PARK, MN

Total Container = 2062 SQ FT (inside curb), just swings expansion  
LF Container = 196 LF (curb)  
Curb Type = Paving Blocks



RECEIVED SEP 11 2019

2019 MOUND FIRE DEPARTMENT ACTIVITY REPORT  
Emergency Response and Firefighter Hours Detail

MONTH: August

City	Call Type	2019				2018			
		Month	Firefighter	YTD	YTD	Month	Firefighter	YTD	YTD
		Calls	Hours	Calls	Hours	Calls	Hours	Calls	Hours
MOUND	Fire	8	98	68	1287	9	162	81	1716
	Rescue	19	296	140	2191	17	199	126	2122
	Duty Officer	1	1	16	19	2	3	13	14
MINNETONKA BEACH <i>(for 2018 YTD Total Calls / Hours Reference)</i>	Fire			0	0	2	27	13	297
	Rescue			0	0	0	0	3	72
	Duty Officer			0	0	0	0	0	0
MINNETRISTA	Fire	3	50	21	351	0	0	28	627
	Rescue	4	53	33	622	1	14	21	425
	Duty Officer	0	0	3	3	0	0	2	3
SHOREWOOD	Fire	0	0	0	0	0	0	0	0
	Rescue	0	0	0	0	0	0	0	0
	Duty Officer	0	0	0	0	0	0	2	2
SPRING PARK	Fire	1	15	16	277	3	52	32	751
	Rescue	6	102	62	974	2	30	54	901
	Duty Officer	0	0	4	4	0	0	2	2
MUTUAL AID	Fire	1	29	22	792	1	15	17	564
	Rescue	0	0	0	0			2	25
STAND BY	Weather, Special Event, Etc.	0	0	0	0	1	20	2	72

Total Activity All Cities	Fire	13	192	127	2707	15	256	171	3,955
	Rescue	29	451	235	3787	20	243	206	3545
	Duty Officer	1	1	23	26	2	3	19	21
	Stand By	0	0	0	0	1	20	2	72
	TOTAL	43	644	385	6520	38	522	398	7593

Monthly Activity by Call Category	2019	2018
COMMERCIAL	5	4
RESIDENTIAL	27	25
OTHER (OUTSIDE/ROADWAY/LAKE/OPEN AREA/MISC)	11	9
SERVICE CALLS (Smoke/CO Detectors)	0	2
LEGITIMATE FIRE ALARMS	1	1
FALSE FIRE ALARMS	3	0

MUTUAL AID AND TRAINING/MAINTENANCE SUMMARY	2019		2018	
	Month	YTD	Month	YTD
MUTUAL AID CALLS RECEIVED	0	1	0	3
MUTUAL AID CALLS GIVEN	1	22	1	19
TRAINING/MAINTENANCE HOURS	318	3044.25	358	2572.5

14/a

RECEIVED SEP 11 2019

**Mound Fire Department  
Incident Reports - Spring Park  
August, 2019**

FIRE NO.	DATE	CITY	ADDRESS	FIRE/ RESCUE	DESCRIPTION	ACTION TAKEN	FF HOURS
376	8/22/2019	Spring Park	4014 Sunset Drive	Fire	Overheated Dryer	Cancelled enroute	15
<b>Total Fire Calls</b>				<b>1</b>	<b>Total Fire Hours</b>		<b>15</b>
349	8/4/2019	Spring Park	4100 Spring St	Rescue	EMS	Cancelled	6
358	8/7/2019	Spring Park	Lake Mtka - Spring Park Bay	Rescue	Capsized Boat	Cancelled enroute	24
364	8/17/2019	Spring Park	4527 Shoreline Dr	Rescue	EMS	No Transport	24
377	8/22/2019	Spring Park	4559 Shoreline Drive	Rescue	EMS	Cancelled upon arrival	16
379	8/25/2019	Spring Park	4601 Shoreline Drive	Rescue	Lift Assist	Assist	19
381	8/28/2019	Spring Park	4523 Shoreline Drive	Rescue	Lift Assist	Assist	13
<b>Total Rescue Calls</b>				<b>6</b>	<b>Total Rescue Hours</b>		<b>102</b>
<b>Total Duty Officer Calls</b>				<b>0</b>	<b>Total Duty Officer Hours</b>		<b>0</b>
<b>TOTAL FIRE, RESCUE &amp; DUTY OFFICER CALLS</b>				<b>7</b>	<b>TOTAL FIRE, RESCUE &amp; DUTY OFFICER HOURS</b>		<b>117</b>

# Mound Fire Department

City of Spring Park  
January - August, 2019

RECEIVED SEP 11 2019

## Fire Alarm / False Alarm Report

Fire No	Date	Address	Alarm Type			Activity or Action Taken	False Alarm	Pre-ventable
			Fire	Smoke	CO			
25	1/24/2019	2400 Interlachen Road	x			Burnt Food - Ventilated	N	Y
67	2/20/2019	4400 West Arm Road	x			Cancelled upon arrival	Y	Y
138	4/15/2019	4300 Shoreline Drive	x			Investigated, found problem riser	N	Y
141	4/17/2019	4601 Shoreline Drive	x			Caused by water leak	N	Y
269	6/29/2019	4527 Shoreline Drive	x			Burnt Food, Reset Alarm	N	Y
316	7/18/2019	4716 West Arm Road	x			Cancelled	Y	Y
279	7/3/2019	2400 Interlachen Road, #301	x			Burnt Food - Ventilated	N	Y
283	7/5/2019	2400 Interlachen Road	x			Burnt Food - Ventilated	N	Y

### 2019 YTD TOTALS

<b>FIRE ALARM</b>	<b>8</b>			<b>False Alarms</b>	<b>2</b>	
<b>SMOKE DETECTOR</b>		<b>0</b>		<b>Legitimate Alarms</b>	<b>6</b>	
<b>CO DETECTOR</b>			<b>0</b>	<b>Preventable</b>		<b>8</b>
<b>TOTAL - ALL ALARMS</b>	<b>8</b>					



**Contact** The Mound Fire Department  
Administrative Offices  
**Telephone** 952-472-3555  
**Fax** 952-472-3775  
**Email** moundfire@moundfire.com  
**Website** moundfire.com

FOR IMMEDIATE RELEASE  
September 9, 2019

## MOUND FIRE DEPARTMENT HAPPENINGS

Mound, MN, September 9, 2019– During the month of August, the Mound Fire Department responded to 14 fire related calls and 29 medical related calls, for a total of 43 callouts for the month.

In August the Mound Fire Department installed a new High Pressure Breathing Air System, including an air compressor and 2 cascade type bottle fill stations. One of the fill stations was installed in the fire station, and second one was installed in our Heavy Rescue Truck. The new breathing air system is a critical need and is very efficient for filling self-contained breathing apparatus (SCBA) bottles.

SCBA units include the 45 minute air tanks and masks that firefighters use when entering a hazardous or smoke filled environment. The new equipment replaced an old obsolete 25 year old air compressor and fill station. The new system brings our entire SCBA fill station up to the current National Fire Protection Association (NFPA) safety standards. We received a grant of \$61,880 from the FEMA Assistance to Firefighters Grant program that covered the 95% of the expenses for this much needed purchase.

### **Notable Events:**

**Saturday, August 17, 2019 at 17:21 hours:** a Mound Fire Engine Company was dispatched to provide mutual aid to Long Lake Fire Department for a business fire in the 2200 block of Daniels Street in Long Lake. The Mound Crew, along with other mutual aid departments, assisted Long Lake Fire Department with extinguishment and overhaul of the business. There were no injuries to civilians or firefighters.

**Fire Prevention Open House – Wednesday, October 2nd from 6:00 p.m. – 8:00 p.m.**

In recognition of the 2019 Fire Prevention Week, the Mound Fire Department is holding an Open House on Wednesday, October 2nd at the Mound Fire Station from 6:00pm – 8:00pm. Please join us for fun and learning about fire safety. This is a family event with the following activities planned:

*Kids activities and fun*

*CPR and AED Demonstrations*

*Live burn demonstration*

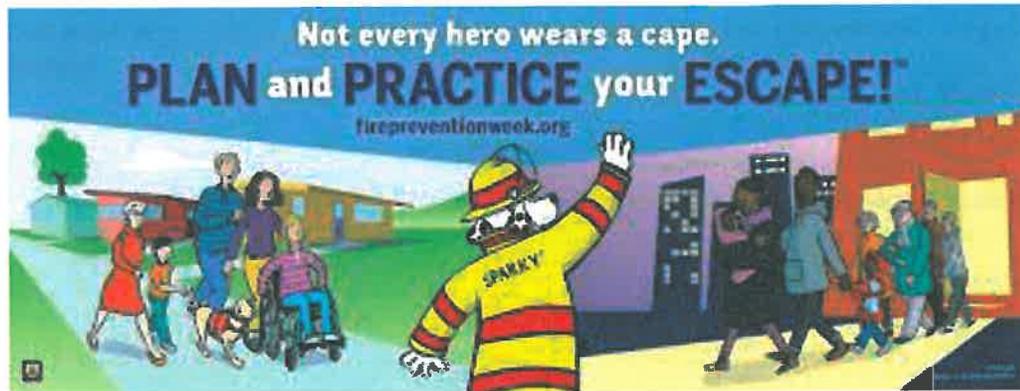
*Fire Truck and Equipment Displays*

*Meet Sparky the Fire Dog*

*Fire Truck Rides and Photo Opportunities*

*Air Care Helicopter Landing*

*Beverages and snacks provided*



Since 1922, Fire Prevention Week has been observed on the Sunday through Saturday period in which October 9<sup>th</sup> falls. The 2019 Fire Prevention Week is October 6-12th. Each year the National Fire Protection Association develops a fire prevention campaign. The 2019 campaign is “*Not every hero wears a cape. PLAN and PRACTICE your ESCAPE*”.

In a typical home fire, you may have as little as one to two minutes to escape safely from the time the smoke alarm sounds. Escape planning and practice can help you make the most of the time you have. Seconds count in escaping a fire – be prepared!

We hope to see at our Fire Prevention Open House on October 2<sup>nd</sup>!

If you would like more information about fire prevention and safety, please contact The Mound Fire Department Administrative Offices at 952-472-3555 or email at [moundfire@moundfire.com](mailto:moundfire@moundfire.com).

# Get rid of your household hazardous waste

## 2019 Household Hazardous Waste Collection Events



Friday and Saturday, 9 a.m.–4 p.m.

May 10 and 11

**Minnetonka**  
Public Works Department  
11522 Minnetonka Blvd.  
Minnetonka, MN 55305

August 9 and 10

**Minneapolis**  
South High School  
(enter off 21st Ave. South)  
3131 19th Ave. S  
Minneapolis, MN 55407

June 14 and 15

**St. Louis Park**  
SLP Middle School  
(enter off West 22nd Street)  
2025 Texas Ave. S  
St. Louis Park, MN 55426

Sept. 20 and 21

**Orono/Wayzata**  
Hennepin County  
Public Works Orono Shop  
3880 Shoreline Drive  
Orono, MN 55391

June 21 and 22

**Minneapolis**  
Pillsbury Elementary School  
(enter off 22nd Ave. NE)  
2250 NE Garfield St.  
Minneapolis, MN 55418

**Location note:** Some navigation apps will list this address as Wayzata and some will list it as Orono. Both will bring you to the correct location.

July 26 and 27

**Minneapolis**  
Jenny Lind  
Elementary School  
(enter off Dupont Ave.)  
5025 Bryant Ave. N  
Minneapolis, MN 55430



# Get rid of your household hazardous wastes



## Dispose at home

Before bringing items to the events, check the lists below to see if they can be handled safely at home.

**Flush down your sink or toilet with lots of water, but not in septic tank systems:**

- Toilet cleaner
- Cleaner with ammonia\*  
*\*do not mix with bleach*
- Liquid soaps and detergents

**Dry completely, remove lids and place in trash:**

- Small amount of latex paint
- Latex caulk, glaze, spackle, water-based adhesives
- Empty containers
- Putty, grout

## Guidelines

- Be prepared to show your driver's license or other proof of county residence.
- Secure products so they don't tip over or leak.
- Follow the signs and stay in line.
- Event will be shut down during inclement weather.

## Accepted from households

### Household, Lawn and Garden

- Aerosols
- Batteries – tape both terminals
- CFLs and fluorescent lamps, and HID lamps (limit 25)
- Drain, oven and other corrosive cleaners
- Gas cylinders – specialty gases (oxygen, helium, etc.) less than 59 lbs.\*\*
- Liquid cosmetics
- Mercury thermostats and thermometers
- Paint, stain, varnish, solvents (limit three 5-gallon pails)
- Pesticides
- Petroleum adhesives
- Pool chemical
- Propane gas cylinders – less than 40 lbs\*\*

\*\*will be evaluated on site - some may not be accepted.

### Automotive

- Antifreeze
- Auto paints
- Gas, fluids (except oil), fuels (containers will not be returned)
- Vehicle lead-acid batteries

## NOT ACCEPTED

The following wastes will not be accepted

- Asbestos
- Business generated waste
- Construction debris
- Electronics
- Explosives
- Garbage
- Major appliances
- Medicines
- Oil and oil filters
- Radioactive products
- Recyclables (cardboard, glass, metal, paper, phone books, plastic, etc.)
- Sharps (We will not be accepting needles or syringes)
- Tires

Please refer to our Green Disposal Guide for disposal options: [hennepin.us/greendisposalguide](http://hennepin.us/greendisposalguide)

**Hennepin County**  
Environment and Energy  
612-348-3777  
[hennepin.us/collectionevents](http://hennepin.us/collectionevents)

34-503-02-19

