Ordinance #44

1971 CODE OF ORDINANCES

VILLAGE OF

DANUBE

MINNESOTA

REVISED AND ADOPTED

OCTOBER 13, 1971

1971 CODE

OF

ORDINANCES

Village of Danube, Minnesota

Revised and Adopted October 13, 1971

VILLAGE OFFICERS

Mayor ..... Melvin Goldhammer

Trustees .... Orville Tepfer, Robert Wigen, Rex Good, Kenneth Lingenfelter

Clerk ..... Mrs. C. J. Frank

Treasurer ..... Joyce Grosklags

Justice of the Peace ..... Hugo Kurtz

Constable ..... Delbert Latterell

Assessor ..... Rita Grund

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ORDINANCE NO. 44

ORDINANCE ADOPTING "THE 1971 CODE OF ORDINANCES OF THE VILLAGE OF DANUBE, MINNESOTA."

The Village Council of the Village of Danube does ordain:

Section 1. That "The 1971 Code of Ordinances of the Village of Danube, Minnesota," which has been prepared pursuant to authority of the Village Council and the Laws of the State of Minnesota, copies of which are on file in the office of the Village Clerk and which are available in substantial quantity for distribution to the public, is hereby adopted as the Official code of ordinances for the Village of Danube.

Passed by the Village Council this 13th day of October, 1971.

ATTEST: Melvin Goldhammer, Mayor

Mrs. C. J. Frank, Clerk

CHAPTER I
FIRE LIMITS AND BUILDING CODE

Section 1. It shall be unlawful for any person or corporation or the officers of any corporation as such, to build, construct, erect or place any building or buildings other than the kinds hereinafter described or to build any additions to those already erected unless such additions are constructed of the same material and in the same manner as the new building hereafter erected, within the following described territory in the Village of Danube, Renville County, Minnesota:

The West half of Block 1; the East half of Block 2; the East half of Block 5 and the West half of Block 6, all in the Village of Danube, Minnesota.

Section 2. That the exterior walls of all buildings hereafter erected, constructed or placed and all additions to all buildings which have been heretofore erected, constructed or placed within the territory described in Section 1 shall be made of either stone, brick, iron, steel, cement or concrete, or if wooden buildings or additions the walls thereof shall be covered with any of said materials or with such other non-combustible material as may be approved by the Village Council of the Village of Danube, and the roofs and cornice of all buildings hereafter erected, constructed or placed, and the roofs and cornice of all additions to buildings heretofore erected, constructed or placed within the said territory shall be covered with tin, steel, fireproof paper or such other non-combustible material as may be approved by the Council of said Village.

Section 3. It shall be unlawful for any person or corporation or the officers of any corporation as such to build, erect, construct or place any building or to erect, construct or place an addition to any building heretofore erected within the territory described in Section 1 of this ordinance without first submitting the plans or specifications of said proposed building or addition to the Council of said village for its approval or rejection, and if such plans or specifications are approved the Village Council shall grant and issue its permit to the person or corporation applying therefor.

Section 4. Any person or corporation or the officers of any corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon the conviction thereof shall be punished according to law.

Section 5. If any building or structure shall be built, erected, constructed, placed or repaired in violation of this chapter, the Village Council may by resolution order that the same be removed forthwith or be made to comply with the requirements of this chapter, and in case of the refusal or neglect of the owner to so remove or comply with the requirements of this chapter within 10 days after notice of such resolution, such owner shall be guilty of a misdemeanor and upon conviction thereof shall be punished according to law.

Section 6. The cost of prosecution may be added to the sentence im-

posed and adjudged to each conviction hereunder. Default in the payment of such prosecution costs shall result in the convicted person's being further imprisoned for such default in the county jail for a time not to exceed 5 days or until such prosecution costs have been paid.

CHAPTER II
INTERIM ZONING

Section 1. Pending the adoption of a comprehensive zoning ordinance pursuant to Chapter 176, Laws 1929, as amended by Chapter 376, Laws of 1935, for the purpose of regulating the location, size, use and height of buildings, arrangement of buildings on lots and density of population in the Village of Danube, and to provide separate districts for the purpose of carrying out the aforesaid regulations, no person, firm, or corporation shall construct, move or extend the outside dimensions of any building upon any land in the village without having received a permit with the unanimous approval of the village council.

Section 2. Pending the adoption of the aforesaid ordinance no permit shall be issued for the construction, moving or extension of the outside dimensions of any building on any land within the limits of this municipality for other than residential purposes, schools and other public buildings.

Section 3. Any person or persons violating the provision of this ordinance by neglecting or refusing to secure a permit, or who proceeds upon the refusal of a permit by the village council shall be guilty of a misdemeanor and upon conviction thereof shall be punished according to law. The continued violation of this ordinance and each day such violation continues shall constitute a separate violation hereof and shall be punished as such.

Section 4. Every provision of this ordinance shall be separable from every other part or provision thereof and if one provision is held invalid by the court, such invalidity shall not affect any other part or provision hereof.

CHAPTER III
MAILBOXES

Section 1. It shall be unlawful to erect any mailbox or similar receptacle along any street, alley or boulevard or on any village property within the municipal limits of the village after March 19, 1970.

Section 2. Any person violating any provision of this ordinance shall be guilty of a misdemeanor and upon conviction shall be punished according to law, and the costs of prosecution may be added to the sentence imposed and adjudged to each conviction hereunder.

CHAPTER IV
PARKING PROHIBITED

Section 1. No person shall park any motor vehicle or leave the same unattended during the months of November through April between the hours of 12:00 a.m. and 7:30 a.m. upon any part of Main Street (also designated as 2nd Street) north of Highway 212 or upon any part of Oak Street between its intersection with First Street on the east and Third Street on the west.

Section 2. Any person convicted of violating any of the provisions of this ordinance shall be punished by a fine of not to exceed $25 or by imprisonment in the county jail for a period of not to exceed five (5) days.

CHAPTER V
PARKING

Section 1. Every vehicle parked upon any street with a curb shall be parked parallel to the curb and with the right hand wheels of such vehicle within twelve inches of the curb except as to the angle parking provided in Section 2. On other streets a vehicle shall be parked to the right of the main traveled portion thereof and parallel thereto and in such manner as not to interfere with the free flow of traffic. The foregoing requirements shall not apply, however, to any vehicle disabled upon any street, but any police officer of

the village may require the person in charge thereof to move it to a place of safety; and if such movement is not made or if any motor vehicle is left alone or abandoned in any such position, the officer may provide for the removal of such vehicle to the nearest convenient garage or other place of safekeeping.

Section 2. Angle parking is required on Second Street, also commonly known as Main Street, on Oak Street from the intersection with First Street to the intersection with the alley between Second and Third Streets, on Maple Street from its intersection with the alley between First and Second Street to its intersection with Second Street, on Fourth Street along the west side of Lots 9 to 12, inclusive, and on Oak Street along the north side of said Lot 12, said lots being in Block 4 of the Original Plat.

Section 3. No vehicle or farm implement shall be parked on any street for the purpose of displaying it for sale.

Section 4. Vehicles are permitted to make U-turns at all intersections except at the intersection of Oak and Second (also known as Main) Streets.

Section 5. Every driver of a vehicle shall bring his vehicle to a full stop before entering any through street or stop intersection properly designated and posted as such. The following street shall be a through street, namely Second Street from the Milwaukee Railway to U. S. Trunk Highway 212.

Section 6. Any person violating any provision of this ordinance shall be guilty of a misdemeanor and upon conviction shall be punished according to law, and the costs of prosecution may be added to the sentence imposed and adjudged to each conviction hereunder.

CHAPTER VI
BURNING

Section 1. There shall be no burning of leaves, garbage, paper or other debris in the village between the hours of 4:00 p.m. and 10:00 p.m.

Section 2. There shall be no burning of debris of any kind on any tar (oil) road within the village at any time.

Section 3. Any person convicted of violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished according to law.

CHAPTER VII
SALE OF CIGARETTES AND TOBACCO

Section 1. No person shall directly or indirectly or by means of any devise keep for retail sale, sell at retail, or otherwise dispose of any tobacco, cigarettes or cigarette wrappers at any place in the village unless a license therefor shall first have been obtained as provided in this ordinance.

Section 2. Application for such license shall be made to the village clerk on a form supplied by the village. Such application shall state the full name and address of the applicant, the location of the building and the part thereof intended to be used by the applicant under such license, the kind of business conducted at such location and such other information as shall be required by the application form. Upon the filing of such application with the clerk it shall be presented to the village council for its consideration and if approved by the council a license shall be issued by the village clerk upon payment of the required fee.

Section 3. The fee for every such license shall be $12 per annum. Every such license shall expire on December 31 next after its issuance. For any license issued after January 31 in any year the fee shall be computed at the rate of $1 per month or a fractional part of a month covered by the license. Licenses shall not be transferable from one person to another.

Section 4. Every such license shall be kept conspicuously posted about the place for which the license is issued and shall be exhibited to any person upon request.

Section 5. No license shall be issued except to a person of good moral character. No license shall be issued to an applicant for sale of tobacco or cigarettes to any place other than his established place of business. No person shall sell or give away any tobacco, cigarettes or cigarette wrappers to any person below the age of 18 years. No person shall keep for sale, sell or dispose of any tobacco or cigarettes containing opium, morphine, jimson weed, belladonna, strychnia, cocaine, marijuana or any other diliterious or poisonous drug except nicotine.

Section 6. Every such license may be revoked by the council for a violation of the provision of this ordinance if the licensee has been given reasonable notice and an opportunity to be heard.

Section 7. Any person who shall violate any provision of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished according to law.

CHAPTER VIII
GAMBLING DEVICES

Section 1. It shall be unlawful for any person whether acting for himself or as agent for others to keep any slot machine or other gambling device within the village.

Section 2. Violation of this chapter shall be a misdemeanor and upon conviction thereof the violator shall be punished according to law.

Section 3. Nothing in this chapter shall be construed as prohibiting the use of such machines or devices which return, for each coin deposited, its equivalent in merchandise or services.

CHAPTER IX
GREEN RIVER ORDINANCE

Section 1. The practice of going in and upon private residences in the Village of Danube, Minnesota, by solicitors, peddlers, hawkers, itinerant merchants and transient vendors of merchandise, not having been requested or invited so to do by the owner or owners, occupant or occupants of said private residence, for the purpose of soliciting orders for the sale of goods, wares and merchandise and-or for the purpose of disposing of an-or peddling or hawking the same, is hereby declared to be a nuisance and punishable as such nuisance as a misdemeanor.

Section 2. The village police of the Village of Danube are hereby required and directed to suppress the same, and to abate any such nuisance as is described in the first section of this chapter.

Section 3. Any person convicted of perpetrating a nuisance as described and prohibited in the first section of this chapter shall be guilty of a misdemeanor and upon conviction shall be fined a sum of not less than $25 or not more than $100, and the costs of prosecution may be added to the sentence imposed and adjudged to each conviction hereunder.

CHAPTER X
PUBLIC NUISANCES

Section 1. A nuisance is a thing, act, failure to act, occupation, or use of property which:

A. Shall annoy, injure, or endanger the safety, health, comfort, or repose of any considerable number of persons;

B. Shall offend the public decency;

C. Shall unlawfully interfere with, obstruct, tend to obstruct or render dangerous for passage, a public drainage ditch, stream, public park, square, street, alley, highway, or sidewalk; or

D. Shall in any way render any considerable number of persons insecure in life or in use of property.

Section 2. The following are hereby declared to be public nuisances affecting health:

A. All decayed or unwholesome food offered for sale to the public.

B. All diseased animals running at large.

C. All ponds or pools of water or vessels holding stagnant water in which mosquitoes can breed.

D. Carcasses of animals not buried or otherwise disposed of in a sanitary manner within 24 hours after death.

E. Accumulation of manure, rubbish, garbage, or debris which may be breeding places for flies, mosquitoes or vermin.

F. Privy vaults and garbage cans which are not fly-tight.

G. The pollution of any public well or cistern, drainage ditch by sewage, creamery, or industrial wastes or other substances.

H. All noxious weeds and other rank growths of vegetation upon public or private property.

I. Dense smoke, noxious fumes, gas and soot, or cinders in such quantities as to render the occupance of property uncomfortable to a person of ordinary sensibilities.

J. Offensive trades and businesses as defined by law not licensed by the village board of health as provided by law.

K. All public exposure of person having contagious disease.

L. The use of a common public drinking cup.

M. The distribution of samples of medicines or drugs unless such samples are placed in the hands of an adult person.

N. All other acts, omissions of acts, occupation and uses of property which are in fact a menace to public health.

Section 3. The following are hereby declared to be public nuisances affecting public morals and decency:

A. All gambling devices, slot machines and punch boards.

B. All houses kept for the purposes of prostitution or promiscuous sexual intercourse, gambling houses or houses of ill fame, and bawdy houses.

C. All places where intoxicating liquors are manufactured, sold, bartered, or given away in violation of law or where persons are permitted to resort for the purposes of drinking intoxicating liquors as a beverage, or where intoxicating liquors are kept for sale, barter, or distribution in violation of law, and all liquors, bottles, kegs, pumps, bars and other property kept at and used for maintaining such a place.

D. Any vehicle used for any immoral or illegal purpose.

E. All indecent or obscene pictures, books, pamphlets, magazines and newspapers.

F. The public use of profane or obscene language.

G. Betting, bookmaking, prize fighting, and all apparatus used in such occupations.

H. Places used for the holding of public dances unless conducted as provided by ordinance or by law.

Section 4. The following are declared to be public nuisances affecting public peace and safety:

A. All snow and ice not removed from public sidewalks twelve hours after the snow or ice has ceased to fall thereon.

B. All trees, hedges, billboards, or other obstructions which prevent persons driving vehicles approaching an intersection of public highways from having a clear view of traffic approaching such intersection from cross streets for one hundred feet along such cross streets, measuring from the property line, when one hundred feet from such intersection, measuring from the property line.

C. All limbs of trees which project over a public sidewalk or street and are less than eight feet above the surface of such public sidewalk and thirteen feet above the surface of such street.

D. All wires which are strung less than fifteen feet above the surface of the ground.

E. All buildings, walls and other structures which have been damaged by fire, decayed or otherwise, and which are so situated as to endanger the safety of the public.

F. All use or display of fire works except as provided by ordinance.

G. All loud or unusual noises and annoying vibration which offend

the peace and quiet of persons of ordinary sensibilities.

H. All buildings and all alterations to buildings made or erected within the fire limits as established by ordinance in violation of the ordinance concerning manner and materials of construction.

I. Obstructions and excavations affecting the ordinary use by the public of streets, alleys and sidewalks, or public grounds except under such conditions as are provided by ordinance.

J. Radio aerials strung or erected in any manner except that provided by ordinance.

K. Any use of the public streets or sidewalks which causes large crowds of people to gather, obstructing traffic and the free use of the streets or sidewalks.

L. All hanging signs, awnings and other similar structures over the streets or sidewalks, so situated or constructed as to endanger public safety.

M. The allowing of rainwater, ice, or snow to fall from any building or structures upon any streets or sidewalk or to flow across any sidewalk.

N. All barbed wire fences which are located within three feet of any public sidewalk.

O. All dangerous, unguarded machinery, in any public place, or so situated or operated on private property as to attract the public.

Section 5. Any person, firm or corporation who shall knowingly cause or create any nuisance or permit any nuisance to be created or placed upon or to remain upon any premises owned or occupied by him or them shall be guilty of a misdemeanor and upon conviction shall be punished according to law and the costs of prosecution may be added to the sentence imposed and adjudged to each conviction hereunder. Nothing contained in this section shall prevent or limit the village's or any private party's proceeding in a court of competent jurisdiction to abate any act, occupation, or use of property which is a nuisance in fact.

CHAPTER XI
DOGS

Section 1. No dog shall be permitted to run at large within the limits of the village at any time.

Section 2. The restriction imposed by Section 1 shall not prohibit the appearance of any dog within the village when such dog is on a leash and is kept under the control of the accompanying person.

Section 3. No person shall keep any dog within the village without first securing a license for such animal from the village clerk. The clerk shall keep a record of all licenses issued and shall deliver to the applicant a metal tag for each dog. The annual license fee shall be $1.50 for each male or spayed female dog and $3.00 for each unspayed female dog. All licenses shall expire on the 14th day of April following such license issuance. The metal tag heretofore referred to shall be securely fastened to a suitable collar placed and worn upon the neck of the dog for whom the license is issued.

Section 4. Unlicensed dogs found running at large within the village will be destroyed immediately without notice by the police department or other person duly authorized by the village council. Licensed dogs running at large shall be impounded by the village for three (3) days, and the owner thereof may secure the release by the payment of an impounding fee of $3.00 and a charge of fifty cents (50 cents) per day for feeding. If the owner thereof does not secure the release of his dog within said three-day period, at the expiration of said period the dog will be destroyed by the police department or an agent duly authorized by the village council.

CHAPTER XII
MUNICIPAL LIQUOR DISPENSARY

repealed 1978

Section 1. Dispensary Established. A municipal liquor dispensary is hereby established to be operated

within this municipality for the sale of liquor potable as a beverage and containing more than 3.2 percent of alcohol by weight, both for consumption at such dispensary and on such premises by the drink and in the sealed or closed receptacle or container for removal from the premises. No person shall sell, barter or otherwise dispose of intoxicating liquor, nor shall a sale be made by any one outside of said dispensary or by anyone not employed in and by said dispensary. It shall be unlawful for any person or persons to mix or prepare liquor for consumption in any public place of business or to consume liquor in such places outside of the dispensary.

Section 2. Location and Operation. The said dispensary shall be located at such place as the council shall determine by motion and may be either leased or owned by the municipality as the council shall determine. It shall be in charge of a person known as the operator, who shall also be selected by the village council and who shall be paid such compensation as the council shall determine. Said operator shall have full charge of the operation of such dispensary, and shall have authority to purchase supplies as are necessary and employ such additional help as he may need at a rate of compensation to be approved by the council and under rules to be determined by the council and in conformity with the law. All employees including the operator shall hold their positions at the pleasure of the council. No minor person shall be employed in the municipal dispensary.

Section 3. Dispensary Fund Created. A liquor dispensary fund is hereby created in which all revenues received from the operation of the dispensary shall be paid, and from which all operating expenses shall be paid, provided that the initial costs of rent, fixtures and stock may be paid for out of the general fund of the municipality, but such amounts shall be reimbursed to the said general fund out of the first moneys coming into the liquor dispensary fund not needed for carrying on the said business. Any surplus accumulating in this fund may be transferred to the general fund by resolution of the council and expended for any municipal purpose.

CHAPTER XIII
NON-INTOXICATING MALT LIQUORS

Section 1.

A. As used in this chapter the term person shall mean and include a natural person of either sex, persons, co-partnerships, corporations and associations of persons; and shall include the agent or manager of any of the aforesaid. The singular number shall include the plural, and the masculine pronoun shall include the feminine and neuter.

B. Non-intoxicating malt liquor shall mean any potable malt beverage with an alcohol content of more than one-half of one per cent by volume and not more than three and two tenths per cent by weight.

C. A bona fide club as used herein shall be any club organized for social or business purposes, or for intellectual improvement, or for the promotion of sports, where the serving of such liquors is incidental to and not the major purpose of the club.

D. Cafe or restaurant as used in this chapter shall mean any place where preparing and serving lunches or meals to the public to be consumed on the premises constitutes the main business thereof.

Section 2. Licenses.

A. No person shall sell, vend, deal in, or dispose of, by gift, sale or otherwise, or keep or offer for sale, any non-intoxicating malt liquor within this village without first having received a license therefor as hereinafter provided. Licenses shall be of two kinds: On Sale and Off Sale.

B. On Sale licenses shall be granted only to cafes, restaurants and hotels where food is prepared and served for consumption on the premises and in bona fide clubs, and shall permit the sale of such liquor

for consumption on the premises only.

C. Off Sale licenses shall be granted to permit the sale of retail and wholesale of such liquor in the original packages for removal from and consumption off the premises only.

Section 3. All applications for licenses to sell non-intoxicating malt liquor shall be made on forms supplied by the village, setting forth such information as the Council from time to time may, in its discretion, determine. It shall be unlawful to make any false statement in a license application, and the license, if previously granted, shall be immediately revoked without notice.

Section 4.

A. All applications for licenses shall be accompanied by a receipt from the village clerk for the required annual fee for the respective license. All such fees shall be paid into the general fund of the municipality. Upon rejection of any application for a license, the clerk shall refund the amount paid.

B. The annual fee for an On-Sale license shall be $25.00.

C. The annual fee for an Off-Sale license shall be $5.00.

D. All licenses shall expire on the last day of December in each year. In the event that application for license is made for a period less than twelve months, the license fee shall be pro-rated on a monthly basis.

Section 5. The village council shall cause an investigation to be made of all facts set forth in the application. Opportunity shall be given to any person to be heard for or against the granting of any license. After such investigation of such application, license may be granted or refused at the council's discretion. All licensed premises shall have the license therefor and a copy of this ordinance posted in a conspicuous place at all times.

Section 6. All licenses granted hereunder shall be issued subject to the following conditions, and all other conditions of this chapter, and subject to all other ordinances of the village applicable thereto.

A. No license shall be granted to any minor.

B. No license shall be granted to any person who has been convicted of a felony or of violating any state or local law relating to manufacture or sale of intoxicating liquors or to a person who has previously had a non-intoxicating liquor license revoked.

C. Licenses shall not be transferred from one business location to another without the written approval of the village council.

D. No license shall be granted to a business location within 300 feet of any public shool or church.

E. All employees of the licensee must be 21 years of age.

Section 7. Any peace officer shall have the unqualified right to enter, inspect and search the premises of a licensee hereunder, during business hours, without a search warrant, and seize all intoxicating liquors found on the premises of such licensee, unless such licensee has an intoxicating liquor license issued as provided by law.

Section 8. The presence of intoxicating liquors on the premises of a licensee hereunder, unless said licensee has an intoxicating liquor license issued as provided by law, shall be prima facie evidence of possession of intoxicating liquors for the purpose of sale, and the license granted to said licensee shall be automatically forfeited without the necessity of formal action by the Council, and without notice.

Section 9. No licensee not having an intoxicating liquor license shall permit the consumption of intoxicating liquors on the licensed premises, nor shall any licensee serve soft drinks to be used for mixing purposes. The violation of this section shall automatically revoke the licensee's license without the necessity of formal action by the Council, and without notice.

Section 10. No sales of non-intoxicating malt liquor shall be made other than at the following hours:

Monday through Friday, 7:00 a.m. to 12:00 midnight; Saturday, 7:00 a.m. to 1:00 a.m. Sunday morning; Sunday, 12:00 noon to 12:00 midnight.

Section 11. No club shall sell non-intoxicating malt liquor except to members and to guests in the company of members.

Section 12. Any person violating any provision of this ordinance shall be guilty of a misdemeanor and upon conviction shall be punished according to law, and the costs of prosecution may be added to the sentence imposed and adjudged to each conviction hereunder, and in addition thereto the penalty of having the license revoked as hereinbefore provided.

CHAPTER XIV
NORTHERN STATES POWER COMPANY FRANCHISE

Section 1. There be and hereby is granted to Northern States Power Company, a Minnesota corporation, its successors and assigns, hereinafter referred to as "Company," during the period of 20 years from the date hereof, the right and privilege of constructing, operating, repairing, and maintaining, in, on, over, under, and across the streets, alleys, and public grounds of said Village, an electric distribution system and electric transmission lines, including all poles, pole lines, and fixtures and appurtenances, usually, conveniently, or necessarily used in connection therewith, for the purpose of transmitting and furnishing electric energy for light, heat, power, and other purposes for public and private use in and to said Village and the inhabitants thereof, and others, and for the purpose of transmitting into and through said Village such electric energy, provided that such electric distribution system and transmission lines shall be so located as in no way to interfere with the safety and convenience of ordinary travel along and over said streets, alleys, and public grounds, and provided that Company, in the construction, operation, repair, and maintenance of such poles, pole lines and fixtures and appurtenances, shall be subject to such reasonable regulation as may be imposed by the Village Council.

Section 2. The rates to be charged by Company for the electric energy sold within said Village shall be reasonable and shall not exceed Company's standard schedule of rates and minimum charges effective for and in communities of like size in adjoining territory which are similarly served and situated.

Section 3. There is also granted to Company, during the term hereof, permission and authority to trim all trees and shrubs in the streets, alleys, and public grounds of said Village interfering with the proper construction, operation, repair, and maintenance of any poles, pole lines, and fixtures or appurtenances, installed in pursuance of the authority hereby granted, provided that Company shall save said Village harmless from any liability in the premises.

Section 4. Nothing contained in this Ordinance shall be construed as giving to Company any exclusive privileges in, on, over, under, or across the streets, alleys, or public grounds of said Village.

Section 5. Company shall have full right and authority to assign to any person, persons, firm, or corporation all the rights conferred upon it by this Ordinance, provided that the assignee of such rights, by accepting such assignment, shall become subject to the terms and provisions of this Ordinance.

Section 6. Company shall, if it accepts this Ordinance and the rights hereby granted, file a written acceptance of the rights hereby granted with the Village Clerk within 90 days from the date of the publication of this Ordinance.

Section 7. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

CHAPTER XV
NATURAL GAS FRANCHISE

Section 1. That Hemingson, Durham & Richardson, Inc., a Corporation, its lessees, successors and as-

signs, hereinafter referred to as a grantee, be and are hereby granted a non-exclusive authority for a period of twenty-five (25) years, to erect, construct, operate and maintain a gas plant and-or gas system and any and all necessary mains, pipes, services and other appurtenances thereunto appertaining, in, upon, over, across and along the streets, alleys, bridges, utility easement areas, and public places within the present and future corporate limits of the Village of Danube, Minnesota for the transmission and distribution, manufacture and sale of gas, whether manufactured, natural, mixed or otherwise, for heating, domestic, industrial and all other uses and purposes in and beyond said Village.

Section 2. Streets. Whenever the guarantee, in the construction of it's system or in the installation of any extensions, thereto, shall cut into or take up any pavement or shall make any excavation in any street, avenue, alley, public utility easement area, or public places, bridges and viaducts within the corporate limits of the Village, the same shall be done in a manner so as not to interfere with the use of such thoroughfares by the public. The grantee shall use such safeguards as may be necessary to prevent injury to persons or property during such construction work, and upon its completion, all pavement shall be replaced as is reasonably possible, in good condition as it was before taken up. All excavations shall be refilled and all obstructions shall be removed at the expense of the grantee. Grantee shall maintain, repair and keep in good condition for a period of twenty-four (24) months all portions of said streets, avenues and alleys disturbed by it or its agents, provided that the twenty-four (24) months period shall be computed from the time of closing the excavation, but in case of frost before the twenty-four (24) months period has expired, the same shall continue for the stated period after the frost leaves the ground. In the event that the grantee shall fail to comply with the provisions of this section after having been given reasonable notice, the grantor may do such work as may be needed to properly repair said thoroughfare and the cost thereof shall be repaid to the grantor by the grantee.

Section 3. Protection of Existing Property. The grantee in erecting and maintaining said gas distribution system and in entering and using said streets, highways, avenues, alleys, utility easement areas, bridges and viaducts in said Village and in constructing its gas equipment shall not, in any manner, interfere with or injure any improvement which said Village of Danube, Minnesota now has or may hereafter have upon any of its streets, alleys, highways, or public places.

The grantee, prior to commencing work under this franchise, shall present to the Council a complete plat showing the approximate location of the proposed mains. Before making any material extension or alteration of said plant or distribution system, the grantee shall also file a plat thereof with the Village Clerk for his permanent record showing such proposed extension, relocation or damage together with the size of the proposed mains and the estimated cost of said extensions, relocation or change. Failure of the municipality to insist upon this provision shall not be deemed a waiver thereof.

Section 4. Control of Operation. Grantee agrees for and in behalf of itself, its lessees, successors and assigns, that for and during the term and period of this grant, it will maintain in the Village of Danube, Minnesota, an adequate modern, standard and sufficient gas system and equipment and to maintain and operate the same in a modern and adequate fashion and in a manner adequate to meet the necessities and requirements of the Village of Danube, Minnesota, its industries and inhabitants. Provided, however, that no obligation shall extend to, or be

binding upon the Grantee, to construct or extend its mains or furnish natural gas or gas service within said Village if Grantee is for any reason, unable to obtain delivery of natural gas at or near the corporate limits of said Village or an adequate supply thereof to warrant the construction or extension of its mains, for the furnishing of such natural gas or gas service; provided, further, that when the amount of natural gas available to Grantee at or near the Village limits of said Village is insufficient to meet the additional firm requirements of connected or new consumers, Grantee shall have the right to prescribe reasonable rules and regulations for allocating the available supply of natural gas for such additional firm requirements to domestic, commercial and industrial consumers in that order of priority.

Section 5. Control of Rates. Grantee agrees for and in behalf of itself, it's lessees, successors and assigns that all authority and rights in this ordinance contained, shall at all times be subject to all rights, power and authority now or hereafter possessed by said Village of Danube, Minnesota, to regulate and set reasonable rates, control and direct or otherwise by ordinance or resolution legislate concerning the franchise herein, granted and concerning the manner in which grantee shall use the streets, alleys, bridges and public places of said Village and concerning the manner in which grantee shall use and enjoy the franchise herein granted. In determining the capital investment in the business for the purpose of establishing or regulating and setting reasonable rates to be charged, due consideration shall be given to the fair value of Grantee's property and the working capital required in the business.

Section 6. Quality of Gas. The Grantee shall, at all times, maintain an adequate pressure and adequate supply of clean, standard gas of the British Thermal Unit heating value of not less than Nine Hundred (900) British Thermal Units per Cubic Foot of Gas. Should the British Thermal Units fall below nine hundred (900), the rate then in effect shall be automatically and correspondingly lowered and reduced during any period or periods of time in which such lower British Thermal Unit value shall be furnished.

Section 7. Hold City Harmless. The Grantee shall hold the Grantor harmless from any and all claims and actions, litigation or damage, arising out of the passage of this Ordinance or of the construction, erection, installation, maintenance or operation of its properties operated by authority of this ordinance within the corporate limits of the Village or the negligence of its employees in the operation thereof, including the Court costs and reasonable attorney fees in making defense against such claims. A copy of the process served upon the Village shall be served by the Village upon the grantee. The grantee shall have the right to defend in the name of the Village and to employ counsel for such purposes.

Section 8. Gas Main Extension. The grantee shall not be required to extend its gas distribution system more than one hundred (100) feet for each customer to be served from any such extension thereof.

Section 9. Cancellation of Franchise. If the grantee shall be in default in the performances of any of the terms and conditions of this Ordinance and shall continue in default for more than ninety (90) days after receiving notice from the Village Council of such default, the Village Council may, by ordinance duly passed and adopted, terminate all rights granted under this Ordinance to the grantee. The said notice of default shall specify the provision or provisions in the performance of which it is claimed the grantee is in default. Said notice shall be in writing and served in the manner provided by the laws of Minnesota for the service of original notices in civil actions.

Section 10. Non-performance. The right and authority herein granted

shall be non-exclusive and shall be subject to all regulatory powers which said Village of Danube, Minnesota possesses and shall continue for a period of twenty-five (25) years (except as herein otherwise stated) from and after the date of this franchise goes into effect under Section II hereof, November 28, 1962. On ninety (90) days prior written notice to the Grantee, it's lessees, successors or assigns, of its intention so to do, the said Village after not less than five years from the effective date hereof, may cancel and terminate this franchise unless before such cancellation and termination the grantee, it's lessees, successors or assigns, shall have begun construction within the said Village; provided, however, that there shall be added to such five year period any time reasonably lost due to litigation instituted by others; or due to action of the said Village, it's officials or governing body, or of any other governmental body or authority or due to strikes.

CHAPTER XVI
MUNICIPAL WATER SYSTEM

Section 1. Each lot, piece, or parcel of property in the Village of Danube on which is hereafter located any building, structure, trailer home or other appurtenance from whose location water is used, must be connected to the municipal water system. No water will be supplied to such premises without each such premises having a meter duly approved by the village council or its authorized agents.

Section 2. An initial Five Dollar ($5.00) deposit is hereby required from all metered locations. The Village Clerk shall collect and retain such deposits in a separate account. Such deposit may be applied to any delinquency in the payment of utility statements, or in payment of the charges for turning on and shutting off water service.

Section 3. Charges for water shall be billed by the Village Clerk on a quarterly basis. In the event that any statement is not paid within twenty (20) days after the billing date, the Village Council or its authorized agents are hereby authorized to enter upon any real estate within the village for the purpose of shutting off the water and discontinuing the supply. The service will not again be turned on until application is made therefor to the Village Clerk on such forms as the Village Council may require, and be accompanied by payment in full for the delinquent statement plus a shut-off fee of Two Dollars ($2.00).

Section 4. The quarterly billing shall be in the name of the occupant of the premises or the water user. Notwithstanding, water charges are hereby made a primary obligation of the owner of the premises served.

Section 5. All persons using water shall keep their hydrants, taps, hoses, water closets, urinals, baths, or other fixtures closed, except when obtaining water for their own use, and shall be responsible for any damage or injury that may result to others from the improper use of water. All expenses relating to the introduction of water into buildings or onto private property shall be paid for by the property owner. All persons using water shall keep their own fixtures and equipment and apparatus in good repair and protected from frost or other damage, and shall keep and protect the Village meter and other equipment from frost or other damage at their own risk and expense.

Section 6. Every person, company or corporation using water shall permit the village council or its duly authorized agents at all reasonable hours to enter on their premises to examine the pipes and fixtures and the manner in which the water is used, and answer all questions frankly and without concealment relative to water consumption.

Section 7. No claim shall be made against the village by reason of breaking or freezing of any service pipes nor if, from any cause, the supply of water should fail, nor from damage arising from the shutting off of water for the purposes of making

repairs, connections or extensions to the water system, nor for any other purpose that the Village Council deems necessary. The village council or its duly authorized agents shall, if practicable, give notice to each user within the area affected, of the time when the water supply will be shut off for the purposes of making repairs, connections or extensions.

Repealed per #73

CHAPTER XVII
VOLUNTEER FIRE DEPARTMENT

Section 1. There is hereby established in this village a volunteer Fire Department consisting of a Chief, an Assistant Chief, and not less than fifteen (15) nor more than twenty-five (25) firemen.

Section 2. The Chief and the Assistant Chief of the Fire Department shall be elected annually by the members of the department. The Chief and the Assistant Chief of the Fire Department shall each hold office for one year and until his successor has been duly elected except that either of them may be removed by the council for cause and after a public hearing. Persons who are members of the Fire Department at the time of the adoption of this Ordinance shall continue as members of the department during good behavior. Members of the Fire Department who are not members thereof at the time of the adoption of this Ordinance shall be elected by the department.

Section 3. The Chief shall be charged with the enforcement of all ordinances aimed at fire prevention and shall have full authority to inspect all premises within the village and to cause the removal or abatement of all fire hazards. He shall have control over all of the fire fighting apparatus and shall be solely responsible for its care and condition. He shall make a report semi-annually to the council at its meeting 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 he shall report each suspension by him of a member 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 department on such member's discharge or retention.

Section 4. The Chief shall keep in convenient form a complete record of all fires. Such record 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 council or state insurance department.

Section 5. It shall be the duty of the Chief, when weather permits, to hold a monthly practice drill of at least one hour's duration for the Fire Department and to give the firemen instruction in approved methods of fire fighting and fire prevention.

Section 6. In the absence or disability of the Chief, the Assistant Chief shall perform all the functions and exercise all of the authority of the Chief, but only so far as necessary during the absence or disability of the Chief.

Section 7. The Chief, the Assistant Chief and the firemen shall be not less than eighteen (18) years of age and ablebodied.

Section 8. Firement absent from three consecutive drills or calls, unless excused by the Chief, shall forfeit membership in the department.

Section 9. The members and officers of the Fire Department shall receive compensation as follows:

Chief $25 per year,
1.50 for each practice drill,
1.50 for each meeting attended, &
1.50 per hour for each fire.

Assistant Chief
$1.00 for each practice drill,
1.00 for each meeting attended, &
1.00 per hour for each fire.

Firemen
$1.00 for each practice drill,
1.00 for each meeting attended, &
1.00 per hour for each fire.

Section 10. 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 as a full hour.

Section 11. The members and officers of the Fire Department shall organize themselves into a Fireman's Relief Association.

Section 12. It shall be unlawful for any person to give or make, or cause to be given or made, an alarm of fire without probable cause, or to neglect or refuse to obey any reasonable order of the Chief at a fire, or to interfere with the Fire Department in the discharge of its duties; and any person convicted or violating this section shall be deemed guilty of a misdemeanor, and shall be, upon conviction thereof, punished according to law, and the costs of prosecution may be added to the sentence imposed and adjudged to each conviction hereunder.

CHAPTER XVIII
SALARIES

Section 1. The salary of the Mayor of the Village of Danube is hereby extablished at the sum of $15.00 for each general or special meeting held each year.

Section 2. The salary of the Clerk of the Village of Danube is hereby established at the sum of $10.00 for each special meeting held each year.

Section 3. The salary of the Council members of the Village of Danube is hereby established at the sum of $10.00 for each member for each general or special meeting held each year.

CHAPTER XIX
HIGHWAY TRAFFIC REGULATION ACT

Section 1. The following sections of the Minnesota Motor Vehicle and Highway Traffic Regulation laws are hereby adopted, insofar as applicable to the regulation of traffic and motor vehicles in the Village of Danube:

A. Minnesota Statutes Chapter 169, as amended.

B. Minnesota Statutes Chapter 168, Sections 168.041, 168.10 (subd 3 & 4), 168.39 and 168.45; as amended.

C. Minnesota Statutes Chapter 171, Sections 171.01, 171.02, 171.03, 171.08, 171.22, 171.23 and 171.24, as amended.

D. Minnesota Statutes Chapter 35, Section 35.15.

E. Minnesota Statutes Chapter 84, Sections 84.81 through 84.88, inclusive, Snowmobiling.

F. Minnesota Statutes Chapter 609, Sections 609.55, 609.595, 609.60 and 609.605, as amended.

1. All violations of the preceding sub-sections shall be punishable as a misdemeanor insofar as Village prosecutions are concerned.

Section 2. Wherever applicable, the words "Chief of Police" shall be substituted for "Commissioner" or "Commissioner of Highways" in the above adopted statutes.

Section 3. Copies of the above adopted statutes shall be filed by the Village Clerk in his office for the inspection and use of the public and shall be marked with the words "Village of Danube—Official Copy."

CHAPTER XX
FIREARMS

Section 1. It shall be unlawful for any person to fire or discharge any rifle, shotgun, pistol, revolver, air-gun, or bow and arrow, or other weapons or firearms, or to discharge or set off any explosive material within the Village of Danube, without having first secured written permission of the Mayor and the Chief of Police.

Section 2. Violation of the provisions of Section 1 shall be guilty of a misdemeanor and any person convicted thereof shall be punished according to law, and the costs of prosecution may be added to the sentence imposed and adjudged to each conviction hereunder.

CHAPTER XXI
WASTE MATERIALS

Section 1. Definitions

1. "Waste material" as used herein shall mean and include every type of waste matter or material from any source.

2. "Garbage" as used herein shall mean and incude any organic refuse and incidental admixtures thereto resulting from the preparation of food, and any decayed or spoiled food from any source.

3. "Rubbish" as used herein shall mean and include all waste materials, garbage and human excrete.

4. "Person" as used herein shall mean and include any natural person, corporation, firm or association.

Section 2. General Regulations.

1. It shall be unlawful for any person to store, transport or dispose of any waste material in the Village of Danube except in compliance with the provisions of this Ordinance.

2. Human excreta shall be deposited and disposed on only in the sanitary sewer system in the Village, or, in areas of the Village where the sanitary sewer system is not available, in septic tank systems.

3. Every householder or occupant of any dwelling house, boarding house, restaurant, place of business, or other establishment having garbage to dispose of shall provide one or more fly and watertight standard metal or plastic garbage cans sufficient to receive all garbage which may accumulate between the time of collection. Each can shall have a capacity of not more than 30 gallons and shall be provided with a bail or handles and a tight fitting cover. Any garbage can deemed not usable, or which fails to comply with the provisions of this Ordinance, shall be red-tagged by the garbage collector and will, if the same remains in use at the time of the following garbage collection, be picked up and destroyed.

4. All garbage accumulated between times of collection shall be placed in the cans provided for and described in Sub-Section 3 above, and all surplus water shall be drained off the garbage before it is placed in the can. It shall be the responsibility of the owner to keep the garbage cans and containers as clean as reasonably possible.

5. On designated garbage pick-up days in residential areas garbage cans, rubbish containers and rubbish shall be placed at the curb in front of the property. In the business district, cans and rubbish shall be placed adjacent to the alley.

6. All rubbish must be boxed or placed in containers. If the container is reusable, it must be equipped with handles for easy handling, and must not exceed thirty gallons in capacity, or when full, one hundred fifty pounds in weight. No individual items of rubbish shall exceed the dimensions of one foot by two feet by three feet, or weigh more than one hundred fifty pounds. Rubbish which cannot be loaded or compacted by the Village garbage trucks will not be picked up.

7. As to the disposition, storage and transportation of industrial wastes and rubbish, the provisions of this Ordinance shall not apply to licensed junk dealers while operating on the licensed premises.

8. The provisions of this Ordinance shall not apply to any burning done in the Village of Danube pursuant to the Order of the Fire Chief or under the supervision of and with the written approval of the Fire Chief.

Section 3. Department of Sanitation.

1. A Superintendent shall be appointed by the Village Council and he shall have general supervision of the collection and disposal of waste

material and of the disposal site. He shall have such powers and duties as the Council may prescribe. The Council shall provide such other personnel for the operation of the department as it deems necessary or expedient.

Section 4. Disposal Site.

1. The Village of Danube shall provide a waste material disposal site. Garbage, and other waste material, if practicable, shall be disposed of by a sanitary land fill method to be adopted by the Village. The disposal site shall be enclosed by a woven wire or mesh type fence which shall be equipped with a gate. A six foot by six foot metal incinerator with a screen top shall be provided. A shelter shall be provided for the caretaker.

Section 5. Collections of Garbage and Rubbish.

Garbage and rubbish shall be collected as follows:

A. From residences once weekly, weather conditions permitting, and from business places and other establishments once weekly.

Section 6. Charges, Regulations and Collections.

1. The following fees and charges are hereby fixed for collection and disposal by the Village of garbage and rubbish:

A. For residence: $1.10 per month for each residential unit occupied by one or more persons.

B. For business and other establishments: Such sums as may be negotiated between the owner and the Village, except that a minimum charge of $1.10 per month shall be made in all cases.

2. The use of the Village collection and disposal service herein provided is mandatory except as provided in Sub-Section C of Sub-Section Three (3) of this Section.

3. The following regulations shall be enforced at the disposal site:

A. All dumping shall be done under the direction of Village employees and agents.

B. No person other than Village employees and agents shall be permitted to start a fire.

C. Rubbish and garbage only may be hauled to and will be received without charge at the disposal site by persons paying regular charges and fees for garbage and rubbish collection.

D. No garbage or refuse shall be deposited at the disposal site except during the hours established by the Village, said hours shall be posted at the disposal site and filed in the office of the Village Clerk.

4. The regular fees and charges hereunder shall be billed quarterly and will be collected at the Village Office of the Village of Danube.

5. Fees and charges for the use of the disposal site shall be collected at the disposal site by the Village.

6. No wire fencing, wire, water heaters, stoves, refrigerators, freezers or major appliances will be picked up by the Village collection service unless the same can be compacted by the garbage truck. No car bodies shall be hauled to or deposited at the disposal site.

7. No person shall transport any waste material on the streets, alleys and public ways in the Village without first taking adequate precautions to prevent the scattering of such waste materials in the course of such transportation.

8. No dead animals shall be placed in any garbage can or other receptacle nor disposed of at the disposal site.

Section 7. Repeal or Prior Inconsistent Ordinances.

All Ordinances or parts thereof of the Village of Danube in conflict with this Ordinance are hereby repealed.

Section 8. Penalties.

Any person violating any of the provisions of this Ordinance shall, upon conviction thereof, be guilty of a misdemeanor and shall be punished by imprisonment in the County jail for not more than ninety days, or by a fine of not more than $100.00.

Section 9. Effective Date. This Ordinance shall be in full force and effect from and after January 1, 1971.

CHAPTER XXII
NATURAL GAS RATES

Section 1. The maximum rates which may be charged by the Great Plains Natural Gas Co. for furnishing gas in the Village of Danube, Minnesota, shall be as follows:

1. GENERAL GAS SERVICE—FIRM. This rate schedule shall apply to domestic and commercial customers whose maximum requirements are not more than 2,000 cubic feet per hour. Service under this rate shall not be subject to curtailment or interruptions.

		Gross	Net
First	300 cu. ft. or less	$2.31	$2.10
Next	1,700 cu. ft	0.1727-100 cu. ft.	0.157-100 cu. ft.
Next	3,000 cu. ft.	0.1496-100 cu. ft.	0.136-100 cu.lft.
Next	5,000 cu. ft.	0.1243-100 cu. ft.	0.113-100 cu. ft.
Excess of	10,000 cu. ft.	0.1122-100 cu. ft.	0.102-100 cu. ft.
Minimum Monthly Bill		$2.31	$2.10

Gross bill will become due if net bill is not paid within 10 days from submittal.

2. AIR CONDITIONING—GENERAL GAS SERVICE—FIRM. This rate shcedule shall apply to domestic and commercial customers purchasing gas for all space heating and cooling requirements within premises occupied, whose maximum requirements are not more than 2,000 cubic foot per hour. Gas may also be used through common meter for any other purpose. Service under this rate schedule shall not be subject to curtailment or interruption.

Bills rendered for months of September thru May, inclusive

		Gross	Net
First	300 cu. ft. or less	$2.31	$2.10
Next	1,700 cu. ft. per Mo.	0.1727-100 cu. ft.	0.157-100 cu. ft.
Next	3,000 cu. ft. per Mo.	0.1496-100 cu. ft.	0.136-100 cu. ft.
Next	5,000 cu. ft. per Mo.	0.1243-100 cu. ft.	0.113-100 cu. ft.
Excess of	10,000 cu. ft. per Mo.	0.1122-100 cu. ft.	0.102-100 cu. ft.

Bills rendered for months of June - July - August -

		Gross	Net
First	300 cu. ft. or less	$2.31	$2.10
Next	1,700 cu. ft. per Mo.	0.1727-100 cu. ft.	0.157-100 cu. ft.
Excess of	2,000 cu. ft. per Mo.	0.0715-100 cu. ft.	0.065-100 cu. ft.
Minimum Bill (all months)		$2.31	$2.10

Gross bill will become due if net bill is not paid within 10 days of submittal.

3. GRAIN PROCESSING OR DRYING—PREFERRED INTERRUPTIBLE. This rate schedule shall apply to all grain drying and-or processing customers who agree to maintain standby fuel equipment or agree to 100 percent curtailment of operation when requested by Great Plains Natural Gas Co.

		Gross	Net
First	300 cu. ft. per Mo.	$2.31	$2.10
Next	1,700 cu. ft. per Mo.	0.1727-100 cu. ft.	0.157-100 cu. ft.
Excess of	2,000 cu. ft. per Mo.	0.077 -100 cu. ft.	0.070-100 cu. ft.
Minimum Monthly Bill		$2.31	$2.10

Gross bill will become due if net bill is not paid within 10 days of submittal.

4. INDUSTRIAL—INTERRUPTIBLE GAS SERVICE. This rate schedule is available to customers whose normal annual requirements are in excess of 1,000 MCF, and who have a minimum installed capacity requirement of 1,000 cubic feet per hour (1,000,000 btu) and who have satisfied Great Plains Natural Gas Co. of their ability and willingness to discontinue the use of said gas during period of curtailment or interruption, by the use of standby facilities, or suffering plant shutdown.

The gas supplied under this schedule will be separately metered and not used interchangeably with gas supplied under any other schedules.

		Gross	Net
First	300 cu. ft. Mo. or less	$2.31	$2.10
Next	1,700 cu. ft. Mo.	0.1727-100 cu. ft.	0.157-100 cu. ft.
Next	3,000 cu. ft. Mo.	0.1496-100 cu. ft.	0.136-100 cu. ft.
Next	5,000 cu. ft. Mo.	0.1243-100 cu. ft.	0.113-100 cu. ft.
Next	20,000 cu. ft. Mo.	0.1122-100 cu. ft.	0.102-100 cu. ft.
Next	400,000 cu. ft. Mo.	0.0737-100 cu. ft.	0.067-100 cu. ft.
Next	500,000 cu. ft. Mo.	0.0682-100 cu. ft.	0.062-100 cu. ft.
Next	2000.000 cu. ft. Mo.	0.0605-100 cu. ft.	0.055-100 cu. ft.
Next	2000,000 cu. ft. Mo.	0.0495-100 cu. ft.	0.045-100 cu. ft.
Excess of	4930,000 cu. ft. Mo.	0.0440-100 cu. ft.	0.040-100 cu. ft.
Minimum Monthly Bill		$2.31	$2.10

Gross bill will become due if net bill is not paid within 10 days of submittal.

5. PURCHASED GAS ADJUSTMENT: In the event there is a change in the rate under which Great Plains Natural Gas Co. purchases gas sold under the above schedules, there shall be added to or deducted from the monthly bill (computed according to the above schedules) the product of the monthly consumption and the amount per MCF to the nearest 0.1 cent by which the average annual gas purchase cost per MCF to Company is more or less than the average annual gas purchase cost per MCF computed on the same basis and gas rates consisting of a Demand Charge of $3.342 per Month per MCF of Billing Demand and a commodity charge of 25.21 cents per MCF. The average annual gas purchase cost per MCF shall be computed with the Billing Demand Units and annual volumes of natural gas purchased for General Gas Service requirements from

adjusted to reflect normal temperatures, for the first twelve months of the thirteen calendar months immediately preceding the effective date of such increase or decrease.

6. TAX ADJUSTMENT: To the rates herein set forth, the company may add all or any part of any new or additional tax applicable to the service furnished hereunder, which might be imposed on the Company.

Section 2. All Ordinances or parts of Ordinances or Resolutions in conflict with this Ordinance are hereby repealed.

CHAPTER XXIII
MILK VENDING MACHINES

Section 1. No person shall within the Village of Danube, Minnesota, sell, offer or expose for sale by means of coin operated automatic vending machines of any type, any milk products unless such vending machine shall be connected to the Village Sanitary Sewer in order to dispose of all wastes and unless the owner or operator of said machine shall have available at said machine, water of a temperature of not less than 180 degrees, for the purpose of cleaning said machine.

Section 2. Any such milk vending machine operated in Danube shall have a galvanized interior and shall be serviced and cleaned daily with hot water of a temperature of not less than 180 degrees.

Section 3. Any person violating any provision of this ordinance shall be guilty of a misdemeanor and upon conviction shall be punished according to law, and the costs of prosecution may be added to the sentence imposed and adjudged to each conviction hereunder.

CHAPTER XXIV
SNOW REMOVAL

Section 1. In order to permit the proper removal of snow from village streets, no person shall park any motor vehicle and leave the same unattended during the months of November through April, inclusive, between the hours of 12:00 midnight and 7:30 a.m. upon any part of Main Street (also designated as Second Street) north of U. S. Highway 212, or upon any part of Oak Street between its intersections with First Street on the east and Third Street on the west.

Section 2. Any person convicted to violating any of the provisions of this ordinance shall be guilty of a misdemeanor and shall be punished by a fine of not to exceed $25 or by imprisonment in the county jail for a period of not to exceed five (5) days.

CHAPTER XXV
ANNEXATION

Section 1. The following described property abutting upon the incorporated Village of Danube is hereby annexed to the Village of Danube and shall become a part of such village as effectually and for such purposes as if it had originally been a part thereof, such annexation having been granted by the Council:

A. The East 173 feet of Outlot Twenty (20) in the Southwest Quarter of the Southwest Quarter (SW ¼ of SW ¼), Section Five (5), Township One Hundred Fifteen (115) North, Range Thity-five (35) West, the West 27 feet of said Outlot 20 having been in the Village limits.

B. That part of the Southeast Quarter (SE ¼) of Section Six (6), Township One Hundred Fifteen (115), Range Thirty-five (35), described as follows: Commencing at the Northwest corner of Bredeson's Second Addition to the Village of Danube; thence North along the Northerly extension of the West line of said Bredeson's Addition a distance of One Hundred (100) feet to a point; thence West and parallel with the North line of said Addition a distance of One Hundred Fifty (150) feet to a

point; thence South and parallel with the West line of said Addition a distance of Two Hundred Eighty (280) feet to a point; thence East and parallel with the North line of said Addition a distance of One hundred Fifty (150) feet to a point on the West line of said Bredeson's Second Addition; thence North along said West line a distance of One Hundred Eighty (180) feet to the place of beginning.

Section 2. Certified copies of the annexing ordinances have been filed in the office of the County Auditor of Renville County.

APPENDIX I
(Disposition of Old Ordinances)

CHRONOLOGICAL TABLE OF ORDINANCES

Ord. No.	Title or Subject	Effective Date	Disposition
1	Liquors	Dec. 8, 1901	Repealed
2	Firearms & Fire works	Dec. 18, 1901	Amended, Ch. XX
3	Games of Skill	Dec. 31, 1901	Repealed
4	Village Government	Dec. 18, 1901	Repealed
5	Saloons	June 11, 1912	Repealed
6	W.R. Rutledge Elec. Franchise		Repealed
7	Fire Limits & Building Code	Jan. 11, 1917	Amended, Ch. I
8	Vagrancy	July 31, 1917	Repealed
9	Ren. Co. Elec. Co. Franchise	Dec. 11, 1917	Repealed
10	Repeal of Ordinance No. 4	Feb. 12, 1918	Obsolete
11	Non-Intoxicating Malt Liquors	Apr. 18, 1933	Amended, Ch. XIII
12	Ren. Co. Elec. Co. Franchise	Mar. 8, 1936	Repealed
13	NSP Franchise	Aug. 27, 1936	Repealed
14	Mun. Liquor Dispensary	Dec. 19, 1940	Repealed
15	Sale of Cigarettes	Nov. 25, 1941	Amended, Ch. VII
16	Games of Skill	Nov. 22, 1942	Amended, Ch. VIII
17	Air Raid	Dec. 5, 1942	Obsolete
18	Mun. Liquor Dispensary	Dec. 19, 1940	Amended, Ch. XII
19	Mun. Liquor Dispensary	Jan. 22, 1950	Repealed
20	Interim Zoning	May 31, 1950	Repealed
21	Annexation	May 17, 1951	Chapter XXV
22	NSP Franchise	June 21, 1951	Obsolete
23	Dogs as Nuisance	Feb. 19, 1953	Obsolete
24	Natural Gas Franchise	Mar. 19, 1953	Obsolete
25	Traffic	Mar. 19, 1953	Amended, Ch. V
26	Dog Licensing	Mar. 16, 1956	Amended, Ch. XI
27	Volunteer Fire Department	Apr. 19, 1956	Chapter XVII
28	Village Dumping Grounds	Sep. 20, 1956	Repealed
29	Snow Removal	Feb. 19, 1959	Amended, Ch. XXIV
30	Public Nuisance	Oct. 20, 1960	Chapter X
31	Water Hydrant Rental	Dec. 14, 1962	Obsolete
32	Natural Gas Franchise	Sep. 6, 1962	Amended, Ch. XV
33	Milk Vending Machines	Apr. 17, 1963	Amended, Ch. XXIII
34	Municipal Water System	Mar. 18, 1965	Chapter XVI
35	Interim Zoning	Mar. 5, 1965	Amended, Ch. II
36	Gas Rates	July 21, 1966	Repealed
37	Annexation	Nov. 16, 1967	Cahapter XXV
38	Salaries	Jan. 1, 1969	Chapter XVIII
39	Burning of Debris	Apr. 18, 1968	Amended, Ch. VI
40	Mailboxes	Mar. 19, 1970	Chapter III
41	NSP Co. Franchise	July 16, 1970	Chapter XIV
42	Waste Materials	Dec. 10, 1970	Chapter XXI
43	Natural Gas Rates	Dec. 31, 1970	Chapter XXII

AMENDMENT TO ORDINANCE #44 -
CHAPTER III - MAILBOXES

This ordinance is amended to read as follows:

SECTION 1.A:

Residents within the City of Danube shall be allowed to install along a boulevard a receptacle (tube and post) specifically designed for holding a newspaper. The tube shall have the following dimensions: Height - 8", Length - 19-1/2", and Width - 7". Any other type of receptacle is prohibited. The City of Danube will not be liable for any type of damage or maintenance of these tubes and posts. It will be the responsibility of the resident or the newspaper company to call Gopher State One Call before the posts are installed.

Adopted by the Danube City Council this 26th day of July, 1995. Effective upon publication of this notice.

Don Lothert
Mayor - Don Lothert

Veva Mittelstadt
Attest: Veva Mittelstadt,
City Clerk

CITY OF DANUBE

AMENDMENT TO ORDINANCE #44 -

CHAPTER X - PUBLIC NUISANCES

This ordinance is amended to read as follows:

Section 2: G. (1): Depositing or permitting to be deposited in or to escape into any sanitary sewer or any sanitary sewer system or part therof, any substance or thing which damages or is deleterious or injurious to any such sewer system or the usefulness or operation thereof.

Adopted by the Danube City Council this 23rd day of February, 2000.

Daniel Wersal

Daniel Wersal - Mayor

Veva Mittelstadt

Attest - Veva Mittelstadt
City Clerk