

Council Work Session Agenda April 27, 2023 – 5:30 pm

- 1. Call to Order / Roll Call
- 2. Firearms Ordinance Discussion\*
- 3. Unscheduled Items
- 4. Adjournment

## **HYBRID MEETING OPTION AVAILABLE**

The public is invited to attend the regular Council meetings at City Hall.

# Meeting Via Telephone/Other Electronic Means Call-in Instructions:

+1 312 626 6799 US

Enter Meeting ID: 889 0396 0640

Press \*9 to speak during the Public Comment Sections in the meeting.

#### Video Link and Instructions:

https://us02web.zoom.us/j/88903960640

visit http://www.zoom.us and enter

Meeting ID: 889 0396 0640

Participants can utilize the Raise Hand function to be recognized to speak during the Public Comment sections in the meeting. Participant video feeds will be muted. In-person comments will be received first, with the hybrid electronic means option following.

For more information on options to provide public comment visit:
<a href="https://www.corcoranmn.gov">www.corcoranmn.gov</a>

\*Includes Materials - Materials relating to these agenda items can be found in the house agenda packet book located by the Council Chambers entrance, or online at the City's website at <a href="https://www.corcoranmn.gov">www.corcoranmn.gov</a>.



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# **MEMO**

Meeting Date: April 27, 2023

To: City Council

From: Ryan Burns, Deputy Director of Public Safety

Re: Firearms Ordinance Update

On November 11, 2021, the City Council discussed options to update Corcoran's firearms ordinance. The City Council directed two council members to work with staff to research and develop an updated ordinance, and then bring the updated ordinance back to the full City Council for review. Council Members Schultz and Vehrenkamp volunteered to work with staff on the update. Staff met with the subcommittee three times to gather, input, and discuss updates to the firearms ordinance.

During the review several other City firearms ordinances were evaluated. While reviewing, it was determined Corcoran's ordinance would benefit from updated, clearer language in the firearms ordinance.

Updates are attached in the draft, highlighted in red or strike-through for removal.

- 1) Updated definitions for rifle, shotgun, handgun, immediate family, hunting area and no shooting area.
- Removed outdated language and changed to Director of Public Safety or designee in areas.
- 3) Updated hunting definitions and create a no hunting / shooting zone established by City Council on a map to be updated from time to time as land use changes.
- 4) Updated permitted Discharges to make clearer, add allow during Law enforcement and firearms safety training, add recreational target shooting with proper backstop, no permit.
- 5) Update Prohibited Discharges.

6) This ordinance will also need several format changes to include sections, and formatting to be consistent with current City Ordinances.

Staff also researched how other cities allow hunting as their city grows. After reviewing, it was determined to create a hunting zone and a no hunting / shooting zone which is defined in the draft ordinance as:

Hunting Area. Portions of the City generally outside of the MUSA line or zoned rural residential.

NO Shooting Area. Portions of the City generally inside the MUSA line. The City Council may by resolution designate and, from time-to-time modify areas of the city as no hunting areas.

A draft no shooting map is attached. The area identified is boxed in blue to identify no shooting area. This map generally follows areas currently in the MUSA, under current land use applications, or directly boarding a high-density area.

Staff will incorporate feedback into the draft ordinance. When completed, the draft ordinance will be formatted and sent to the City Attorney for review. After City Attorney review, the ordinance will be brought back to City Council for adoption.

## Attachments:

- 1) Staff report from November 11, 2021
- 2) Draft Ordinance
- 3) No Hunting Map Draft

## STAFF REPORT

# Agenda Item 11d.

| Counc il Meeting:  | Prepared By:     |  |
|--------------------|------------------|--|
| November 11, 2021  | Lieutenant Burns |  |
| Topic:             | Action Required: |  |
| Firearms Ordinance | Direction        |  |

# **Summary:**

The City of Corcoran last updated it's firearms ordinance in the late 1990's. These updates were a result of problems that were occurring in the community. These problems included a deer hunter's slug going past a couple while they were in their hot tub. At that time, Corcoran also started a permit system for hunting on Goose Lake. This was done so that both Corcoran and Maple Grove had the same process for hunting on Goose Lake.

In the last couple of years, the police department has had two instances where shooter's rounds have struck residential buildings. In one instance, several high-powered rifle rounds struck a person's shed, going through a shed wall and the service door. The police department was unable to determine exactly where and when the shots were fired but it is believed they came from an unauthorized person using a range area that had been used in the past.

The other call was a person shooting a rifle without a backstop from their deck. The rounds went through another home's sliding glass door. No one was injured. The shooter believed it was "ok" because they thought they were "in the country." The police department also receives numerous shooting and hunting complaints each year. Currently, the most common compliant is noise related. The callers report that they feel the shots are too close, too many shots are being fired, or they believe people may be firing rifles. Other calls involve complaints of trespassing. In many instances the offender is not aware of exactly which conduct is allowed and which is not. With these types of calls, officers tend to take the education approach when appropriate and not issue citations if they can locate who fired the shots.

In order to address these issues, staff is reviewing several cities shooting / hunting ordinances for best practices. These cities include Dayton, Medina, Rogers, Maple Grove, Minnetrista, Ramsey, Lake Elmo, and Farmington. These cities range from referring only to state law with very few other limits to very tight limits on shooting and hunting. Some cities allow no hunting, some only allow hunting by zones, some allow bow hunting only, and some allow shotgun hunting. No city reviewed currently allows open outdoor private ranges. Some allow indoor ranges with appropriate planning review. Current Minnesota deer hunting law does not allow rifle discharge south of 194 because of open space with lack of adequate backstops. Staff is requesting direction on level of Council interaction as staff reviews potential amendments.

# Financial/Budget:

This item will require legal review and publishing costs if updated.

# **Options:**

- 1. Assign one or two council members to work with staff to research and develop the ordinance, then bring back to full Council for review.
- 2. Have staff draft an ordinance and bring back to Council for review.

## **Recommendation:**

Assign one or two council members to work with staff to research and develop the ordinance, then bring back to full Council for review.

# **Attachments:**

- 1. City of Corcoran Map where property damage occurred.
- 2. City of Corcoran current shooting ordinance.
- 3. Minnetrista Hunting zone Map.

- 6. To a minor who is attending or traveling directly to or from an activity involving the exercise of First Amendment rights of free speech, freedom of assembly or freedom of religion;
- 7. To minors on the sidewalk abutting his or her residence or abutting the residence of a next-door neighbor if the neighbor does not complain to the city's designated law enforcement provider about the minor's presence; and
- 8. To a minor who is married or has been married, or is otherwise legally emancipated.

Duties of person legally responsible for minor. No parent, guardian or other adult having the primary care or custody of any minor shall permit any violation of the requirements of this section by the minor.

Duties of other persons. No person operating or in charge of any place of amusement, entertainment or refreshment shall permit any minor to enter or remain in his or her place of business during the hours prohibited by this section unless the minor is accompanied by his or her parent, guardian or other adult person having primary care or custody of the minor, or unless one of the exceptions to this section apply.

#### Penalties.

- 1. *Minors*. Any minor found to be in violation of this section may be adjudicated delinquent and shall be subject to the dispositional alternatives set forth in M.S. '260.185, as amended.
- 2. *Adults*. Any adult person found to be in violation of this section shall be guilty of a misdemeanor and may be sentenced up to the maximum penalty authorized by state law for a misdemeanor.

Defense. It shall be a defense to prosecution under this section that the owner, operator or employee of an establishment promptly notified the city's designated law enforcement provider that a minor was present on the premises of the establishment during curfew hours and refused to leave. Penalty, see § 10.99

## **130.02: LITTERING.**

No person shall leave, place, throw or deposit or permit any other person to leave, place, throw or deposit in or upon any street or public place or in or upon any vacant or private lot or premises in the city, any ashes, rubbish, garbage, refuse or other like or similar substances or materials.

## **130.03: FIREARMS.**

*Definitions*. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

## **DEADLY WEAPON.** Includes, but is not limited to, the following:

**FIREARMS.** Any device from which may be fired or ejected, one or more solid projectiles by means of a cartridge or shell or by the action of an explosive substance; or for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas or vapor. **FIREARMS** include rifles, shotguns, muzzleloaders and pistols.

- a. Bows and arrows when arrows are tip pointed.
- b. All instruments used to propel a high-velocity pellet of any kind, including, but not limited to, air rifles and compressed air guns.
- c. Sling shots.
- d. Any similar type instrument, whether such instrument is called by any name set forth herein or any other name.

*HIGH POWERED FIREARM.* Any gun from which a shot or a projectile other than a shot shell or shotgun slug is discharged by the means of explosive gas or compressed air.

**HUNTING.** Taking birds or mammals, or stalking or being in possession of a firearm or deadly weapon for the purpose of taking birds and mammals.

**RURAL AREAS.** Portions of the city which are undeveloped or developed for low-density residential use (one parcel/per ten acres).

Concealment, discharge and use prohibited. Except as herein specifically authorized, the concealment, discharge or use of deadly weapons within the city is hereby prohibited.

Aiming prohibited. The aiming of any deadly weapon, whether loaded or not, at or toward any human being is hereby prohibited.

Selling or furnishing a deadly weapon to a minor. The selling, giving, loaning or furnishing in anyway of a deadly weapon to a minor under the age of 18 years without the written consent of his or her parent or guardian is hereby prohibited.

Minors under the age of 14. No minor under the age of 14 years shall handle or have any deadly weapon in his or her possession or under his or her control, except while accompanied by or under the immediate charge of his or her parent or guardian.

Exceptions; lawful defense and law enforcement. Nothing in this section shall be construed to prohibit the use or discharge of a deadly weapon in the lawful defense of persons or property or in the enforcement of the law by peace officers and other law enforcement personnel.

Hunting and shooting, permission by landowner. Written permission from the landowner shall be required for hunting or shooting upon land within the city, except that no permission shall be required for members of the owner's immediate family or guests in the company of the owner of the land. On another person's private land, or a public right-of-way, a person may not shoot, hunt or discharge a deadly weapon or take a wild animal with a firearm within 500 feet of a building occupied by humans or livestock without written permission. Also, a person may not shoot, hunt or discharge a deadly weapon or take a wild animal with a firearm within 500 feet of a corral containing livestock without written permission.

Special permits. Special permits must be obtained from the Chief of Police to allow hunting on Goose Lake, the discharging of a high-powered firearm under certain conditions, and for permits required under division (L). The permits shall only be issued after first obtaining the written consent of the landowner of the land. A condition of the hunting permit shall be that the hunter has in his or her possession all required state and federal hunting licenses while hunting.

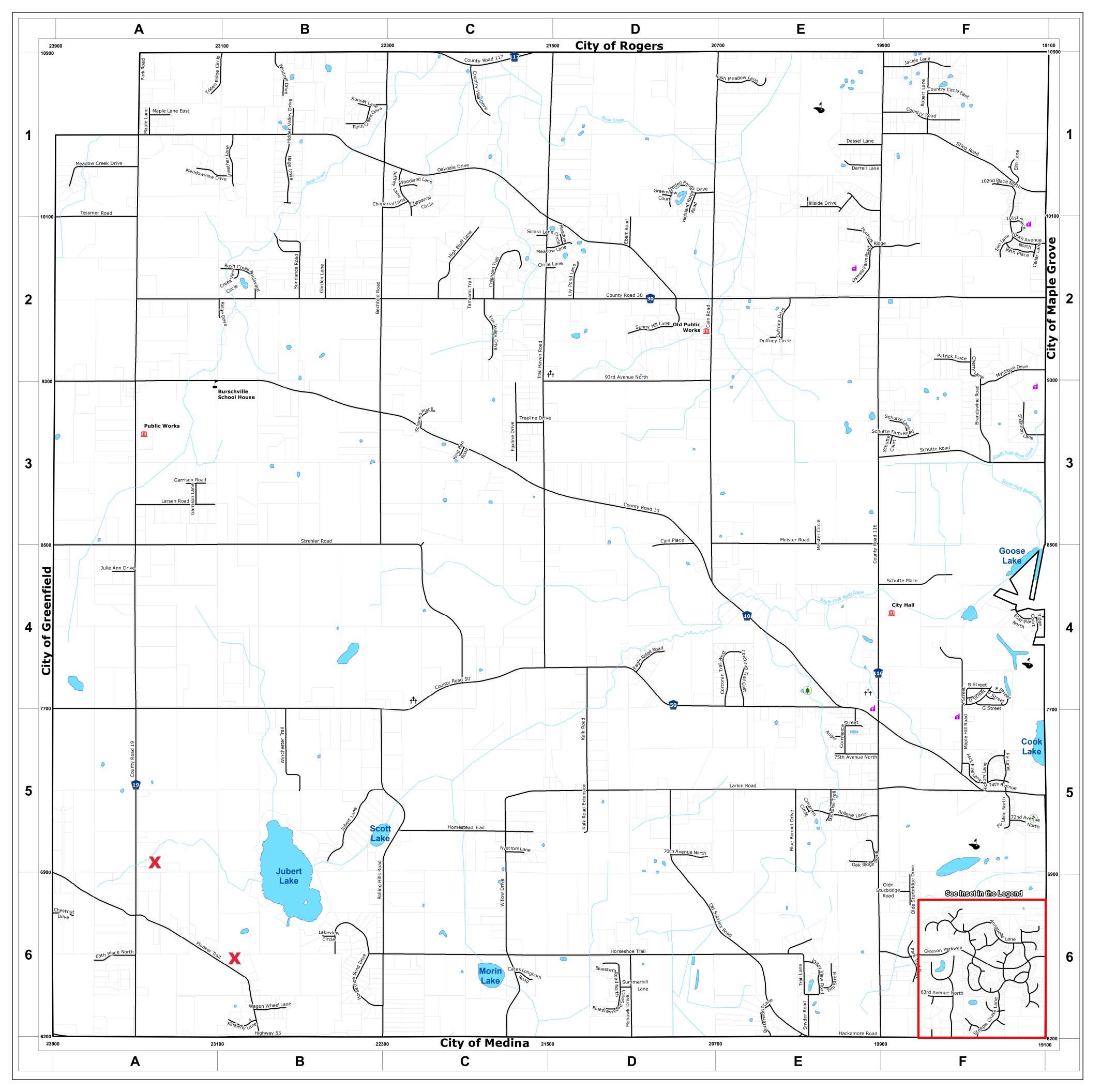
Conditions. The permit shall be subject to the conditions as are deemed necessary by the Chief of Police to protect the health, safety and welfare of residents of the city. Appeals may be taken from any determination of the Chief of Police to the City Council. No permit issued under this section shall be deemed valid unless the permit and the written consent of the landowner are in the possession of the person using the permit. The fee for the permit shall be determined by a resolution of the City Council.

*Terms*. Permits issued pursuant to this section shall be valid until March l of the following year, but shall be subject to revocation upon showing that the permittee has violated any conditions of the permit.

Goose Lake. All persons shooting or hunting on Goose Lake, or within 500 feet of the surface water, must obtain a permit from the Chief of Police. Guests of Goose Lake landowners must have written permission from the landowners and obtain a permit from the Chief. The owners of land shall not allow more than one hunting party (water craft) on Goose Lake at any one time. The Chief may restrict or reduce the number of permits issued to maintain safe hunting conditions.

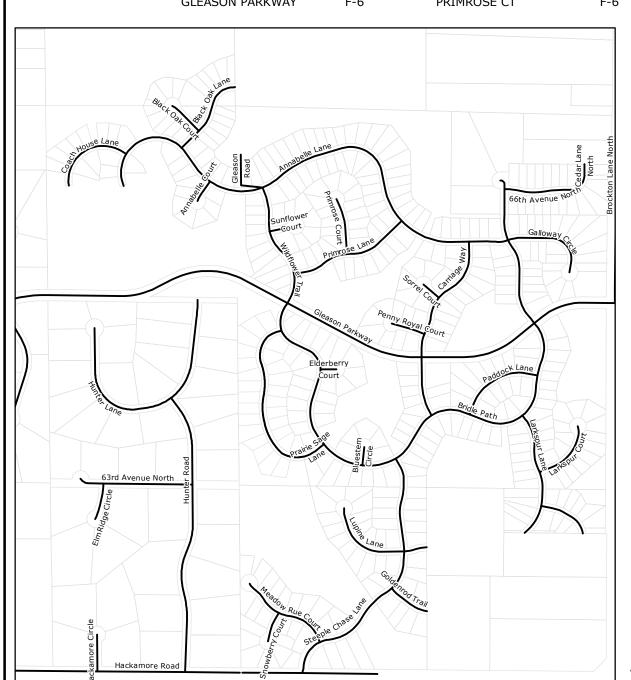
Firearms deer hunting. Any person hunting deer with a firearm must hunt from an elevated stand of no less than six feet in height. Special permits may be obtained from Chief of Police if a person has physical limitations that restrict them from safely complying with hunting from an elevated stand. All firearms must be unloaded and cased to and from the stand. No deer driving is allowed. Archery deer hunting is exempt from this division.

Discharge of high-powered firearm. The discharge of a high-powered firearm is allowed only with the written permission from the landowner and a permit from the Chief of Police. A rural and safe area must be proven by the person before a permit is to be issued. A landowner or a member of a landowner's immediate family, however, may use a firearm or a high powered firearm up to a .22 caliber rim fire for the purpose of protecting livestock from an unprotected predator, destroying nuisance raccoons, when open season, and nuisance unprotected birds and animals within the rural areas of the city.





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| ACK PINE LANE<br>ACKIE LANE<br>EFFREY LANE<br>UBERT LANE<br>ULIE ANN DRIVE   | F-1<br>C-1<br>B-5<br>A-4   | SORREL COURT<br>SPANISH TER.*<br>STATE HIGHWAY<br>STEEPLE CHASE<br>STIEG ROAD<br>STREHLER ROAD<br>SUMMERHILL LAI<br>SUNDANCE ROAL<br>SUNFLOWER COU  |
| ACK PINE LANE<br>ACKIE LANE<br>EFFREY LANE<br>UBERT LANE<br>ULIE ANN DRIVE   | F-1<br>C-1<br>B-5<br>A-4   | SPANISH TER.* STATE HIGHWAY STEEPLE CHASE STIEG ROAD STREHLER ROAD SUMMERHILL LAI SUNDANCE ROAL SUNFLOWER COL   |
| ACKIE LANE<br>EFFREY LANE<br>UBERT LANE<br>ULIE ANN DRIVE<br>C<br>ALK ROAD   | F-1<br>C-1<br>B-5<br>A-4   | STATE HIGHWAY<br>STEEPLE CHASE<br>STIEG ROAD<br>STREHLER ROAD<br>SUMMERHILL LAI<br>SUNDANCE ROAL<br>SUNFLOWER COL   |
| EFFREY LANE<br>UBERT LANE<br>ULIE ANN DRIVE<br>K<br>ALK ROAD   | C-1<br>B-5<br>A-4  | STEEPLE CHASE<br>STIEG ROAD<br>STREHLER ROAD<br>SUMMERHILL LAI<br>SUNDANCE ROAL<br>SUNFLOWER COL  |
| UBERT LANE<br>ULIE ANN DRIVE<br>K<br>ALK ROAD  | B-5<br>A-4<br>D-5  | STIEG ROAD<br>STREHLER ROAD<br>SUMMERHILL LAI<br>SUNDANCE ROAL<br>SUNFLOWER COU   |
| ULIE ANN DRIVE<br>K<br>ALK ROAD  | A-4<br>D-5   | STREHLER ROAD<br>SUMMERHILL LAI<br>SUNDANCE ROAD<br>SUNFLOWER COU   |
| Z<br>ALK ROAD  | D-5  | SUMMERHILL LAN<br>SUNDANCE ROAD<br>SUNFLOWER COU  |
| ALK ROAD   | -  | SUNDANCE ROAD<br>SUNFLOWER COU  |
| ALK ROAD   | -  | SUNFLOWER COL   |
|  | -  |   |
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|  | -  | SUNNY HILL LAN  |
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| AKEVIEW CIRCLE   | B-6  | T   |
| ARKIN ROAD   | E-5  | TAMIAMI TRAIL   |
| ARKSPUR COURT  | F-6  | TESSMER ROAD  |
| ARKSPUR LANE   | F-6  | TRAIL HAVEN RO  |
| ARSEN ROAD   | A-3  | TRAIL LANE  |
| ILY POND LANE  | D-2  | TREELINE DRIVE  |
| UPINE LANE   | F-6  | TRIDEN RIDGE C  |
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| ADLE HILL DOAD   | ГЛ   | <b>V</b>  |
| 1APLE HILL ROAD<br>1APLE LANE  | F-4<br>A-1   | VALLEY VIEW RO  |
| IAPLE LANE<br>IAPLE LANE EAST  | A-1<br>A-1   | W   |
| IEADOW CIRCLE  | D-2  | WAGON WHEEL L   |
| IEADOW CREEK DRIVE   | A-1  | WILLOW DRIVE  |
| IEADOW LANE  | D-2  | WINCHESTER TR   |
| 1EADOW RUE COURT   | F-5  | (CR 50)*  |
| 1EADOWVIEW DRIVE   | B-1  | WINDFLOWER TR   |
| EISTER CIRCLE  | E-3  | WINDMILL DRIVE  |
|  | E-3  | WOODLAND COU  |
| IEISTER ROAD   | D-6  | (CR 10)*  |
| 10HAWK DRIVE   |  | WOODLAND LAN  |
| 10HAWK DRIVE   | F-3  | WHITE TAIL TRAI   |
| IOHAWK DRIVE<br>IYSTIQUE DRIVE   |  |   |
| IOHAWK DRIVE<br>IYSTIQUE DRIVE   | F-3  | (CR 101)*   |
| IOHAWK DRIVE<br>IYSTIQUE DRIVE   |  | (CR 101)*   |
| IOHAWK DRIVE<br>IYSTIQUE DRIVE<br>I<br>IYSTROM LANE  | F-3  | (CR 101)*  NUMBERED STE   |
| MOHAWK DRIVE<br>MYSTIQUE DRIVE<br>I<br>IYSTROM LANE  | F-3<br>C-5   | (CR 101)*  NUMBERED STR 62ND AVENUE NO  |
| NOHAWK DRIVE NYSTIQUE DRIVE  NYSTROM LANE NAKDALE DRIVE  | F-3<br>C-5<br>B-1  | (CR 101)* <b>NUMBERED STR</b> 62 <sup>ND</sup> AVENUE NO 63 <sup>RD</sup> AVENUE NO   |
| MOHAWK DRIVE MYSTIQUE DRIVE  I MYSTROM LANE  DAKDALE DRIVE DAK RIDGE ROAD*   | F-3<br>C-5<br>B-1<br>E-5   | (CR 101)* <b>NUMBERED STR</b> 62 <sup>ND</sup> AVENUE NO 63 <sup>RD</sup> AVENUE NO 66 <sup>TH</sup> AVENUE NO  |
| MOHAWK DRIVE MYSTIQUE DRIVE  I MYSTROM LANE  I MAKDALE DRIVE MAK RIDGE ROAD*  I MICHIGAN SETTLERS ROAD   | F-3<br>C-5<br>B-1<br>E-5<br>E-6  | (CR 101)* <b>NUMBERED STR</b> 62 <sup>ND</sup> AVENUE NO 63 <sup>RD</sup> AVENUE NO 66 <sup>TH</sup> AVENUE NO 70 <sup>TH</sup> AVENUE NO   |
| MOHAWK DRIVE MYSTIQUE DRIVE  INSTROM LANE  DAKDALE DRIVE DAK RIDGE ROAD* DIDD SETTLERS ROAD DIDE STURBRIDGE DR   | F-3 C-5 B-1 E-5 E-6 F-6  | (CR 101)* <b>NUMBERED STR</b> 62 <sup>ND</sup> AVENUE NO 63 <sup>RD</sup> AVENUE NO 66 <sup>TH</sup> AVENUE NO 70 <sup>TH</sup> AVENUE NO 72 <sup>ND</sup> AVENUE NO  |
| MOHAWK DRIVE MYSTIQUE DRIVE  I MYSTROM LANE  DAKDALE DRIVE DAK RIDGE ROAD* DIDDE STURBRIDGE DR DIDDE STURBRIDGE ROAD   | F-3 C-5 B-1 E-5 E-6 F-6 F-6  | (CR 101)* <b>NUMBERED STR</b> 62 <sup>ND</sup> AVENUE NO 63 <sup>RD</sup> AVENUE NO 70 <sup>TH</sup> AVENUE NO 72 <sup>ND</sup> AVENUE NO 74 <sup>th</sup> AVENUE NO  |
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| IOHAWK DRIVE IYSTIQUE DRIVE IYSTROM LANE IYS | F-3 C-5 B-1 E-5 E-6 F-6 F-6 E-2  | (CR 101)* <b>NUMBERED STF</b> 62 <sup>ND</sup> AVENUE NO 63 <sup>RD</sup> AVENUE NO 70 <sup>TH</sup> AVENUE NO 72 <sup>ND</sup> AVENUE NO 74 <sup>th</sup> AVENUE NO 75 <sup>TH</sup> AVENUE NO 81 <sup>ST</sup> PLACE NOR 93 <sup>RD</sup> AVENUE NO 94 <sup>TH</sup> AVENUE NO  |
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- Government Building
- Public Park
- **→** Golf Course
- Church
- <sup>+†</sup>+ Cemetery
- School House







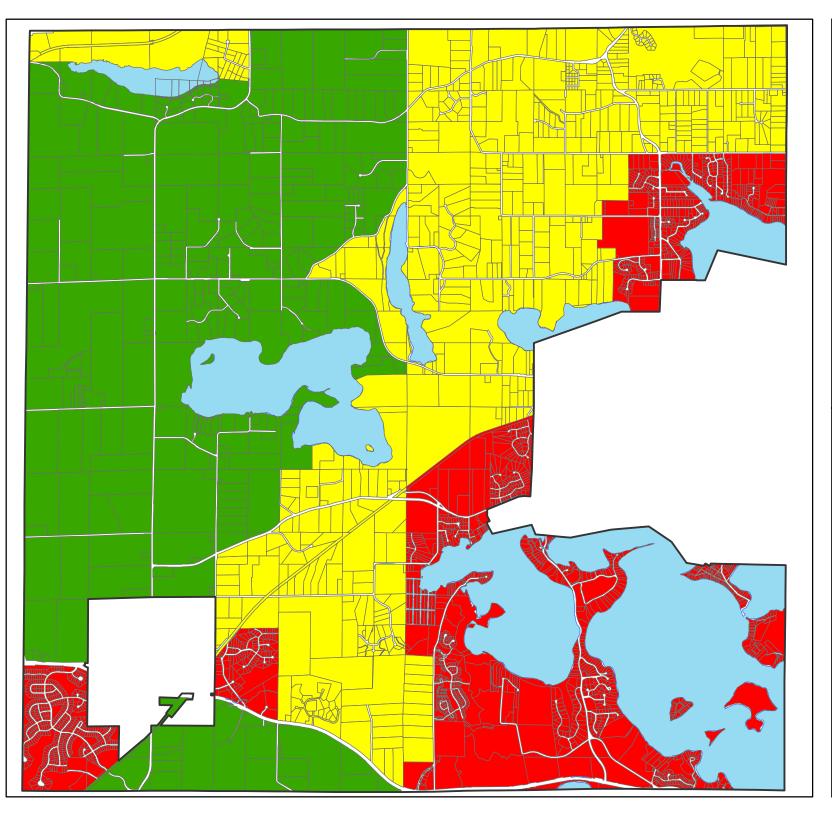
Lake/Open Water

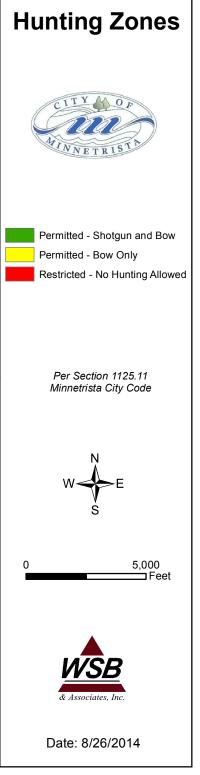


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#### 130.03 FIREARMS.

Definitions. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**DEADLY WEAPON.** Includes, but is not limited to, the following:

*FIREARMS*. Any device from which may be fired or ejected, one or more solid projectiles by means of a cartridge or shell or by the action of an explosive substance; or for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas or vapor

FIREARMS include rifles, shotguns, muzzleloaders and pistol and handgun

- a. Bows and arrows when arrows are tip pointed.
- b. All instruments used to propel a high-velocity pellet of any kind, including, but not limited to, air rifles and compressed air guns.
- c. Sling shots.
- d. .Any similar type instrument, whether such instrument is called by any name set forth herein or any other name.
- e. RIFLE: A shoulder weapon with a long-grooved barrel that uses the energy of the explosive in a fixed metallic cartridge to fire only a single projectile (bullet).
- f. SHOTGUN: A shoulder weapon with a smooth bored barrel or barrels which utilizes gunpowder or any other burning propellant and discharges more than one projectile at a time, except when using ammunition containing a single slug or a combination of both a single slug and shot in the same shotshell. For the purposes of this Ordinance, a muzzleloader, as regulated by the State of Minnesota, shall be considered a shotgun.
- g. HANDGUN: A weapon designed to be fired by the use of a single hand and with an overall length less than 26 inches, or having a barrel or barrels of a length less than 18 inches in the case of a shotgun or having a barrel of a length less than 16 inches in the case of a rifle (1) from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances; or (2) for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas, or vapor.

*HIGH POWERED FIREARM.* Any gun from which a shot or a projectile other than a shot shell or shotgun slug is discharged by the means of explosive gas or compressed air.

IMMEDIATE FAMILY. All persons related to the homeownerwhich includes the children, siblings, grandchildren, and their respective spouses.

**HUNTING.** Taking birds or mammals, or stalking or being in possession of a firearm or deadly weapon for the purpose of taking birds and mammals.

**RURAL AREAS.** Portions of the city which are undeveloped or developed for low-density residential use (one parcel/per ten acres), zoned rural residential or outside of the MUSA line.

HUNTING AREA portion of the city generally outside of the MUSA line or zoned rural residentail

NO SHOOTING AREA portion of the city generally inside of the MUSA line. The city council may by resolution designate and, from time to time, modify areas of the city as no hunting areas.

Concealment, discharge and use prohibited. Except as herein specifically authorized, the concealment, discharge or use of deadly weapons within the city is hereby prohibited.

Aiming prohibited. The aiming of any deadly weapon, whether loaded or not, at or toward any human being is hereby prohibited.

Selling or furnishing a deadly weapon to a minor. The selling, giving, loaning or furnishing in anyway of a deadly weapon to a minor under the age of 18 years without the written consent of his or her parent or guardian is hereby prohibited.

*Minors under the age of 14.* No minor under the age of 14 years shall handle or have any deadly weapon in his or her possession or under his or her control, except while accompanied by or under the immediate charge of his or her parent or guardian.

Exceptions; lawful defense and law enforcement. Nothing in this section shall be construed to prohibit the use or discharge of a deadly weapon in the lawful defense of persons or property or in the enforcement of the law by peace officers and other law enforcement personnel.

Hunting and shooting, permission by landowner. Written permission from the landowner shall be required for hunting or shooting upon land within the city, except that no permission shall be required for members of the owner's immediate family or guests in the company of the owner of the land. On another person's private land, or a public right-of-way, a person may not shoot, hunt or discharge a deadly weapon or take a wild animal with a firearm within 500 feet of a building occupied by humans or livestock without written permission. Also, a person may not shoot, hunt or discharge a deadly weapon or take a wild animal with a firearm within 500 feet of a corral containing livestock without written permission.

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Special permits. Special permits must be obtained from the Director of Public Safety or designee Director of Public Safety to allow hunting on Goose Lake, the discharging of a high powered firearm under certain conditions, and for permits required under division (L). The permits shall only be issued after first obtaining the written consent of the landowner of the land. A condition of the hunting permit shall be that the hunter has in his or her possession all required state and federal hunting licenses while hunting.

Goose Lake. All persons shooting or hunting on Goose Lake, or within 500 feet of the surface water, must obtain a permit from the Director of Public Safety. Guests of Goose Lake landowners must have written permission from the landowners and obtain a permit from the Chief. The owners of land shall not allow more than one hunting party (water craft)

Conditions. The permit shall be subject to the conditions as are deemed necessary by the Director of Public Safety to protect the health, safety and welfare of residents of the city. Appeals may be taken from any determination of the Director of Public Safety to the City Council. No permit issued under this section shall be deemed valid unless the permit and the written consent of the landowner are in the possession of the person using the permit. The fee for the permit shall be determined by a resolution of the City Council.

*Terms*. Permits issued pursuant to this section shall be valid until March 1 of the following year, but shall be subject to revocation upon showing that the permittee has violated any conditions of the permit.

#### Firearms deer hunting.

<u>Hunting</u> Any person hunting deer with a firearm must hunt from an elevated stand of no less than six feet in height. Special permits may be obtained from <u>Director of Public Safety</u> or designee if a person has physical limitations that restrict them from safely complying with hunting from an elevated stand<sub> $\bar{x}$ </sub> All firearms must be unloaded and cased to and from the stand. No deer driving is allowed. Archery deer hunting is exempt from this division.

- (1) Hunting with shotgun or with bow and arrow as authorized by the Minnesota department of natural resources, state laws pertaining to trespass and by city and by landowner permission is allowed only in the areas established by the city council. No other firearms, including long guns, or handguns, or other weapons, except bow and arrow, are permitted to be used for hunting within the city.
- (2) The city council shall, by resolution, establish by map or by other means the areas in which the discharge of shotguns and the use of bow and arrow are allowed for hunting, and the areas in which only the use of bow and arrow is allowed for hunting. No hunting shall be allowed in other areas of the city.
- (3) Hunting in certain rural areas of the city poses greater safety concerns due to their proximity to areas developed more intensely. Such areas will change over time as the

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city and adjacent communities continue to develop. The city council may by resolution designate and, from time to time, modify areas of the city as no hunting areas.

(4) Hunting may only be conducted from a fixed location identified by the property owner and which must be 500 feet or more from any residence located on another property;

Discharge of high powered firearm. The discharge of a high powered firearm is allowed only with the written permission from the landowner and a permit from the Director of Public Safety. A rural and safe area must be proven by the person before a permit is to be issued. A landowner or a member of a landowner's immediate family, however, may use a firearm or a high powered firearm up to a .22 caliber rim fire for the purpose of protecting livestock from an unprotected predator, destroying nuisance raccoons, when open season, and nuisance unprotected birds and animals within the rural areas of the city.

A. Permitted Discharges;

- 1. Written permission by the property owner shall be given to any person prior to the discharge of a firearm or bow on his/her property.
- 2. When recreational target shooting is conducted, the projectile shall be directed at a target with a backstop of sufficient size, strength and density to stop and control the projectile.
- 3. When discharging a firearm or bow, the projectile shall not carry beyond the property line.
- 4. A landowner or a member of a landowner's immediate family, however, may use a firearm or a high-powered firearm up to a .22 caliber rim fire for the purpose of protecting livestock from an unprotected predator, destroying nuisance raccoons, when open season, and nuisance unprotected birds and animals within the rural areas of the city.
- 5. State of Minnesota Firearms Safety Certification classes and Law Enforcement may discharge high powered firearms for the purpose of certification and training.

## B. Prohibited Discharges:

1. No person shall discharge a firearm within five hundred feet (500') of any residence or a bow within one hundred fifty feet (150') of any residence except with the written permission of the property owner.

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|   | 2. No person shall discharge a firearm or bow on public property owned or   |  |
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|   | 2. No person shall discharge a firearm or bow on public property owned or operated by the city, county, state or school district except as provided in City |  |
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|   | 3. The discharge of a rifle or handgun shall not be allowed within the city.  |  |
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