

ORDINANCE NO. 125
AN ORDINANCE REGULATING TRESPASSES AND CONGREGATING
ON BUSINESS/MUNICIPAL PARKING LOTS & PRIVATE
BUSINESS PREMISES

The City of Moose Lake does ordain:

Section 900:11 is hereby added to the City Code and shall read as follows:

Section 900:11 Trespassing and Congregating on Business/Municipal Parking Lots and Private Business Premises.

Sub. 1. Definitions.

As used in this ordinance, the words and phrases, except where the text clearly indicates otherwise, mean:

(1) **Business/Municipal parking lot:** Any parking lot adjacent to or in the immediate vicinity of any store, restaurant, gasoline station, public or private office building, commercial building, industrial facility, or any other facility which provides free parking for the use and convenience of employees, customers, patrons, guests or invitees.

(2) **Private business premises:** Any lands or buildings or any part thereof, owned or occupied by any store, restaurant, office factory, church or any other business, whether for profit or not for profit.

(3) **Owner:** Any owner or other person lawfully in charge of a business parking lot, including any person authorized by the owner to exercise rights granted the owner by law.

Subd. 2. Use of Business/Municipal Parking Lots restricted.

No person shall drive any vehicle across, through, into, or out of any business/municipal parking lot in the city except for the purpose of:

(1) Parking immediately prior to transacting business at a place of business, attending church services, attending lodge, or club activity, attending promotional event, fair or parade, shopping or patronizing a facility open to the public, adjacent to or in the immediate vicinity of a business/municipal parking lot:

(2) Leaving after parking:

(3) Leaving a passenger to transact business at a place of business, attending church services, attending lodge or club activity, attending a promotional event, fair or parade,

shopping, or patronizing a facility open to the public, adjacent to or in the immediate vicinity of a business/municipal lot.

(4) Picking up a passenger: or

(5) Parking while employed at a business in the immediate vicinity:

Subd. 3. Congregating Prohibited.

Except for the permitted purposes stated in Section 900:11 Subd.2 no person shall linger, remain, sit or stand in any business/municipal parking lot or private business premises when prohibited by the owner of a business parking lot or private business premises as expressed by a sign or signs posted on the premises pursuant to Section 900:11 subd. 5 nor shall any person remain in a business/municipal parking lot or private business premises after being ordered to leave the lot by the owner or authorized agent.

Subd.4. Trespassing Prohibited:

(1) No person shall enter or stay on any business/municipal parking lot or private business premises, without claim of right or consent of the lawful possessor, during such hours as entry is prohibited by conspicuously posted signs: or

(2) No person shall enter upon the land of another and without claim of right refuse to depart therefrom on demand of the lawful possessor or their agent.

Demand:

A demand to depart may be made orally or by posting at reasonable intervals signs which prohibit trespass on the affected land. Any city police officer may be appointed an agent of the lawful possessor of land for the purpose of making a demand to depart therefrom.

Subd. 5. Signs Prohibiting Trespassing and Congregating.

The prohibitions set out in the section 900:11 Subd. 3 and Subd.4 shall be in effect at any business/municipal lot or private business premises where the owner has posted a sign or signs as provided in those subdivisions on the premises which are visible to an ordinarily prudent individual. With reference to section 900:11 Subd. 2 and Subd 3. each sign shall contain substantially the following language:

NO CONGREGATING OR CRUISING
VIOLATORS WILL BE PROSECUTED

With reference to Section 900:11 Subd. 4. the sign shall contain substantially the following language:

NO PARKING OR TRESPASSING
BETWEEN _____ P.M. AND _____ A.M.
VIOLATORS WILL BE PROSECUTED

Subd. 6. **Exceptions:** The following uses of a business/municipal parking lot or private business premise shall not be in violation of this ordinance:

(1) Entrance by owner, occupant, or the employees and agents of the owners or occupant:

(2) Entrance by Customers, patrons, suppliers and other persons having lawful business at the business premises or other facility served by the business/municipal parking lot during normal business hours, or when such business or facility is otherwise open to the public:

(3) Temporary entrance in any emergency:

(4) Entrance by Police Officers and City Officials in the course of their duty.

Subd.7. **Penalties.** A violation of this section shall be a petty offense.

Ronald Clausen
Donald Clausen, City Clerk

Clayton Hartman
Clayton Hartman, Mayor

Approved by the City Council *Nov 9* 1992.

Attest:

Ronald Clausen

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