

CHAPTER 2

GENERAL OFFENSES

SECTION:

- 5-2-1: Minnesota Criminal Code Adopted By Reference
- 5-2-2: Disorderly Conduct
- 5-2-3: Vagrancy
- 5-2-4: Crimes Against Property
- 5-2-5: Offenses Against Public Justice
- 5-2-6: Penalty !2R!

5-2-1: MINNESOTA CRIMINAL CODE ADOPTED BY REFERENCE:

Except as insofar as the application thereof is clearly impractical or inappropriate, in view of the context of purposes or penalty as provided, all of the definitions, requirements, regulations, prohibitions, provisions and sections of the Minnesota Criminal Code (M.S.A. 609.01 et seq.), as amended, are hereby adopted by the City. Any and all violations thereof shall be considered violations of this Chapter, and each such violation shall subject the violator thereof to penalty provisions under this Chapter if proceeded hereunder. (1996 Code)

5-2-2: DISORDERLY CONDUCT:

The doing of any of the following acts without authority of law by any person is hereby declared to be disorderly conduct and shall constitute a misdemeanor:

A. Disturbing The Peace¹: Wilfully disturbing any assembly or meeting not unlawful in its character, or the peace and quiet of any family or neighborhood.

B. Lewd And Lascivious Conduct²: Wilfully and lewdly exposing his person or procuring another person to so expose himself, and any open and gross lewdness or lascivious behavior, or any act of public indecency.

C. Profanity³: Using profane, vulgar or indecent language in or about any public building, store or place of business or upon any of the streets, alleys or sidewalks of the City so as to be audible.

D. Intoxication: Appearing upon any public street or other public place in an intoxicated condition or drinking intoxicating liquor on any street or in a vehicle upon a public street. (Ord. 17, 5-1-1969)

1. M.S.A. § 609.72(2).

2. M.S.A. § 617.23.

3. M.S.A. § 609.72(3).

5-2-3: VAGRANCY¹:

Every person who shall have no visible means of support and live idly without employment or a settled place of abode, or loiter about the streets or any other public places, or who shall be found trespassing on private property and not be able to account for his or her presence shall be deemed a vagrant. No vagrant shall be permitted on the streets or in any public place in this Municipality. Violation of this Section shall be a misdemeanor. (Ord. 17, 5-1-1969)

5-2-4: CRIMES AGAINST PROPERTY:

A. Fraud; Theft²: Every person who shall wilfully procure money or property in this City by fraud, misrepresentation or false pretenses, or who shall commit any acts of larceny, robbery or burglary within this City shall be guilty of a misdemeanor.

B. Destruction Of Property³: Every person who shall wilfully or maliciously displace, remove, injure or destroy public property of any kind or any private property without authority of law shall be guilty of a misdemeanor.

C. Destruction By Fire⁴: Every person who shall negligently or carelessly set on fire or cause to be set on fire combustible material, whether on his land or not, by means whereof the property of another shall be endangered, or who shall negligently allow any fire upon his own lands to extend beyond the limits thereof or who shall wilfully disobey any lawful fire ordinance for the purpose of fire protection within this City, shall be guilty of a misdemeanor. (Ord. 17, 5-1-1969)

5-2-5: OFFENSES AGAINST PUBLIC JUSTICE:

A. Remove From Custody: Every person who, by force or fraud, shall rescue from lawful custody, or from an officer or person having him in lawful custody, a prisoner held upon a charge, arrest, commitment, conviction or sentence for a misdemeanor, shall be guilty of a misdemeanor.

B. Tampering With Evidence⁵: Every person who shall take from the custody of an officer or other person personal property in his charge under any process of law or who shall wilfully injure or destroy such property, shall be guilty of a misdemeanor.

C. Escape From Custody; Failure To Appear⁶: Every prisoner who

1. M.S.A. § 509.75.

2. M.S.A. § 609.52.

3. M.S.A. § 609.595, subd. 2.

4. M.S.A. § 609.576.

5. M.S.A. § 609.47.

6. M.S.A. §§ 609.485 and 609.49.

shall escape from custody, or who shall depart from the jail without permission, or shall fail to return in accordance with his permission, shall be guilty of a misdemeanor.

D. Aid In Escape¹: Every person who with intent to effect or facilitate the escape of a prisoner, whether such escape shall be effected or attempted or not, shall enter the jail or convey to a prisoner any information or send into the jail any disguise, instrument, weapon or other thing, and every person who shall aid or assist a prisoner in escaping or attempting to escape from lawful custody, shall be guilty of a misdemeanor.

E. Harbor Or Conceal Fugitive²: Every person who shall knowingly or wilfully conceal, or harbor for the purpose of concealment, a person who has escaped or is escaping from custody shall be guilty of a misdemeanor.

F. Refusal To Aid In Arrest³: Every person who, after having been lawfully commanded by any magistrate to arrest another person, shall wilfully neglect or refuse to do so, and every person who, after having been lawfully commanded to aid an officer in arresting any person or in retaking any person who has escaped from lawful custody, or in executing any legal process, shall be guilty of a misdemeanor.

G. Obstruction Of Public Officer⁴: Every person who in any case, or under any circumstances not otherwise especially provided for shall wilfully resist, delay or obstruct a public officer in discharging or attempting to discharge a duty of his office, shall be guilty of a misdemeanor.

H. Intimidation Of Public Officer⁵: Every person who shall directly or indirectly address any threat or intimidation to a public officer, or to a referee, arbitrator, appraiser or assessor, or to any other person authorized by law to hear or determine any controversy or matter, with intent to induce him, contrary to his duty, to do or make, or to omit or delay any act, decision or determination, shall be guilty of a misdemeanor.

I. Conspire To Commit⁶: Whenever two (2) or more persons shall conspire to commit any act injurious to the public health, public morals, trade or commerce, or for the perversion or obstruction of public justice, or the due administration of the laws, every such person shall be guilty of a misdemeanor. (Ord. 17, 5-1-1969)

5-2-6: PENALTY:

Any person who shall knowingly commit any misdemeanor as defined

-
1. M.S.A. §§ 243.21, subd. 2, and 609.485.
 2. M.S.A. § 609.495.
 3. M.S.A. § 629.403.
 4. M.S.A. § 609.50.
 5. M.S.A. § 609.27.
 6. M.S.A. § 609.175.

in this Chapter, or who shall knowingly aid and abet any person committing any such misdemeanor, shall upon conviction thereof be subject to penalty as provided in Section 1-4-1 of this Code.
(Ord. 17, 5-1-1969; 1996 Code)