

**CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA**

ORDINANCE NO. 08-142

**AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY
AMENDING SECTION 130 OF THE CITY CODE WHICH REGULATES WEAPONS**

SECTION 1. The City Council of the City of Lake Elmo hereby amends Section 130.15, paragraph (B) of the City Code by adding the double underlined language and deleting the ~~stricken~~ language as follows:

§ 130.15 POSSESSION, DISCHARGE, OR SALE OF WEAPONS

(B) *Unlawful acts.* Except as otherwise provided in this section, it shall be unlawful for any person:

(1) To fire, discharge, release, throw, or in any other manner propel a weapon within 500 feet of any residence, whether or not inhabited, or any other structure or building or within 500 feet of any platted area in the city, except on an approved target range;

(2) To ~~wear or carry a loaded weapon for hunting or other purposes~~ hunt on land not owned by the person ~~wearing or carrying the weapon,~~ hunting in the city, without specific written and dated permission of the owner of the land. The writing containing the permission shall also describe with reasonable accuracy the boundaries of the land owned by the owner giving the permission except on an approved target range.

SECTION 2. The City Council of the City of Lake Elmo hereby amends the City Code by inserting the following new sections in Section 130 of the Code as follows:

§ 130.16 RESTRICTIONS ON THE DISCHARGE OF FIREARMS; HUNTING.

No person may discharge any firearm or bow and arrow, or engage in hunting of any game birds or other animals by any means within the corporate limits of the city:

(A) Except as otherwise provided in this section;

(B) Unless discharged in lawful defense of person or property; or

(C) Unless the person is a duly authorized law enforcement officer engaged in the performance of his or her official duties.

§ 130.17 HUNTING REGULATIONS.

(A) Hunting with a shotgun or with a bow and arrow as authorized by the Minnesota Department of Natural Resources, state laws pertaining to trespass, and by landowner permission, is allowed but only in the areas established by the city council. No other firearms, including long

guns or hand guns, or any other weapon, except a bow and arrow, are permitted to be used for hunting within the city.

(B) The city council shall, by resolution, establish by map or other means the areas in which the discharge of shotguns and the use of a bow and arrow are allowed for hunting and the areas in which only the use of a bow and arrow is allowed for hunting. No hunting shall be allowed in other areas of the city.

§ 130.18 HUNTING TO MANAGE WILDLIFE

Notwithstanding anything herein to the contrary, the city’s law enforcement agency shall be entitled to issue permits to hunt in any area of the city to manage wildlife populations upon evidence that all required state permits have been secured and a determination by law enforcement that such hunting will not pose an undue risk to public health and safety.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 5. Adoption Date. This Ordinance No. ____ was adopted on this ____ day of _____, 2016, by a vote of __ Ayes and __ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 08-142 was published on the ____ day of _____, 2016.