

Wadena County Auditor

415 Jefferson So.
Wadena, Minnesota 56482

Ordinance

~~RESOLUTION~~ NO. #15

A RESOLUTION ADOPTING AN ORDINANCE PROHIBITING TRESPASSING.

WHEREAS, it is in the public interest to control the unauthorized use of land.

AND, WHEREAS, the attached ordinance sets forth the particular definitions, prohibitions and penalty.

IT IS HEREBY RESOLVED, that the attached ordinance prohibiting trespassing is adopted to be effective ten (10) days following publication.

Dated this 21st day of May, 1990.

Dale Paulsen
~~Ralph Lorentz~~, Chairman of
the Wadena County Board
Vice - Chairman

Attest:

Robert Fort
Robert Fort, Wadena
County Auditor

(Seal)

COUNTY RECORDER
WADENA COUNTY, MINN.
FILED

JUN 8 1990

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AN ORDINANCE PROHIBITING TRESPASSING

The Wadena County Board of County Commissioners ordains:

Section 1. DEFINITIONS. For the purposes of this ordinance, the following terms shall have the meanings given herein:

Section 1.1 Landowner. Includes any person who shall hold title to or have legal control over land.

Section 1.2 Person. Includes any individual, group, firm, partnership, association, corporation, governmental unit, company, or organization of any kind.

Section 2. TRESPASSING

Section 2.1 Uninvited Persons. No person shall enter uninvited onto another person's land for the purpose of consuming alcohol or controlled substances.

Section 2.2 Uninvited Persons with Motor Vehicles. No person shall bring a motor vehicle without invitation onto another person's land to facilitate consumption of alcohol or controlled substances.

Section 3. DETERMINATION OF PURPOSE. To determine the purpose of an uninvited entry of a person or motor vehicle, the factors to be considered include, but are not limited to, the following:

- 1) time of day;
- 2) presence of containers intended to contain or containing alcohol;
- 3) presence of equipment used to dispense alcoholic beverages;
- 4) presence of paraphernalia containing identifiable residues of a controlled substance;
- 5) noise level;
- 6) lighting;
- 7) identified physiological responses; and
- 8) conduct of persons in the presence of peace officers.

- Section 4. PENALTY. Any person who violates this ordinance is guilty of a misdemeanor which is punishable by 90 days incarceration and/or a \$700.00 fine.
- Section 5. EXCEPTION. Any person who enters onto land under the express consent endorsement, or ratification of the landowner does not violate this ordinance.
- Section 6. AUTHORITY. This ordinance is enacted pursuant to Minnesota Statutes Section 471.985 entitled, "County and City Ordinances Prohibiting Trespassing".
- Section 7. EFFECTIVE DATE. This ordinance shall be effective ten (10) days following publication.