



City Council Regular Meeting Agenda

July 21, 2025 at 6:30 PM

Pipestone City Hall- 119 2nd Ave SW #9, Pipestone, MN 56164

- 1. Call to Order and Roll Call**
- 2. Pledge of Allegiance**
- 3. Approve Agenda – Additions, Changes, Or Deletions**
- 4. Consent Agenda**

All items listed with asterisks () are considered routine and non-controversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a Council member, City staff or citizen so requests in which case, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

5. **Approval of Minutes

[A.](#) July 7 2025 Special Meeting Minutes

[B.](#) July 7 2025 Regular Meeting Minutes

6. Community Concerns (Maximum 3 Minutes Per Person)

7. Public Hearings, Petitions, and Bid Openings

[A.](#) Public Hearing to Gather Input on the 2026 Municipal Budget

8. Reports

A. Airport

B. Senior Center

C. Housing and Redevelopment Authority

D. Pipestone Area Chamber of Commerce & Visitors Bureau

E. Economic Development Authority

F. Museum

9. Legal

10. Engineering

11. **Financial

A. Payment of Claims-Listing of Bills

B. June 2025 Financial Report

12. Old Business

13. New Business

A. Request for Council Action - Keepers of the Sacred Tradition of Pipemakers

B. Request for Council Action - bodyCHURCH Wellness

C. Request for Council Action - Sutton Auctioneering

D. Resolution 2025-45: Resolution Accepting Donations

E. Sioux Valley Southwestern Electric Request for Electric Service

F. City Code Section 92.03 Public Nuisance Affecting Peace and Safety

14. Closing Comments

15. Executive/Closed Session

16. Adjournment

Pipestone, Minnesota
July 7, 2025

Pursuant to due call and notice thereof, a Special Meeting of the Pipestone City Council was duly held in the city council chambers at Pipestone City Hall at 5:30 p.m. on the 7th day of July 2025. Mayor Dan Delaney called the meeting to order. Members present: Dan Delaney, Danielle Thompson, Rodger Smidt, and Verdeen Colbeck. Others present: Robin Weis, EDA Director Justin Schroyer, City Engineer Travis Winter via Zoom, Public Access Coordinator Steve Moffitt, Assistant City Administrator-Clerk Stephanie LaBrune, and City Administrator Deb Nelson.

Mayor Delaney called the meeting to order and stated the purpose of the special meeting was to hold a work session to discuss the US EDA FY2025 Disaster Supplemental grant program. He then invited guest, Robin Weis with the Southwest Regional Development Commission (SRDC) to give a presentation on the federal grant program.

Weis explained that the SRDC serves as the Economic Development District (EDD) for the nine counties in southwest Minnesota. She stated following a notice of funding opportunity that came out for the federal grant program she met with Nelson, Winter, and LaBrune and discussed applying for the funding to develop the north Hiawatha land into an industrial park. Weis stated that Pipestone County is listed as one of the latest disaster declarations and would qualify for the funding especially with the city’s current industrial park being full. Additionally, she told the council that there could be up to 80% funding available. Further details about funding and cost estimates were discussed. Engineer Winter also shared that he will be working to apply for Business Development Public Infrastructure (BDPI) funds to assist with the engineering costs and help with the required 20% match that is required with the federal grant. Weist also spoke about the scoring of the federal grant and added that Schroyer is working to obtain letters from current and possible future businesses that may be impacted by the proposed industrial park project.

ADJOURNMENT

Motion made by Colbeck, seconded by Thompson and unanimously carried to adjourn the meeting at 6:04 p.m.

Dan Delaney
Mayor

ATTEST:

Stephanie LaBrune
Assistant City Administrator - Clerk

Pipestone, Minnesota
July 7, 2025

Pursuant to due call and notice thereof, a regular meeting of the Pipestone City Council was duly held in-person and via Zoom in the Municipal Building at 6:30 p.m. on the 7th day of July 2025. Mayor Dan Delaney called the meeting to order. Roll call was taken, and a quorum was declared. Members present: Dan Delaney, Rodger Smidt, Scott Swanson, Danielle Thompson, and Verdeen Colbeck, Absent: none. Others present: Building and Zoning Administrator Solomon Derby, Library Director Jody Wacker, Public Works Director Michael Bloemendaal, Recreation Director Robert Petersen, Water Wastewater Superintendent Joel Adelman, Kyle Kuphal, City Attorney Jason Hill via Zoom, City Engineer Travis Winter via Zoom, Cable Access Coordinator Steve Moffitt, Assistant City Administrator/City Clerk Stephanie LaBrune, and City Administrator Deb Nelson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVE AGENDA - ADDITIONS, CHANGE OR DELETIONS

Mayor Delaney stated that he would like to amend the agenda by adding item G. Resolution 2025-44: Resolution approving plans and specifications and ordering advertisement for bids under New Business.

Motion made by Swanson, seconded by Smidt, and unanimously carried to approve the agenda by adding item G. Resolution 2025-44: Resolution approving plans and specifications and ordering advertisement for bids under New Business.

CONSENT AGENDA

Mayor Delaney stated the Consent Agenda contains the June 16, 2025 Regular Meeting Minutes, the June 27, 2025 Special Meeting Minutes, and the Payment of Claims-Listing of Bills. He then asked if there was any discussion regarding these items. No discussion was held.

Motion was made by Thompson, seconded by Colbeck and unanimously carried to approve the Consent Agenda items which consisted of the June 16, 2025 Regular Meeting Minutes, the June 27, 2025 Special Meeting Minutes, and the Payment of Claims-Listing of Bills in the amount of \$1,010,653.09 for warrants #075161 to #075318 to be issued in payment thereof.

COMMUNITY CONCERNS

None.

REPORTS

Building & Zoning – Derby provided the council with a verbal and written report.

Liquor Store – Absent, written report provided.

Library – Wacker provided the council with a verbal report.

Recreation – Petersen provided the council with a verbal and written report.

Water/Wastewater – Adelman provided the council with a verbal report.

Public Works – Bloemendaal provided the council with a verbal and written report.

Law Enforcement – Absent.

LEGAL

Consideration of Ordinance No. 167 Fourth Series

Mayor Delaney stated Ordinance No. 167, Fourth Series was introduced on June 16th to formally establish a Veteran's Memorial in the City of Pipestone going onto say that the Ordinance is now up for council considered.

Motion by Colbeck, seconded by Thompson to adopt Ordinance No. 167 Fourth Series: An Ordinance Establishing a Veteran's Memorial in the City of Pipestone. Roll Call Vote: Ayes: Delaney, Swanson, Thompson, Smidt, Colbeck; Nays: None. Motion granted.

OLD BUSINESS

Discussion on Proposed Land Detachment

Delaney shared Due to technical difficulties; this agenda item was tabled from the last council meeting. The information on the proposed detachment is provided in the council packets. Attorney Hill then explained the detachment process to the council in the event that an application is brought forth seeking detachment from the city in the near future.

NEW BUSINESS

Resolution 2025-41

Delaney stated, this resolution if approved will accept the following donations:

- Pipestone Jaycees - \$1,000 Donation for new playground equipment
- First Bank & Trust - \$500 Donation for the youth Twin's trip
- First State Bank Southwest - \$500 Donation for the youth Twin's trip

Motion by Swanson, seconded by Smidt, and unanimously carried to approve Resolution 2025-41: Resolution Accepting Donations.

Resolution 2025-42

Delaney said this resolution if approved will allow the City Clerk to sign off on an application for authorization for exemption from lawful gambling license with no waiting period for the Pipestone Sportsmen's Club who plan to hold a raffle drawing at Dave's Guns in Pipestone on August 27, 2025. The Sportsmen's Club will be raffling off a lawn mower as a part of a fundraising event.

Motion was made by Smidt, seconded by Colbeck, and unanimously carried to approve Resolution 2025-42: Resolution Regarding an Application for Authorization for Exemption from Lawful Gambling License.

Resolution 2025-43

Delaney explained to the council that if the resolution is approved it will order the preparation of a report on improvement from the City Engineer pertaining to a proposed 2026 Street and Utility Improvement project on 2nd Ave. S.W. from State Highway 30 to 10th St. S.W. and assess the benefited properties for a portion of the costs of improvement pursuant to Minnesota Statutes, Chapter 429. Delaney shared that the City Utility Committee recently met and is recommending that the council move forward with this project as a priority project for 2026.

Swanson added that the street is one of the worst streets in town and the utilities are needed to be

upgraded as well.

Motion was made by Smidt, seconded by Swanson, and unanimously carried to approve Resolution 2025-43: Resolution Ordering Preparation of Report on Improvement.

1-4 Day Temporary On-Sale Liquor License

Delaney stated the Pipestone Jaycees have submitted an application for a 1-4 day on sale liquor license in order to serve alcohol at the Pipestone County Fair on the Dates of July 30th – August 1st. He said to approve the request; the council will need to authorize the City Clerk to sign the application so it can be forwarded to the state alcohol and gambling enforcement division for their final consideration.

Motion was made by Smidt, seconded by Thompson, and unanimously carried to approve having the city clerk sign the 1-4 Day Temporary On-Sale Liquor License for the Pipestone Jaycees and forward the application to the State of Minnesota for their approval.

Set Budget Input Public Hearing Date

Delaney shared that staff is recommending the council hold a public hearing on July 21st at 6:30 p.m. during the regularly scheduled city council meeting to hear public input on the 2026 budget. He said to confirm the Public Hearing date, time, and location a motion is needed.

Motion was made by Thompson, seconded by Colbeck, and unanimously carried to set the public hearing date to hear public input on the 2026 budget for July 21st at approximately 6:30 p.m. in the council chambers.

Set Interest Rate and Term for 2023 Street & Utility Improvement Project Assessments

Delaney said as a part of the assessment process for the 2023 Street and Utility Improvements Project, the council will need to set the interest rate and term for the assessment to the property owners located within the project area. He shared that the true bond interest rate is 3.47% and the council approved assessing the project at 1.5% over the bond rate which results in an interest rate of 5%. He also added that the term of the bond repayment schedule is 10 years. He then called for a motion.

Motion was made by Colbeck, seconded by Thompson, and unanimously carried to approve the interest rate of 5% and a term of 10 years on the 2023 Street & Utility Improvements Project Assessments.

Resolution 2025-44

Nelson stated that historically the former County Engineer, Dave Halbersma, choose to do the bidding of Safe Routes to School (SRTS) Projects; however, it was discussed between Winter and County Engineer Nicholas Bergman and decided that it would make more sense for the city to bid the SRTS project since the city will be installing and maintaining the project. Nelson said the resolution if approved would allow the city's engineer to proceed with obtaining bids for the project with the bid opening being held at the August 4th council meeting.

Motion by Swanson, seconded by Smidt and unanimously carried to approve Resolution 2025-44: Resolution Approving Plans and Specifications and Ordering Advertisement for Bids.

CLOSING COMMENTS

None.

ADJOURNMENT

Motion made by Thompson, seconded by Smidt, and unanimously carried to adjourn the meeting at 7:14 p.m.

Dan Delaney
Mayor

ATTEST:

Stephanie LaBrune
Assistant City Administrator / City Clerk

CITY OF PIPESTONE
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the City Council of the City of Pipestone will hold a public hearing during their regularly scheduled council meeting on July 21, 2025 at approximately 6:30 p.m. in the Council Chambers at City Hall, 119 2nd Avenue SW, Pipestone, MN 56164. The purpose of the public hearing is to hear input from the public relating to the development of the 2026 city budget. All are welcome to attend.

/s/ Stephanie LaBrune
Stephanie LaBrune
Assistant City Administrator / City Clerk

REQUEST FOR COUNCIL ACTION

Section 13, Item A.

Meeting of
Date: July 21, 2025

Agenda Section:	Originating Dept:	Item No.
New Business	Administration	A
Item Description:		Prepared By:
Request to Waive Dumpster Fees		Stephanie LaBrune
<p>Bud Johnston, owner of the Keepers Sacred Tradition of Pipemakers, is holding their annual Keepers Gathering July 16th – July 20th. He is requesting that the city waive the fees for the use of a 6 Yard Dumpster during the time of the gathering. This has been approved in the past.</p>		
COUNCIL ACTION:		
Motion by: <hr/> <hr/> <hr/> <hr/>		

REQUEST FOR COUNCIL ACTION

Section 13, Item B.

Meeting of

Date: July 21, 2025

Agenda Section: New Business	Originating Dept: Administration	Item No. B
Item Description: REP & REVIVE Event		Prepared By: Stephanie LaBrune
<p>Brandie Hulstein with bodyCHURCH Wellness is requesting that the city waive the Hiawatha Pageant Grounds and Lodge rental fees, and also provide three (3) garbage totes for a free community event that she is planning to host from 6:00a.m. to 10:00a.m. on Saturday, August 16th.</p> <p>This event will be called REP & REVIVE. It is a free, family-friendly event designed to bring the community together through movement and worship. This gathering will offer a unique opportunity for families to engage both physically and spiritually, combining fitness and faith in an uplifting outdoor setting. The event will feature live worship music and guided fitness classes, with a stage or platform (such as a trailer) to accommodate both the worship team and the fitness instruction. bodyCHURCH will work with a local contractor regarding any electrical needs to support sound. Myles Zephier and Shenoa Farmer will be leading the worship during the event, along with a few others who will join them. Additionally, there are plans to reach out to a few local small businesses and invite them to participate by setting up simple booths to provide refreshments or healthy snacks such as coffee, water, fruit, or protein options.</p> <p>Hulstein added that this is a great opportunity for small businesses to connect with the community and support a meaningful cause and as a new small business owner, she is working to keep this event as cost-effective as possible in order to keep it free and accessible for all. Her request is for the council to waive all fees or provide her with a reduced rate so she can hold this free community event.</p> <p>Full Request Attached.</p>		
<p>COUNCIL ACTION: Motion by</p> <hr/> <hr/> <hr/> <hr/>		

Stephanie LaBrune

From: Brandie Hulstein <bodychurchwellness@gmail.com>
Sent: Tuesday, July 15, 2025 12:54 PM
To: Stephanie LaBrune
Subject: Rep & Revive

Steph,

Thanks for helping me out on the phone! Here are the ideas of the event:

REP & REVIVE – Push Hard. Praise Louder.
A workout where faith meets fire.

A free event for families to gather to move their bodies and worship together.

August 16th
Spin/Cycle session: 6am
Family strength/endurance session: 7am
Worship: 8am
Closing Prayer: 9am

Location: Hoping for Hiawatha Grounds

I'm excited to share plans for **REP & REVIVE**, a free, family-friendly event designed to bring our community together through movement and worship. This gathering will offer a unique opportunity for families to engage both physically and spiritually, combining fitness and faith in an uplifting outdoor setting.

The event will feature live worship music and guided fitness classes, with a stage or platform (such as a trailer) to accommodate both the worship team and the fitness instruction. I plan to connect with Justin Olson regarding any electrical needs to support sound. In the case of inclement weather, we would look to relocate indoors—ideally at the Lodge.

I'm grateful to have the support of Myles Zephier and Shenoa Farmer from our church's worship team; both have generously agreed to lead worship during the event, along with a few others who will join them.

Additionally, I intend to reach out to local small businesses to invite them to participate by setting up simple booths or tents to provide refreshments or healthy snacks such as coffee, water, fruit, or protein options. This is a great opportunity for small businesses to connect with the community and support a meaningful cause.

As a new small business owner, I'm working to keep this event as cost-effective as possible in order to keep it free and accessible for all. If there's an opportunity to use the Hiawatha Grounds at a reduced rate—or ideally at no cost—I would be incredibly appreciative of that generosity and support.

Thank you for considering this request. I'm truly excited to create a space where faith and f
unite and uplift our community.

Section 13, Item B.

Please reach out with any questions you have!

Brandie Hulstein
bodyCHURCH Wellness

REQUEST FOR COUNCIL ACTION

Section 13, Item C.

Meeting of

Date: July 21, 2025

Agenda Section: New Business	Originating Dept: Administration	Item No. C
Item Description: Sutton Auctioneers & Land Brokers, LLC		Prepared By: Stephanie LaBrune
<p>Jared Sutton with Sutton Auctioneers & Land Brokers, LLC is requesting a partial street closure on 4th Street SE near the intersection of 2nd Ave. SE and 4th St. SE. to hold an auction at the home of 319 2nd Avenue SE.</p> <p>The requested area of closure on 4th St. will not block any neighboring driveways, allowing them full access to their properties. The requested street closure would be from 8:00 AM to 8:00 PM and Mr. Sutton stated that the proposed date of the street closure could consist of any of the following dates – August 5, 6, 7, 12, or 13 with the dates of August 6th or 13th being preferred.</p> <p>Public Works Director, Michael Bloemendaal, does not have any issues with the street closure and stated that the closure would not affect garbage collection.</p> <p>Full Request Attached with Map.</p>		
<p>COUNCIL ACTION: Motion by</p> <hr/> <hr/> <hr/> <hr/>		

Stephanie Labrune

Assistant City Administrator/City Clerk

City of Pipestone

Stephanie,

We are requesting use of the street 4th St. SE for an Auction we are conducting for Pauline Matthews. Her home is located at 319 2ND AVE SE, which is located at the intersection of 2nd Ave SE & 4th St. SE. The area we are requesting is from the east end of Pauline's property on 4th St. to the corner of 2nd Ave. We would not need use of 2nd Ave.

The requested area on 4th St. will not block any neighboring driveways and they will have access to their properties. We would be using the street from 8:00 AM to 8:00 PM. We are amendable to dates in the event the city has any conflicts during a specific date. We have not chosen a specific date as we want to make sure use of the street is a possibility before we begin to advertise the auction onsite, as if we were unable to use the requested area we would have to make other arrangements.

The proposed dates we would be requesting the street closure could consist of any of the following dates – August 5, 6, 7, 12, or 13. We would be able to do any of these dates & would be fine with any date that works best for the city. We are only requesting 1 of the dates listed. We would ensure that the street is cleaned and open again following our auction.

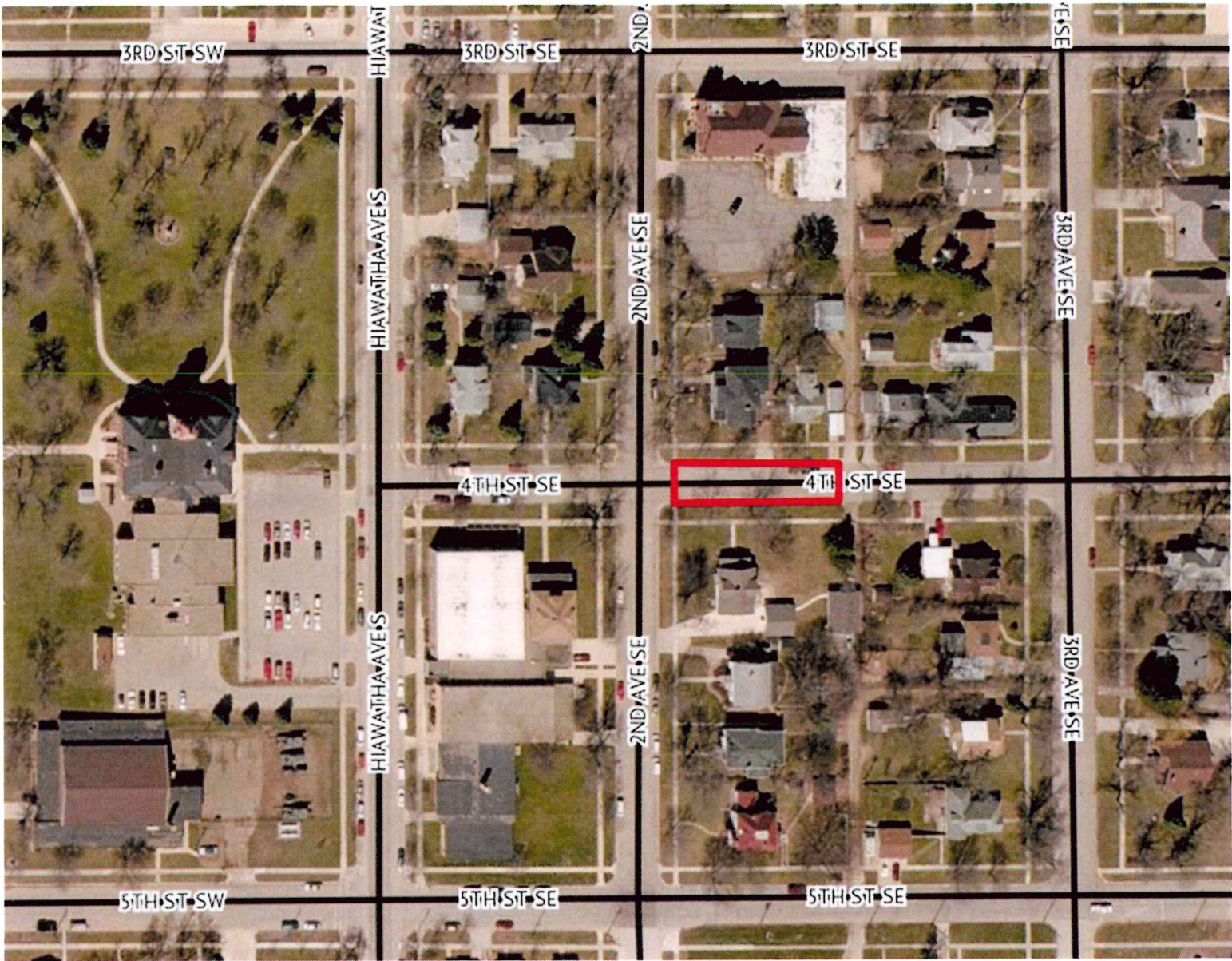
I would appreciate a response back as soon as possible if any of the specific dates can be approved for a street closure so we can begin finalizing our advertising for this auction.

Jared Sutton

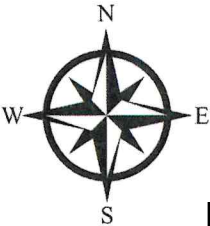
Sutton Auctioneers & Land Brokers, LLC

Aug. 6th or 13th preferred dates.

Requested Road Closure – Sutton Auctioneering



 - Area of Requested Closure



RESOLUTION 2025-45

RESOLUTION ACCEPTING DONATIONS

WHEREAS, the City of Pipestone is generally authorized to accept donations of real and personal property with monetary value pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens; and

WHEREAS, the following entities and/or individuals have offered to contribute the cash amounts and/or tangible items as set below to the City of Pipestone:

<u>Name of Donor(s)</u>	<u>Amount</u>
• Larry Christensen	\$500 Donation to the Recreation Department
• Anonymous	Pop-Up Tent for Library Play Area valued at \$50.00

WHEREAS, such donations have been contributed to assist the city as allowed by law; and

WHEREAS, the City Council finds that it is appropriate to accept the donations offered.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF PIPESTONE, MINNESOTA, AS FOLLOWS:

1. The donations described above are accepted.
2. The City Clerk is hereby directed to issue a receipt to the donors acknowledging the City’s receipt of the donors’ donations.

Passed and adopted by the City Council of the City of Pipestone this 21st day of July 2025.

Dan Delaney
Mayor

ATTEST:

Deb Nelson
City Administrator

SIOUX VALLEY SOUTHWESTERN ELECTRIC
REQUEST FOR ELECTRIC SERVICE
2025 CONSTRUCTION SEASON – revised October 2024

Section 13, Item E.

Work Order 35873 Service Order 12933949 Map Location: 508-0-018-03-3-1

Name: MN DOT AERONAUTICS Attn: Business OFC-Mankato Headquarters

Mailing Address: 2151 Bassat Dr Mankato, MN 56001

Service Address: 91st & 8th ave se Sec:18 (to the west of Pipestone airport runway in field)

Type of Service: general service for a tower site at Pipestone air port

Basic Service Charge		<u>1100.00</u>
Footage Charge		<u>5672.00</u>
Other	SD Gross Receipts Tax <input type="checkbox"/>	<u> </u>
Subtotal		<u>6772</u>
Gross Receipts Tax (2.041%) – South Dakota Only (effective 3/1/2014)		<u>0</u>
Total Aid to Construction Amount Due		<u>6772</u>

The above named applicant hereby requests and authorizes Sioux Valley Southwestern Electric (SVSW) to do the above described service and agrees to pay the aid-to-construction cost listed above. Payment must be received (or arrangements made) and the following terms and conditions met before work will proceed.

THE APPLICANT AGREES TO THE FOLLOWING TERMS AND CONDITIONS:

1. SVSW shall install, own, and maintain all facilities necessary to provide an electric distribution system. SVSW will determine the exact location of its facilities. All work will be done according to SVSW Policies, Board Operating Guides and Management Operating Procedures. If future changes to the distribution system are requested by the member that are not deemed necessary to the ongoing provision of electrical services in SVSW's sole judgment and discretion, the member is responsible for the full cost of any requested changes and any reestablishment of the system to its original configuration. SVSW will not make requested changes that in its sole judgment and discretion it deems contrary to applicable safety codes and/or sound engineering practice.
2. The aid-to-construction cost listed above is valid only if payment is made for the 2025 construction season.
3. If sidewalks or driveways on the developer's/owner's property require that directional boring and/or hand digging will be needed to install the facilities, an additional directional boring fee may be charged in addition to the aid-to-construction cost listed above.
4. If installation of facilities occurs between November 1 and May 1 (winter construction season), then a frost installation fee (frost charge) may be charged in addition to the aid-to-construction cost listed above. The frost charges will be billed according to the fee schedule in the SVSW policy for frost charges (2-M-102).
5. Prior to the installation of the above-described facilities, the developer or owner shall grant such easement rights as may be required for the installation, operation, and maintenance of said facilities, and grade levels shall be established which shall be no more than six (6) inches above or below the final finished grade. The developer or owner agrees to provide permanent access to said facilities, and does grant SVSW the right to install, operate, and maintain said facilities.
6. When multiple members will share a new line extension, the contribution charges shall be prorated between the members sharing the facilities. If a member(s) pays a contribution in Aid of Construction for a line greater than 1300 feet, and within 5 years additional services are constructed which utilize the portion of the line paid for, the member who paid is eligible for a refund of a portion of the original contribution. Refunds will be prorated on the basis of footage, as well as the number of members using the facility. A line section can only have one refund applied against it. The refund is limited to the original member who is taking electric service at the location. Developers are not eligible for refunds.
7. In the event that the member fails to use or ceases to use within the first five (5) years, the facilities as described to the Cooperative in the request for service, the member is responsible for paying for the remaining investment costs associated with installing the new facilities to the member.
8. Wiring certificate forms shall be posted or distributed per State instructions.
9. Single phase motors (10 hp and larger) and three phase motors (30 hp and larger) may require the use of soft start or other suitable starting devices that limit motor starting current. Contact SVSW for engineering review prior to the use of these motors.
10. Single phase services are limited to a maximum of 100 kVA of load (415 amps for 120/240 volt service).
11. Billing for electric energy and applicable basic charge will start when service is available or as agreed upon. A security deposit may also be required.

If you agree to the above said terms and conditions, please sign and date this application and return it with your payment to **Engineering Department, Sioux Valley Southwestern Electric, PO Box 216, Colman, SD 57017**

If you have any questions, please call (800) 234-1960.

Applicant's Signature _____

Date _____

Applicant's Name (printed) _____

Email: _____

Daytime Phone: _____

For office use only:

Date Payment received _____

Nuisances

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(11) *Spraying of trees*. Whenever the Tree Inspector determines that any tree or wood is infected or threatened with infection, he or she may spray or treat all nearby high value trees with an effective concentrate or fungicide or both. Activities authorized by this division (H) shall be conducted in accordance with technical and expert opinions and plans of the Commissioner of Agriculture and under the supervision of the Commissioner and his or her agents whenever possible. The notice and assessment provisions of division (H)(6) above apply to spraying and treatment operations conducted under this division (H)(11).

(I) Storage restrictions include the following.

(1) Firewood shall be stored in compact and orderly fashion so as not to constitute a hazard to adjacent buildings or property and to endanger the public health; all firewood shall be stored or stacked up off the surface of the ground.

(2) Stacks of wood in the open shall not exceed six feet in the height and shall not be located less than five feet from a boundary line, without consent of adjacent property owners.

(3) There shall be no front yard or front lot storage of firewood in the city, provided that this division (I)(3) shall not prevent businesses that sell firewood from displaying firewood to the public in a manner that is deemed necessary for said business purposes, as long as said storage and display does not violate any other of the provisions of the section.

(J) Dense smoke, noxious fumes, gas and soot, or cinders in unreasonable quantities; and/or

(K) Storing of hazardous materials such as gasoline, paint, oil, and other hazardous chemicals unless it is in an enclosed building.

(2005 Code, § 13.02) Penalty, see § 92.99

§ 92.03 PUBLIC NUISANCE AFFECTING PEACE AND SAFETY.

The following are declared to be nuisances affecting public peace and safety:

(A) All trees, hedges, billboards, or other obstructions which prevent people from having a clear view of all traffic approaching an intersection;

(B) All wires and limbs of trees which are so close to the surface of the sidewalk or street as to constitute a danger to pedestrians or vehicles;

(C) All unnecessary noises and annoying vibrations;

(D) Every motor vehicle shall at all times be equipped with a muffler in good working order which blends the exhaust noise into the overall vehicle noise and is in constant operation to prevent excessive

Pipestone - General Regulations

or unusual noise, and no person shall use a dynamic engine or transmission brake, muffler cutout, bypass, or similar device upon a motor vehicle on a street or highway. The exhaust system shall not emit or produce a sharp popping or crackling sound;

(E) Obstructions and excavations affecting the ordinary public use of streets, alleys, sidewalks, or public grounds except under such conditions as are permitted by this code or other applicable law;

(F) Radio aerials or television antennas erected and maintained in a dangerous manner;

(G) Any use of property abutting on a public street or sidewalk which causes large crowds of people to gather, obstructing traffic and the free use of the street or sidewalk;

(H) All hanging signs, awnings, and other similar structures over streets and sidewalks, or so situated as to endanger public safety; or not constructed and maintained as provided by ordinance;

(I) The allowing of rain water, ice, or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk;

(K) All dangerous, unguarded machinery in any public place, or so situated or operated on private property as to attract the public;

(L) Waste water cast upon or permitted to flow upon streets or other public properties;

(M) Accumulation of discarded or disused machinery, household appliances, automobile bodies, or other material in a manner creating fire, health, or safety hazards from such accumulation;

(N) All materials not intended for or a part of landscaping or functionality of the property shall be stored inside a structure suitable for storage or concealed from public view;

(O) Any well, hole, or similar excavation which is left uncovered or in such other condition as to constitute a hazard to any child or other person coming on the premises where it is located;

(P) Obstruction to the free flow of water in a natural waterway or a public street drain, gutter, or ditch with trash or other materials;

(Q) The placing or throwing on any street, sidewalk, or other public property of any glass, tacks, nails, bottles, or other substance which may injure any person or animal or damage any pneumatic tire when passing over such substance;

(R) The depositing of garbage, refuse, or debris on public or private property; and

(S) All other conditions or things which are likely to cause injury to the person or property of anyone.

(2005 Code, § 13.03) Penalty, see § 92.99

Miscellaneous Misdemeanors

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- (B) The conditions or limitations set forth in said permit have been violated;
- (C) Violations set forth in any written notice served upon a permittee by the Fire Marshal/Fire Chief have not been corrected within the time required by the notice; or
- (D) The permit is being used for any premises or location other than that for which it was issued.
(2005 Code, § 10.42)

§ 93.26 REPORTING FIRES.

It is unlawful for the occupant of any property upon which any unauthorized fire is burning, whether the fire was started by the occupant or otherwise, to fail to promptly report the fire to the nearest forestry office, fire department, or other proper authority. The occupant of the premises shall be deemed prima facie guilty of negligence if the unreported fire spreads from the property or causes damage, loss, or injury to another person, that person's property, or the state.
(2005 Code, § 10.42) Penalty, see § 93.99

§ 93.99 PENALTY.

(A) (1) Any person, firm, or corporation who violates any provision of this code for which another penalty is not specifically provided shall, upon conviction, be guilty of a misdemeanor. The penalty which may be imposed for any crime which is a misdemeanor under this code, including state statutes specifically adopted by reference, shall be a sentence of not more than 90 days or a fine of not more than \$1,000, or both.

(2) Any person, firm, or corporation who violates any provision of this code, including state statutes specifically adopted by reference, which is designated to be a petty misdemeanor shall, upon conviction, be guilty of a petty misdemeanor. The penalty which may be imposed for any petty offense which is a petty misdemeanor shall be a fine of not more than \$300.

(3) In either the case of a misdemeanor or a petty misdemeanor, the costs of prosecution may be added. A separate offense shall be deemed committed upon each day during which a violation occurs or continues.

(4) The failure of any officer or employee of the city to perform any official duty imposed by this code shall not subject the officer or employee to the penalty imposed for violation.
(2005 Code, § 10.99)

(B) (1) Any person, firm, or corporation who violates any provision of § 93.20 for which another penalty is not specifically provided shall, upon conviction, be guilty of a misdemeanor. The penalty

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which may be imposed for any crime which is a misdemeanor under this code, including state statutes specifically adopted by reference, shall be a sentence of not more than 90 days or a fine of not more than \$1,000, or both.

(2) Any person, firm, or corporation who violates any provision of this code, including state statutes specifically adopted by reference, which is designated to be a petty misdemeanor shall, upon conviction, be guilty of a petty misdemeanor. The penalty which may be imposed for any petty offense which is a petty misdemeanor shall be a fine of not more than \$300.

(3) In either the case of a misdemeanor or a petty misdemeanor, the costs of prosecution may be added. A separate offense shall be deemed committed upon each day during which a violation occurs or continues.

(4) The failure of any officer or employee of the city to perform any official duty imposed by this code shall not subject the officer or employee to the penalty imposed for violation.
(2005 Code, § 10.40)