

**SPRING LAKE TOWNSHIP
SCOTT COUNTY
STATE OF MINNESOTA**

ORDINANCE NO. 16-001

**ORDINANCE PROHIBITING THE DISCHARGE OF FIREARMS
IN THE AREA OF SPRING LAKE WITHIN THE TOWNSHIP**

SPRING LAKE TOWNSHIP, SCOTT COUNTY, MINNESOTA HEREBY ORDAINS:

Section 1. Authority.

This ordinance is adopted pursuant to the authority stated in Minn. Stat. Chapter 366.

Section 2. Statement of Purpose.

The Town Board finds that the discharge of firearms on or near Spring Lake within the Township of Spring Lake (“Township”) creates public safety and welfare concerns for the Township’s residents. Spring Lake is located within the boundaries of both the City of Prior Lake (“City”) and the Township. Spring Lake is within the orderly annexation area of the City. Hunting is prohibited within the City. As a result of the City’s hunting prohibition, firearm discharge on or over Spring Lake is concentrated within that portion of Spring Lake that lies within the Township. The discharge of firearms, whether for hunting, target practice or otherwise, creates potential for public nuisance noise and the potential for projectiles to damage property or injure persons. There is a high concentration of Township citizens living in close proximity to Spring Lake. The Town Board deems that it is in the public interest to protect property and to promote the health, safety, and general welfare of its residents within the Township by prohibiting the discharge of firearms on or near Spring Lake as it is in a platted residential area within the Township

Section 3. Definition.

“Firearm” is defined as any gun or device that discharges a projectile or shot by means of an explosive, a gas, or compressed air.

“Ordinary High Water Elevation” is defined as the elevation delineating the highest water level that has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly the point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial.

Section 4. Prohibition.

The discharge of a firearm is prohibited on or within the boundary of Spring Lake and within 300 feet inland of the ordinary high water elevation thereof. No firearm shall be discharged so that the projectile or shot falls within the boundary of Spring Lake or within 300 feet inland of the ordinary high water elevation thereof.

Section 5. Exception.

This ordinance shall not apply to any game warden or law enforcement official employed by the State of Minnesota, a political subdivision thereof, or the federal government and who discharges a firearm in the course of official duties.

Section 6. Penalty and Enforcement.

Any person violating this ordinance shall be guilty of a misdemeanor and shall be subject to the maximum penalties therefor under Minnesota law. The Scott County Sheriff's Office is authorized to enforce this ordinance.

Section 7. Separability.

It is hereby declared to be the intention that the several provisions of this ordinance are separable in accordance with the following: If any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provisions of this ordinance not specifically included in said judgment.

Section 8. Summary approved.

The Town Board hereby determines that the text of the summary marked "Official Summary of Ordinance No. 16- 001", a copy of which is attached hereto, clearly informs the public of the intent and effect of the ordinance. The Town Board further determines that publication of the title and such summary will clearly inform the public of the intent and effect of the ordinance.

Section 9. Filing.

The Town Clerk shall file a copy of this ordinance in her office, which copy shall be available for inspection by any person during regular office hours.

Section 10. Publication.

The Town Clerk shall publish the title of this ordinance and the official summary in the official newspaper of the Township with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours at the office of the Town Clerk.

Section 11. Effective date.

This ordinance shall be in full force and effect from and after its passage and publication.

Adopted by the Town Board of Spring Lake Township, this ____ day of _____, 2016.

Glenn Kelley
Chair, Spring Lake Town Board

ATTEST:

Kathy Nielsen
Clerk, Spring Lake Town Board

OFFICIAL SUMMARY OF ORDINANCE NO. 16-001

**ORDINANCE PROHIBITING THE DISCHARGE OF FIREARMS
IN THE AREA SPRING LAKE WITHIN THE TOWNSHIP**

The following is the official summary of Ordinance No. 16-001 as approved by the Board of Supervisors for the Spring Lake Township on the ____ day of _____, 2016:

The ordinance prohibits the discharge of a firearm on or within the boundaries of Spring Lake and within 300 feet inland of the ordinary high water elevation thereof. Further, no firearm shall be discharged so that the projectile or shot falls within the boundary of Spring Lake or within 300 feet inland of the ordinary high water elevation thereof. Violation of the ordinance is a misdemeanor.

A printed copy of the ordinance is available for inspection by any person during regular office hours at the office of the Town Clerk at the Spring Lake Township Town Hall at 20381 Fairlawn Avenue, Prior Lake, Minnesota.

Effective date. This ordinance shall take effect upon its passage and publication.