

TABLE OF CONTENTS

	Page
Title page	i
Officials of the City at the Time of this Codification	ii
Preface	iii
Adopting Ordinance	iv
Certificate of Adoption	v
Table of Contents	vi
2005 REVISED ORDINANCES of the CITY of MENNO	
Chapter 1 General Provisions	
Section 1-1 Title	1
Section 1-2 Catchlines of sections	1
Section 1-3 Rules of construction and definitions	1
Construction	1
Definitions	3
Section 1-4 Continuance of city’s rights and obligations	8
Section 1-5 Code does not impair vested rights or valid obligations	8
Section 1-6 Territorial applications of Code	9
Section 1-7 Continuation in force of prior ordinances and resolutions	9
Section 1-8 Miscellaneous ordinances not affected by Code	9
Section 1-9 General penalty; continuing violations	9
Section 1-10 Liability of corporations for violations	9
Section 1-11 Prosecution’s election when offense created by more than one section	9
Section 1-12 Powers and authorities are cumulative; separability of pars of Code	10
Section 1-13 Effect of Repeal	10
Chapter 2 Abandoned Vehicles	
Section 2-1 Declaration of public interest in disposal	11
Section 2-2 Authority of removal agency	11
Section 2-3 Entry on land for purpose of removal	11
Section 2-4 Title information to removal agency	11
Section 2-5 Notice to owner after removal	11
Section 2-6 Vesting of title in removal agency after notice sent – Time allowed for holder of title or lienholder to reclaim – Notice of intent to reclaim – Failure to reclaim	12
Section 2-7 Application for certificate of title by removal agency	12
Chapter 3 Administration	
Article I. In General	13
Section 3-1 Definitions	13
Article II. Council Meetings	13
Section 3-2 Time and place of regular meetings	13
Section 3-3 Notice of meeting	13
Section 3-4 Special meetings	13
Section 3-5 Notice of special meetings	14

Section 3-6	Action to reconsider or rescind at special meeting	14
Section 3-7	Meetings open to public; interference with meetings, etc.	14
Section 3-8	Attendance may be compelled; penalty for failure to attend	14
Section 3-9	Quorum	14
Section 3-10	Deferment of final action on council committee reports	14
Section 3-11	Voting	14
Section 3-12	Adjourned meeting	15
Section 3-13	Parliamentary rules	15
Section 3-14	Expulsion of members	15
Section 3-15	Compensation of members	15
Section 3-16 – 3-25	Reserved	15
 Article III. Elected Officials - Mayor		
Section 3-26	Mayor – Term of office	15
Section 3-27	Qualifications of mayor	15
Section 3-28	Powers and duties of mayor	15
Section 3-29	Vacancy in office of mayor	16
Section 3-30 – 3-45	Reserved	16
 Article IV. Elected Officials – Council		
Section 3-46	Composition of city council – Election and terms of office of aldermen	16
Section 3-47	Qualifications of city council members	16
Section 3-48	Power of council to judge members and govern proceedings – Bribery vacating office	16
Section 3-49	Vacancy on city council	16
Section 3-50	President and vice-president of council	16
Section 3-51	Grounds for removal	17
Section 3-52 – 3-65	Reserved	17
 Article V. Officers and Employees		
Section 3-66	Officers and employees	17
Section 3-67	Authority to appoint municipal officers	17
Section 3-68	Commissions and certificate of appointment	17
Section 3-69	Residence requirements	18
Section 3-70	Qualifications and entry into office	18
Section 3-71	Oath of office	18
Section 3-72	Bond requirements	18
Section 3-73	Removal from office	18
Section 3-74	City attorney duties	18
Section 3-75	Finance officer duties	18
Section 3-76	Additional duties of municipal officers	19
Section 3-77	Civil process fees accounted for by policemen	19
Section 3-78	Delivery of records and property to successor in office – Liability and penalties for refusal	19
Section 3-79	Compensation of officers and employees	19
Section 3-80	Expenses of officers and employees in attending meetings	19
Section 3-81 – 3-100	Reserved	19
 Article VI. Board of Health		
Section 3-101	Establishment	19
Section 3-102	Appointment of officers and members	19
Section 3-103	Meetings of the board	19
Section 3-104	Duties and powers of the board	20
Section 3-105	Duty of health officer	20
Section 3-106	Police powers of inspectors	20

Section 3-107	Quarantine	20
Section 3-108	Right to enter premises	20
Chapter 4 Alcoholic Beverages		
Section 4-1	Definition of terms	21
Section 4-2	Required license	21
Section 4-3	Number of licenses	21
Section 4-4	Classifications and fees	21
Section 4-5	License removal	21
Section 4-6	No deliveries of liquor	21
Section 4-7	Possession in a public place	22
Section 4-8	Selling hours	22
Section 4-9	Selling liquor on Sundays	22
Section 4-10	Off-sale sales	22
Section 4-11	On-sale sales	22
Section 4-12	Central Standard Time and Central Daylight Savings Time	22
Section 4-13	Serving liquor outside of establishment	22
Section 4-14	Unsealed container	23
Section 4-15	Possession of open bottle or can	23
Section 4-16	Beer Garden	23
Section 4-17	Entertainment	24
Chapter 5 Animals		
Section 5-1	Animals running at large	25
Section 5-2	Cruelty to animals	25
Section 5-3	Housing prohibited	25
Section 5-4	Noises	25
Section 5-5	Unlawful keeping and public nuisance	25
Section 5-6	Licensing of dogs	
Section 5-7	Conditions for dog license	
Section 5-8	Rabies vaccine in general	
Section 5-9	City dog tags	
Section 5-10	Rabies certificates and tags	
Section 5-11	Alien vaccinations	
Section 5-12	Rabies observation	
Section 5-13	Number of pets limited	
Section 5-14	Removal of fecal matter	
Section 5-15	Violations of chapter	
Chapter 6 Boundaries – Changing Municipal Boundaries		
Section 6-1	Annexation of contiguous territory on petition	26
Section 6-2	Study required before annexation without petition	26
Section 6-3	Resolution of intent to annex	26
Section 6-4	Notice to county commissioners and landowners of hearing on resolution – Adoption	26
Section 6-5	Hearing on annexation – Notice to county commissioners and landowners - Adoption resolution – Contents	26
Section 6-6	Petition for exclusion of territory from municipality – Resolution of governing body	27
Section 6-7	Publication of petition for exclusion of territory	27
Section 6-8	Petition to circuit court for exclusion of territory after refusal by governing body	27
Section 6-9	Recording of resolution or decree changing municipal boundaries – Effective date	27

Chapter 7	Burning	
	Section 7-1	Open burning prohibited 28
	Section 7-2	Exceptions 28
	Section 7-3	Application is approved 28
	Section 7-4	Application is denied 28
Chapter 8	Cable TV	
	Section 8-1	Grant of non-exclusive authority 29
	Section 8-2	Duration and renewal 29
	Section 8-3	Compliance 29
	Section 8-4	Territorial area 29
	Section 8-5	Liability and indemnification 29
	Section 8-6	Operation and maintenance of system 30
	Section 8-7	Service to schools and city 30
	Section 8-8	Emergency use of facilities 30
	Section 8-9	Other business activities 30
	Section 8-10	Safety requirements 30
	Section 8-11	New developments 31
	Section 8-12	Limitations on rights granted 31
	Section 8-13	Removal of facilities 32
	Section 8-14	Transfer of franchise 32
	Section 8-15	Payment to the city 33
	Section 8-16	Erection, removal, and common use of poles 33
	Section 8-17	Rates 34
	Section 8-18	Complaint procedures 34
	Section 8-19	Unauthorized receipt of service, tampering, and damage to property 34
Chapter 9	Cemetery	
	Section 9-1	Establishment 35
	Section 9-2	Maintenance policy 35
	Section 9-3	Snow removal 35
	Section 9-4	Casket enclosure 35
Chapter 10	Dogs, Wild Animals, and Vicious Animals	
	Section 10-1	Dogs running at large prohibited 36
	Section 10-2	Wild animals prohibited 36
	Section 10-3	Vicious animals prohibited 36
	Section 10-4	Vicious animals defined, declared vicious 36
	Section 10-5	Enforcement 37
Chapter 11	Elections	
	Section 11-1	Date of annual municipal election – Hours of voting 38
	Section 11-2	Qualifications to hold office 38
	Section 11-3	Absence of contest 38
	Section 11-4	Publication of notice of vacancies – Times 38
	Section 11-5	Filing certificates of nomination 38
	Section 11-6	Number of signers required for nominating petitions 38
	Section 11-7	Residence mailing address and date added to signature – Form and verification of petition 39
	Section 11-8	Notice of municipal election 39
	Section 11-9	Special elections 39
	Section 11-10	Qualifications of voters 39
	Section 11-11	Election precincts 39
	Section 11-12	General election laws 40

Section 11-13	Precinct election boards – Composition – Compensations	40
Section 11-14	Notice to persons elected – Time allowed for qualification	40
Chapter 12	Emergency Vehicles	
Section 12-1	Fire department vehicles	41
Section 12-2	Operation of vehicles on approach of authorized emergency vehicle	41
Chapter 13	Fences, Hedges, or Walls	
Section 13-1	Erection of fences, hedges, or walls	42
Section 13-2	Barbed wire or electric fence	42
Section 13-3	Use of material prohibited to build	42
Section 13-4	Exemptions	42
Chapter 13A	Structure Setback Requirements	
Section 13A-1	Minimum Setback Requirements	
Section 13A-2	Measuring Setback	
Section 13A-3	Application to Building Attachments	
Chapter 14	Fire/Fire Department	
Section 14-1	Fire districts and zones	43
Section 14-2	Exits in public buildings	43
Section 14-3	Public buildings defined	43
Section 14-4	Storage of inflammable substance	43
Section 14-5	Volunteer fire department established	43
Section 14-6	Compensation	43
Section 14-7	Officers	43
Section 14-8	Duties of fire chief	43
Section 14-9	Powers of fire chief	44
Section 14-10	Chief may remove buildings	44
Section 14-11	Interfering with department	44
Section 14-12	False alarm of fire	44
Section 14-13	Duties of police	44
Section 14-14	Fire apparatus	44
Section 14-15	Interfering with fire hydrants	44
Chapter 15	Firewood	
Section 15-1	Storage of firewood	45
Chapter 16	Fireworks	
Section 16-1	Fireworks	46
Section 16-2	Permission for fireworks display	46
Section 16-3	Sale of fireworks	46
Section 16-4	Period and times during which retail sales permitted	46
Section 16-5	Period and times to discharge fireworks	46
Section 16-6	Exception to times to discharge fireworks	46
Section 16-7	Bottle rockets prohibited	46
Chapter 17	Flood Prevention	
Section 17-1	Authorization	47
Section 17-2	Finding of facts	47
Section 17-3	Statement of purpose	47
Section 17-4	Methods of reducing floods	47

Section 17-5	Applicable lands	48
Section 17-6	Establishing areas of special flood hazards	48
Section 17-7	Compliance	48
Section 17-8	Abrogation and greater restrictions	48
Section 17-9	Interpretations	48
Section 17-10	Warning and disclaimer of liability	48
Section 17-11	Permit procedures	49
Section 17-12	Designation of the flood control officer	49
Section 17-13	Duties and responsibilities of the flood control officer	49
	A. Permit Review	49
	B. Use of other base flood data	50
	C. Information to be obtained and maintained	50
	D. Alteration of watercourses	50
	E. Interpretation of FIRM boundaries	50
Section 17-14	General standards	50
Section 17-15	Specific standards	52
Chapter 18	Licenses, Permits, and Bonds	
Section 18-1	License required	53
Section 18-2	License application	53
Section 18-3	Permit Application	53
Section 18-4	Payment of license or permit fee	53
Section 18-5	Issuance of license	53
Section 18-6	Term of license	53
Section 18-7	Approval of bonds	53
Section 18-8	Revocation	53
Section 18-9	Registry listing	54
Section 18-10	Shows and amusements	54
Chapter 19	Minors	
Section 19-1	Curfew established	55
Section 19-2	Adults permitting minors to break curfew	55
Section 19-3	Enticing from parents or guardians prohibited	55
Chapter 20	Miscellaneous Offenses	
Section 20-1	Peddlers	56
Section 20-2	Spitting on sidewalks and in public places	56
Section 20-3	Loitering	56
Section 20-4	False alarm of fire	56
Section 20-5	False alarm of bomb threat	56
Chapter 21	Natural Gas	
Section 21-1	Right to use street	57
Section 21-2	Liability	57
Section 21-3	Binding contact	57
Chapter 22	Nuisances	
Section 22-1	Nuisance prohibited	58
Section 22-2	Public nuisance defined	58
Section 22-3	Acts, conditions and things declared nuisances	58
Section 22-4	Abatement of nuisances	59
Section 22-5	Distribution of unwholesome food	59
Section 22-6	Garbage	60

Section 22-7	Garbage accumulation	60
Section 22-8	Vacating premises	60
Section 22-9	Dumping garbage	60
Section 22-10	Establishment of restricted use site	60
Section 22-11	Smoke and dust nuisances	60
Section 22-12	Storage of personality	61
Section 22-13	Summary abatement of nuisances	61
Chapter 23 Ordinances and Resolutions		
Section 23-1	Definition of terms	62
Section 23-2	Power to adopt, amend and repeal ordinances and resolutions – Maximum penalty	62
Section 23-3	One subject expressed in title of ordinance	62
Section 23-4	Style of ordinance	62
Section 23-5	Reading, passage, and publication of ordinance	62
Section 23-6	Passage, recording, and publication of resolutions	62
Section 23-7	Recording of votes on ordinances	63
Section 23-8	Veto power of the mayor	63
Section 23-9	Reconsideration of vetoed ordinance	63
Section 23-10	Ordinance becoming law without mayor’s signature	63
Section 23-11	Effective date of resolutions and ordinances	63
Section 23-12	Recording ordinances in ordinance book	63
Section 23-13	Compilation of ordinances	63
Section 23-14	Revision of ordinances – Committee to prepare revision	64
Section 23-15	Notice of adoption of ordinance in revision – Effective date – Publication in book form	64
Section 23-16	Evidence of ordinances and resolutions	64
Section 23-17	Ordinances and resolutions presumed valid unless controverted	64
Chapter 24 Parks and Parkways		
Section 24-1	Control of parks and parkways	65
Section 24-2	Picnic and recreational areas	65
Section 24-3	Animals in parks and parkways	65
Section 24-4	Disorderly conduct and loafing in parks	65
Section 24-5	Traffic	65
Section 24-6	Hours	65
Section 24-7	Park property	65
Section 24-8	Camping	66
Chapter 25 Property		
Section 25-1	Damaging public property	67
Section 25-2	Damaging private property	67
Section 25-3	Damaging street lighting equipment	67
Chapter 26 Public Places		
Section 26-1	Crowds obstructing streets and sidewalks	68
Section 26-2	Obstructing streets	68
Section 26-3	Deposits on streets	68
Section 26-4	Noisy advertisements	68
Section 26-5	Signs – injury or alterations	68
Section 26-6	Signs on sidewalks	68
Section 26-7	Water freezing on streets	68
Chapter 27 Public Welfare		

Section 27-1	Assault and battery prohibited	69
Section 27-2	Throwing stones and missiles	69
Section 27-3	Drawing deadly weapons prohibited	69
Section 27-4	Disorderly conduct	69
Section 27-5	Disturbing the peace	69
Section 27-6	Disturbances at public places prohibited	69
Section 27-7	Disturbance of religious meeting prohibited	70
Section 27-8	Obscene literature or conduct	70
Section 27-9	Resisting an officer	70
Section 27-10	Vagrancy	70
Section 27-11	Riot	70
Chapter 28	Sanitation – Garbage	
Section 28-1	Establishment	71
Section 28-2	City collection service	71
Section 28-3	Collection frequency	71
Section 28-4	Containers	71
Section 28-5	Location of containers	72
Section 28-6	Preparation of refuse for collection	72
Section 28-7	Collection fees	72
Section 28-8	Payment of fees	72
Section 28-9	Delinquent payments	72
Section 28-10	Nuisance	72
Chapter 29	Sewer	
Section 29-1	Sewer rates	73
Section 29-2	Sewer excavations – Taps	73
Section 29-3	Refilling sewer excavations	73
Section 29-4	Approval required prior to connection	73
Section 29-5	Private wastewater disposal	74
Section 29-6	Sanitary sewers, building sewers, and connections	74
Section 29-7	Use of public sewers	76
Section 29-8	Malicious intent	79
Section 29-9	Powers and authority of inspectors	79
Section 29-10	Hearing board	80
Section 29-11	Penalty	80
Chapter 30	Sidewalks and Driveways	
Section 30-1	Sidewalk construction	81
Section 30-2	Sidewalk specifications	81
Section 30-3	Width of sidewalks	81
Section 30-4	Damaged sidewalks	81
Section 30-5	Notice to owners	81
Section 30-6	Construction or repair by city	82
Section 30-7	Assessment of sidewalk costs against abutting property	82
Section 30-8	Liability of owner for failure to make repair – Notification of nonresident owner	82
Section 30-9	Drainage standards for driveways	82
Chapter 31	Snow Removal	
Section 31-1	Snow removal	83
Section 31-2	Duty of owner or occupant – Removal by city - Cost assessed	83
Section 31-3	Duty of owner or occupant in business district – Removal by city – cost assessed	83
Section 31-4	Method of assessment	83

Chapter 32	Snowmobiles	
	Section 32-1	Age restrictions 85
	Section 32-2	Hours of operation 85
	Section 32-3	Roadway restrictions 85
	Section 32-4	Snowmobile regulations 85
Chapter 33	Streets	
	Section 33-1	City power over streets, alleys and public grounds – Types of improvements permitted 86
	Section 33-2	Names of streets and avenues 86
	Section 33-3	Roadway widths 86
Chapter 34	Swimming Pool	
	Section 34-1	Establishment 87
	Section 34-2	Management 87
Chapter 35	Tax – Sales & Use	
	Section 35-1	Purpose 88
	Section 35-2	Effective date and enactment of tax – Exemptions 88
	Section 35-3	Use tax 88
	Section 35-4	Collection 88
	Section 35-5	Interpretation 88
	Section 35-6	Penalty 89
	Section 35-7	Separability 89
Chapter 36	Traffic	
	Section 36-1	Obedience to police 90
	Section 36-2	Scene of fire or emergency 90
	Section 36-3	Signs and signals 90
	Section 36-4	Unauthorized signs 90
	Section 36-5	Injuring or interference of traffic signs 90
	Section 36-6	Animals or bicycles 90
	Section 36-7	ATV's and golf carts 91
	Section 36-8	Speed limits 91
	Section 36-9	Traffic minimum regulations 91
	Section 36-10	Vehicles on the right side of the street 91
	Section 36-11	Left hand turns 91
	Section 36-12	Parking 91
	Section 36-13	Towing and storing of vehicles 92
	Section 36-14	Exhibition driving 92
	Section 36-15	Stop signs at through highways and dangerous intersections 92
	Section 36-16	Turning or stopping signals 93
	Section 36-17	Incapable drivers 93
	Section 36-18	Backing 93
	Section 36-19	Proper lookout 93
	Section 36-20	Mufflers and muffler cut-outs, smoke, standing with motor running 93
	Section 36-21	Following vehicles too closely 93
	Section 36-22	Driving from alleys, driveways, and garages 93
	Section 36-23	Vehicles not to be driven on sidewalks 94
	Section 36-24	Right-of-way 94
	Section 36-25	Driving while intoxicated or using drugs 94
	Section 36-26	Pedestrian right-of-way 94
	Section 36-27	Prohibition against use of engine compression brakes 94
	Section 36-28	Exemptions 94

Chapter 37	Trees	
Section 37-1	Trimming trees	96
Section 37-2	Dangerous or diseased trees removed	96
Chapter 38	Water	
Section 38-1	Officer appointment	97
Section 38-2	Duty of superintendent	97
Section 38-3	Salary	97
Section 38-4	General rules and regulations	97
Section 38-5	Connecting to city water	97
Section 38-6	Approval required	98
Section 38-7	Test completion	98
Section 38-8	Guarding excavations	98
Section 38-9	Tapping main	98
Section 38-10	Service pipe connection	98
Section 38-11	Service pipes	98
Section 38-12	Depth of service pipes	99
Section 38-13	Excavations	99
Section 38-14	Curb stop	99
Section 38-15	Separate cut-off boxes	99
Section 38-16	Service ditch inspection	99
Section 38-17	Service pipe responsibility	99
Section 38-18	Sewer repair procedure	100
Section 38-19	Fire protection	100
Section 38-20	Sprinkling restriction	100
Section 38-21	Pipe substitution	100
Section 38-22	Service connections before paving	100
Section 38-23	Placing meters	100
Section 38-24	Meter pits	101
Section 38-25	Meter responsibility	101
Section 38-26	Meters failing to register	101
Section 38-27	Testing meters at request of user	101
Section 38-28	Check valve between meter and boiler	101
Section 38-29	Denial of city liability	102
Section 38-30	Interference – Violation	102
Section 38-31	Water rates	102
Section 38-32	Citywide meter read	102
Section 38-33	Payment for utility services	102
Section 38-34	Delinquent utility payments	102
Section 38-35	Interfering with fire hydrants	103
Section 38-36	Repair of shut-offs	103
Section 38-37	Changing pipes	103
Section 38-38	Cross-connections	103
Section 38-39	Emergencies – Private lines	104
Section 38-40	After-hour service calls	104
Section 38-41	Liability for damages – Interpretation	104
Chapter 39	Weapons, Firearms, and Explosives	
Section 39-1	Discharging firearms prohibited	105
Section 39-2	Concealed weapons	105
Section 39-3	Hunting	105
Chapter 40	Weeds	
Section 40-1	Nuisance declared	106

Section 40-2	Duty to cut, curb, or grub weeds and grass	106
Section 40-3	Notice to cut, curb, or grub weeds or grass	106
Section 40-4	Destruction of weeds or grass cut by the city	106