

**CITY OF ST. AUGUSTA
STEARNS COUNTY, MINNESOTA
ORDINANCE NO. 2005-01**

AN ORDINANCE AMENDING SECTION 2.02 DEFINITIONS OF THE ZONING
ORDINANCE AND SECTION 22.01 RELATING TO EXPLOSIVES AND INCENDIARY
DEVICES WITHIN THE CITY OF ST. AUGUSTA

THE CITY COUNCIL OF THE CITY OF ST. AUGUSTA, MINNESOTA HEREBY
ORDAINS:

Section 1. Section 2.02 of the Zoning Ordinance-City of St. Augusta is hereby amended to include the following definition section related to explosives and incendiary devices.

Explosive - Any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion; that is, with substantially instantaneous release of gas and heat capable of producing destructive effects. The term includes devices that produce a chemical reaction that produces gas capable of bursting its container and producing destructive effects. The term does not mean or include black powder, smokeless powder, primers, and fuses when used for antique or replica muzzleloading rifles, pistols, muskets, shotguns, and cannons or when possessed or used for rifle, pistol, and shotgun ammunition, nor does it include fireworks as defined in Minnesota Statutes Section 624.20.

Incendiary device - means a device so articulated that an ignition by fire, friction, concussion, detonation, or other method may produce destructive effects primarily through combustion rather than explosion. The term does not include a manufactured device or article in common use by the general public that is designed to produce combustion for a lawful purpose, including but not limited to matches, lighters, flares, or devices commercially manufactured primarily for the purpose of illumination, heating, or cooking. The term does not include firearms ammunition.

Section 2. Section 22.01 E relating to Land Filling and Land Excavation/Grading Operations shall be amended to include the following:

The use of any explosive or incendiary device shall be prohibited in mining operations in the City, provided, however, that the use of explosive or incendiary devices may be used when necessary for the purpose of constructing roads or installing municipal sanitary sewer or municipal water service.

Section 3. Enactment. This ordinance shall be in full force and effect upon its passage and publication.

ADOPTED this _____ day of _____ 2005.

CITY OF ST. AUGUSTA

By: _____
B. J. Kroll, Mayor

ATTEST:

By: _____
William R. McCabe, City Administrator