

ORDINANCE NO. 121.00

AN ORDINANCE DEALING WITH ORGANIZATIONS THAT PROVIDE DRUG AND/OR ALCOHOL COUNSELING IN THE CITY OF BROWNS VALLEY

Findings

1. Minnesota State Statutes regulated drug and alcohol counseling in the State of Minnesota.
2. While Minnesota State Statutes requires a drug and alcohol counselor to be licensed by the State of Minnesota in most instances, there are some instances which allow non-licensed individuals to provide this type of counseling, under certain conditions.
3. The City Council believes that it is in the best interests of the citizens of the City of Browns Valley to place restrictions on where non-licensed drug and alcohol counseling can take place in the City of Browns Valley.

THE CITY COUNCIL OF THE CITY OF BROWNS VALLEY ORDAINS:

Section 1. That Ordinance No. 121 of the Code of Ordinances for the City of Browns Valley is hereby enacted and shall read as follows:

121. Unlicensed Drug and Alcohol Counseling

Subdivision 1. Definitions. The definitions contained in M.S.A. §148C.01 and any subsequent amendments thereto, are hereby incorporated in and made a part of this Ordinance.

Subdivision 2. Application. The provisions of this Ordinance shall apply to any person who is not required to hold a license pursuant to M.S.A. §148C.11.

Subdivision 3. Location. No person or entity shall engage in the practice of alcohol and drug counseling in a program which caters to two or more persons without a license in the City of Browns Valley in or within 1500 feet of the following:

- a. Any residential home or site used for residential purposes.
- b. Any place of religious worship.
- c. Any school site.
- d. Any public library.
- e. Any day care or child care facility.
- f. Any state or federal highway.
- g. Any public park or recreational area site under the control, operation, or management of the county or a city within the county.

- h. Any establishment licensed to sell alcoholic beverages.
- i. Any state or federal government building.

Subdivision 4. Penalty. Any person who violates, neglects, refuses to comply with, or assists or participates in any way in the violation of any of the provisions or requirements of this ordinance is guilty of a misdemeanor and is subject to a penalty of 90 days in jail and/or a \$1000 fine for each violation. Each day such violation continues shall constitute a separate offense.

PASSED AND ADOPTED this 23rd day of March, 2015.

BROWNS VALLEY COUNCIL


Harold Hansen, Mayor

ATTEST:


Thomas A Schmitz, City Administrator

Adoption: March 23, 2015, by a vote of 5-0

Motion: Hansen

Seconded: Heck

Published: March 24, 2015