

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By: Lilligren

Amending Title 8, Chapter 154 of the Minneapolis Code of Ordinances relating to Consumer Protection: Consumer Affairs Division.

The City Council of The City of Minneapolis do ordain as follows:

That Section 154.10 of the above-entitled ordinance be amended to read as follows:

154.10. Established. There is hereby established a consumer affairs division of ~~the department of regulatory services. The director of regulatory services shall designate the director of licenses and consumer services~~ under the supervision of the licensing official, who shall serve as director.

2013-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By: Lilligren

Amending Title 8, Chapter 160 of the Minneapolis Code of Ordinances relating to Consumer Protection: Weights and Measures.

The City Council of The City of Minneapolis do ordain as follows:

That Section 164.40 of the above-entitled ordinance be amended to read as follows:

160.40. Duty to submit devices for inspection. No person maintaining or operating weights, measures, scale-beams, patent balances, steelyards or other instruments shall refuse to exhibit the same to employees of the ~~department of licenses and consumer services~~ director of the consumer affairs division authorized to perform the duties of deputy weighmasters or inspectors of weights and measures, for the purpose of inspection or examination when such officials request exhibition of same for the purpose of inspection or examination.

Section 2. That Section 160.50 of the above-entitled ordinance be amended to read as follows:

160.50. General powers and duties of inspectors. The said inspectors of the ~~department of licenses and consumer services~~ consumer affairs division shall be special police officers and shall from time to time weigh or measure and inspect packages or amounts of commodities of whatever kind kept within the corporate limits of the city for the purpose of sale or in the process of delivery in the city, in order to determine whether the same contain the amounts represented and whether they are offered for sale or sold in accordance with the statutes of the State of Minnesota or ordinances of the city in relation to weights and measures. Such inspectors may, for the purposes above mentioned, and in the general performance of their official duties, enter and go into or upon any stand, place or premises, or stop any vehicle or conveyance delivering any commodity and require the person in charge thereof, if necessary, to go to some convenient place which the inspectors may specify for the purpose of making proper test. The inspectors shall enforce the ordinances of the city and the statutes of Minnesota regulating the size, weight and loads of motor vehicles. The inspectors may

arrest, with or without formal warrant, any violator of the statutes of Minnesota or ordinances of the city in relation to weights or measures.

Section 3. That Section 160.70 of the above-entitled ordinance be amended to read as follows:

160.70. Interfering with inspectors. No person shall, in any way, hinder, impede or obstruct the inspectors of the ~~department of licenses and consumer services~~ consumer affairs division in the performance of their official duties.

Section 4. That Section 160.90 of the above-entitled ordinance be amended to read as follows:

160.90. Complaints of violation. Whenever the ~~department of licenses and consumer services~~ consumer affairs division shall have knowledge of any violation of the provisions of this chapter, or of any other requirement for the use of sealed weights and measures, it shall make complaint to the district court against the party or parties guilty of such violation.

Section 5. That Section 160.110 of the above-entitled ordinance be amended to read as follows:

160.110. Deputy weighers of fuel; bond. There shall be appointed to serve under the ~~department of licenses and consumer services~~ consumer affairs division, one or more deputy weighers for each licensed fuel dealer. Such deputy shall be a licensed fuel dealer or a competent employee of such dealer, and shall hold office until such appointment is revoked. Deputy weighers, before entering upon the duties of their office, shall give bond to the city in the sum of five hundred dollars (\$500.00), with sureties to be approved by the city council, conditioned for the faithful performance of the duties of their office, and they shall serve without pay from the city and shall not be construed to be employees thereof. The same person may be appointed as a deputy weigher for one or more licensed dealers, and if for more than one, only one bond shall be required.

Section 6. That Section 160.130 of the above-entitled ordinance be amended to read as follows:

160.130. City to have standard weights and measures. The ~~department of licenses and consumer services~~ consumer affairs division shall procure, at the expense of the city, a complete set of weights and measures, which shall be tried, proved and sealed by the state; and when so sealed and certified, such weights and measures shall be the city's standard. Such weights and measures shall be tried, proved and sealed by the county standard once in every two (2) years.

Section 7. That Section 160.140 of the above-entitled ordinance be amended to read as follows:

160.140. Tests required and authorized. A representative of the ~~department of licenses and consumer services~~ consumer affairs division shall visit the places of business of every person engaged in any business, trade or occupation requiring the use of weights and measures; and then and there try, prove and seal all scale-beams, steelyards, weights and measures; and when not found to be accurate, shall take the same into possession and prevent the further use thereof. The ~~department~~ division shall keep a record, which shall be open for public inspection, and which shall contain entries, under proper headings, of all scale-beams, steelyards, weights and measures sealed, together with the owners' names, and dates when so sealed. The ~~department~~ division may try and prove any scale-beams, steelyards, weights and measures in use within the city at any and all times when it shall deem it necessary for the purpose of detecting inaccuracies in such scale-beams, steelyards, weights and measures. For the tests hereinbefore provided for no fees shall be charged.

Section 8. That Section 160.150 of the above-entitled ordinance be amended to read as follows:

160.150. Tests on request. The ~~department of licenses and consumer services~~ consumer affairs division also may test, upon the request of any person, any scale-beams, steelyards, weights or measures used or kept within the city.

Section 9. That Section 160.240 of the above-entitled ordinance be amended to read as follows:

160.240. Records of dealers. Every licensed fuel dealer shall keep a complete record of all sales or deliveries of fuel and of all advertisements for the sale thereof, for a period of six (6) months after the date of such sale, delivery or advertisement, and such records shall at all reasonable times be open to the inspection of employees of the ~~department of licenses and consumer services~~ consumer affairs division.

Section 10. That Section 160.260 of the above-entitled ordinance be amended to read as follows:

160.260. Liquid fuels. (a) *Definitions.* Whenever used in this section:

- (1) "Tank, truck, trailer or other wheeled conveyance" shall mean an assembly used for the delivery of liquids, comprising a tank, which may or may not be subdivided into two (2) or more compartments, mounted upon a wagon, automobile, truck or trailer, together with its accessory piping, valves, meters, etc.
- (2) "Liquid fuels" shall include fuel in liquid form, which can or may be used for heating purposes and which has an American Petroleum Institute gravity nominally greater than twenty-two (22) and a Saybolt Universal

viscosity of fifty (50) seconds at one hundred (100) degrees Fahrenheit, or less.

(b) *Methods of measuring.* No person shall sell, offer for sale, deliver or attempt to deliver any petroleum product or other liquid to be used for fuel for heating purposes, hereinbefore defined as "liquid fuels," by tank, truck, trailer or other wheeled conveyance, unless measured at the place of delivery by standard liquid gallon or five (5) gallon measure, or by a meter which has been tested, approved and sealed by the Minnesota Division of Weights and Measures. No deliveries of liquid fuels on a meter basis shall be made when a meter is broken and out-of-order, or the seal has been broken or tampered with, defaced or otherwise mutilated. If any meter used upon such tank, truck, trailer or other wheeled conveyance shall become out-of-order, or for any reason inaccurately measured liquid fuel, the person using the same shall immediately report such fact to the ~~department of licenses and consumer services~~ consumer affairs division, which ~~department~~ division may issue a written permit to sell and deliver liquid fuel from compartments which have been calibrated, and whose indicators have been sealed by the Minnesota Division of Weights and Measures, in lieu thereof, for not to exceed forty-eight (48) hours. This section shall not apply to the delivery of liquid fuel by one dealer to another.