

notice to all known parties in interest, the commission shall attempt to establish agreements between adjoining landowners as to the location of common boundaries. If agreement cannot be reached, the commission shall make a recommendation as to the location of the common boundary. The commission shall prepare a plan designating all agreed and recommended boundary lines and report to the city council.

Subd. 3. HEARING. Upon receipt of the plan and a report from the commission, the city council shall hold a public hearing. The council shall give mailed notice to all known parties in interest and published notice 20 days prior to the hearing. The council shall hear all interested parties and may make adjustments to the proposed plan that it deems just and necessary.

Subd. 4. JUDICIAL REVIEW. Following hearing, the council may petition the district court for judicial approval of the proposed plan. The council shall provide sufficient information to identify all parties in interest and shall give notice to parties in interest as the court may order. The court shall determine the location of any contested, disputed, or unagreed boundary and shall determine adverse claims to each parcel as provided in Minnesota Statutes, chapter 559. After hearing and determining all disputes, the court shall issue its judgment in the form of a plat complying with Minnesota Statutes, chapter 505 and designating the owners and encumbrancers of each lot.

Subd. 5. SPECIAL ASSESSMENTS. The city may assess part or all of the cost incurred by it against the benefited properties as provided in Minnesota Statutes, chapter 429.

Presented to the governor March 30, 1990

Signed by the governor April 3, 1990, 8:37 p.m.

CHAPTER 387—S.F.No. 1968

An act relating to pet or companion animals; permitting restrictions to be imposed on persons convicted of mistreating animals; amending Minnesota Statutes 1988, section 343.21, by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1988, section 343.21, is amended by adding a subdivision to read:

Subd. 10. RESTRICTIONS. If a person is convicted of violating this section, the court may require that a pet or companion animal, as defined in section 346.36, subdivision 6, that is in the custody of the person must be turned over to a peace officer or other appropriate officer or agent if the court determines that the person is unable or unfit to provide adequately for the animal. If the evidence indicates lack of proper and reasonable care of the animal, the burden is on the person to affirmatively demonstrate by clear and convincing evidence that the person is able and fit to have custody of and provide adequately for the animal. The court may limit the person's further possession or custody of the animal and other pet or companion animals, and

New language is indicated by underline, deletions by strikeout.

may impose other conditions the court considers appropriate, including, but not limited to:

(1) imposing a probation period during which the person may not have ownership, custody, or control of a pet or companion animal;

(2) requiring periodic visits of the person by an animal control officer or agent appointed pursuant to section 343.01, subdivision 1;

(3) requiring performance by the person of community service in a humane facility; and

(4) requiring the person to receive behavioral counseling.

Sec. 2. EFFECTIVE DATE.

This act is effective the day following final enactment.

Presented to the governor March 30, 1990

Signed by the governor April 3, 1990, 8:38 p.m.

CHAPTER 388—S.F.No. 1692

An act relating to public safety; conforming definition of "family or group family day care home" for purposes of fire code enforcement; providing for civil penalty for violation of the Federal Emergency Planning and Community Right To Know Act; abolishing nominal reimbursements for local fire chiefs; abolishing certain regulation of fire extinguishers now regulated under state fire code; abolishing regulation regarding "no smoking" signs which are regulated by state fire code; abolishing regulations relating to fire alarm deactivation requests and notices; abolishing state licensing of, and certain regulation regarding, dry cleaning and dyeing establishments, which are also regulated by state fire code; abolishing certain state licensing and inspection regulations for theaters and halls, which are regulated by the state fire code; amending Minnesota Statutes 1988, section 299F.011, subdivision 4a; Minnesota Statutes 1989 Supplement, section 299K.10, subdivision 6; repealing Minnesota Statutes 1988, sections 299F.34; 299F.36; 299F.38; 299F.453; 299F.454; 299H.211; 299H.22 to 299H.28; and 299I.01 to 299I.24.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1988, section 299F.011, subdivision 4a, is amended to read:

Subd. 4a. **FAMILY OR GROUP FAMILY DAY CARE HOME REGULATION.** Notwithstanding any contrary provision of this section, the fire marshal shall not adopt or enforce a rule:

New language is indicated by underline, deletions by ~~strikeout~~.