

**CHAPTER 1
GENERAL PROVISIONS**

Section 100 - City Code

100.01 Reference to Code. This code of ordinances is a complete and comprehensive revision and compilation of the ordinances of the City and shall be known as the Taylors Falls City Code and may be cited as, and is sometimes referred to in the Taylors Falls City Code as, "this Code" or "the Code". Reference to the Code shall be deemed to include amendments and additions to the Code.

100.02 Additions. New ordinances proposing amendments or additions to the Code shall be assigned appropriate code numbers and shall be incorporated into the Code as of their effective date. Reference or citation to the Code shall be deemed to include such amendments and additions. When an ordinance is integrated into the Code, there may be omitted from the ordinance the title, enacting clause, section numbers, definitions of terms identical to those contained in this Code, the clause indicating date of adoption, and validating signatures and dates. While integrating ordinances into the Code, the Clerk-Treasurer, in cooperation with the City Attorney, may correct obvious grammatical, punctuation, and spelling errors; change reference numbers to conform with sections, articles, and chapters; substitute figures for written words and vice versa; substitute dates for the words "the effective date of this ordinance"; and perform like actions to insure a uniform code of ordinances without, however, altering the meaning of the ordinances enacted.

100.03 Revision. The City Council shall prepare and arrange to insert in the Code all revised, amended, or repealed provisions at intervals of not exceeding one year.

100.04 Numbering. Each section number of this Code consists of two component parts separated by a decimal. The first digit of the number refers to the chapter number and the decimal after the period refer to the position of the subsection within the chapter. If the chapter is divided into sections, the figure immediately to the left of the decimal corresponds to the part number.

100.05 Title Headings; Cross References. Chapter, section, subdivision, and other titles will not be considered part of the subject matter of this Code but are intended for convenience only and not necessarily as comprehensive titles.

100.06 Copies. Copies of this Code shall be kept in the office of the Clerk-Treasurer for public inspection or sale for a reasonable charge to be determined by council motion or resolution.

100.07 Jurisdiction. The provisions of this Code shall apply to all of the incorporated area of the City, except where specifically provided otherwise.

100.08 Interpretation. In their interpretation and application, the provisions of this Code shall be liberally construed to affect the well-being of the City and to promote good government at a minimum of expense, and shall not be deemed a limitation or repeal of any other powers granted to the City by Minnesota statutes or regulations.

100.09 Existing Rights and Liabilities. The repeal of prior ordinances and adoption of this Code are not to be construed to affect in any manner rights and liabilities existing at the time of repeal and the enactment of this Code. Insofar as provisions in this Code are substantially the same as pre-existing ordinances, they shall be considered as continuations and not as new enactments. Any act done; offense committed; or right

accruing; or liability, penalty, forfeiture, or punishment incurred or assessed prior to the effective date of this Code is not affected by the enactment of the Code.

100.10 Penalties.

Subd. 1 Petty Misdemeanor. Whenever an act or omission is declared by this Code to be a petty misdemeanor, any person violating the provision shall, upon conviction, be subject to the penalties specified by law for a petty misdemeanor.

Subd. 2 Misdemeanors. In any case other than those in which a violation is expressly stated to be a petty misdemeanor in this Code, any person violating the provision will, upon conviction, be subject to the penalties specified by state law for a misdemeanor.

Subd. 3 Separate Violations. Unless otherwise provided, each act of violation and every day on which a violation occurs or continues constitutes a separate offense.

Subd. 4 Application to City Personnel. The failure of any officer or employee of the City to perform any official duty imposed by this Code shall not subject the officer or employee to the penalty imposed for violation unless a penalty is specifically provided for such failure.

100.11 Severability. If any portion of this Code, or part of it, hereafter enacted is held invalid or suspended, such invalidity or suspension shall not apply to any other part of the Code unless it is specifically provided otherwise.

Section 105 - Definitions.

105.01 General. Unless the context clearly indicates otherwise, the following words and phrases have the meaning given them in this Section.

City. "City" means city of Taylors Falls, Minnesota.

Clerk-Treasurer. "Clerk-Treasurer" means the City Clerk-Treasurer.

Council. "Council" means the City Council.

Council Member. "Council Member" means any member of the Council, including the Mayor.

County. "County" means Chisago County.

Internal Definitions. Terms defined in other sections of this Code have the meanings given them in those sections.

Mayor. "Mayor" means the Mayor of Taylors Falls.

Owner. "Owner" means, in the case of personal property, a person, other than a lien holder, having an ownership interest in or title to personal property. In the case of real property, the term means the fee owner of land or the beneficial owner of land whose interest is primarily one of possession and enjoyment in contemplation of ultimate ownership. The term includes purchasers under a contract for deed.

Person. "Person" means any natural individual, firm, partnership, association, or corporation. As applied to partnerships or associations, the term includes the partners or members; as applied to corporations the term includes the officers, agents, or employees.

Public Way. Any street, alley, sidewalk, boulevard, park or other property under the ownership or control of a public body.

Quorum. Unless otherwise specifically stated in this code, "Quorum" means a majority of the members, not including ex-officio non-voting members of the particular body or committee.

Section. "Section" means a section of this Code unless the reference is expressly made to the Minnesota Statutes or other law.

State. "State" means state of Minnesota.

Statutory Definitions. In this Code, the terms defined in Minnesota Statutes, Sections 645.44 and 645.45 have the meanings given them in those sections.

105.02 Interpretation.

Subd. 1 Common Usage. Words and phrases used in this Code shall be interpreted and understood in accordance with common and accepted usage. Technical words or phrases or other words or terms that have acquired a specific or peculiar meaning shall be interpreted and understood in accordance with such meaning.

Subd. 2 Statutory Rules of Interpretation. The rules of interpretation contained in Minnesota Statutes, Chapter 645 are adopted by reference and apply to this Code and govern its interpretation.

Section 110 - Incorporation of State Law

110.01 Adoption by Reference. Statutes or administrative rules or regulations of the State and other codes adopted by reference in this Code are adopted under authority granted by Minnesota Statutes, Section 471.62. One copy of any item adopted, unless more copies are required by law, shall be kept at the City Hall for reference by the public.

110.02 Official Statutes, Codes, Regulations and Ordinances. References in this Code to Minnesota Statutes are to Minnesota Statutes 1992, as amended, unless otherwise provided in this Code. Reference in this Code to rules and regulations of state agencies, codes and ordinances of other municipalities are to those documents in effect as of the time this Code is adopted, unless otherwise provided.

110.03 Relation to State Law. The provisions of this Code are to be construed as the fullest exercise of the regulatory and other powers granted to the City and its officers by State law unless otherwise provided. When this Code imposes a more stringent standard or rule of conduct than imposed by State law, it is intended that the provisions of this Code prevail over the State law, rule or regulation to the extent permitted by law.

Section 115 - Public Hearings

115.01 General. Unless otherwise provided in this Code, or by law, every public hearing required by law, ordinance, or resolution to be held on any legislative or administrative matter shall be conducted according to this Section.

115.02 Notice. Unless otherwise provided by law or in this Code, every hearing shall be preceded by at least 10 days notice by publication and by mailed notice to all persons entitled to mailed notice by law. The notice shall state the time, place and purpose of the hearing. Failure to give notice or defects in the notice procedure will not invalidate the proceedings if a good faith effort has been made to comply with this Section.

115.03 Conduct of Hearing. At the hearing, each party in interest shall be afforded a reasonable opportunity to be heard and to present evidence as is relevant to the proceeding. The Council may adopt rules governing the conduct of hearings, including time limitations for presentation of evidence, records to be made and any other matter which the Council deems appropriate.