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Added 05/20/02

Chapter 1 Code Introduction

Section 100 - General Provisions

100.01 Code Citation. This code of ordinances shall be known as the Silver Bay City Code and may be cited in the Silver Bay City Code as "this Code", "the Code" or "Code". Reference or citation to the Code includes amendments and additions to the Code.

100.02 Existing Rights and Liabilities. The repeal of prior ordinances and the adoption of this Code shall not affect, in any manner, the rights and liabilities existing at the time of repeal and the enactment of this Code. Since provisions in this Code are substantially the same as preexisting 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 before the effective date of this Code is not affected by the enactment of the Code.

100.03 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 digits after the decimal refers to the position of the section within the chapter. When the chapter is divided into parts, the figure immediately to the left of the decimal corresponds to the part number.

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

100.05 Additions and Amendments. 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 includes such amendments and additions. When an ordinance is integrated into the Code, the title, enacting clause, section numbers, definitions of terms identical to those contained in this Code, the clause indicating date of adoption, validating signatures and dates, may be omitted. In integrating ordinances into the Code, the City Administrator 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 do like actions to insure a uniform code of ordinances without, however, altering the meaning of the ordinances enacted.

100.06 Copies. Copies of this Code shall be kept in the office of the Administrator for public inspection or sale for a reasonable charge.

100.07 Separability. If any portion of this Code, or any 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 specifically provided otherwise.

Section 110 - Definitions and Interpretations

110.01 Definitions. Unless the context clearly suggests otherwise, the following words and phrases have the meaning given them in this Section.

Subd. 1 City. "City" shall mean the City of Silver Bay.

Subd. 2 Administrator. "Administrator" shall mean the City Administrator.

References to "Clerk" or "Treasurer" shall mean "Administrator".

Subd. 3 Council. "Council" shall mean the City Council.

Subd. 4 Person. "Person" shall mean 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.

Subd. 5 State. "State" shall mean the State of Minnesota.

110.02 Interpretations. The definitions and rules of construction, presumptions, and miscellaneous provisions concerning construction contained in Minnesota Statutes, Chapter 645, are adopted by reference and made a part of this Code. As so adopted, references in that chapter to laws and statutes mean provisions of this Code and references to the legislature mean the Council.

Section 120 - Violations and Penalties

120.01 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 subjected to a fine not to exceed the maximum allowed under State law.

120.02 Misdemeanors. Unless another penalty is expressly provided in this Code, any person violating any provision of this Code, rule or regulation adopted in the pursuance of it, or any other provision of any code adopted in this Code by reference, including any provision declaring an act or omission to be a misdemeanor, shall upon conviction be subjected to a fine and/or imprisonment in an amount or for a term not to exceed the maximums allowed by State law plus, in either case, the costs of prosecution as permitted by Minnesota Statutes, Rules of Court for the District Courts of Minnesota, and Minnesota Rules of Criminal Procedure.

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

120.04 City Personnel Liability. 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.

**Section 130 Administrative Citations – Civil Enforcement Procedure.
05/20/02 ADDED**