

# CIRCLE PINES CITY CODE

## CHAPTER 1. GENERAL PROVISIONS

### SECTION 100 CITY CODE

**100.01**            **Title.** This Code may be cited as the Circle Pines City Code and is sometimes referred to in the Circle Pines City Code as this Code or the Code. Reference to the Code shall be deemed to include the amendments and additions to the Code.

**100.02**            **Numbering System.** Each section number of this Code consists of two parts separated by a decimal. The first digit or digits refer to the chapter number. The digits preceding the decimal point indicate the section number. The digits following the decimal point indicate the subsection. Subdivisions are denominated as such.

**100.03**            **Enactment of Ordinances.** Ordinances shall be enacted and adopted according to the procedures of Minn. Stat. Chap. 412. All ordinances shall be integrated into this Code as provided in subsection 100.04.

**100.04**            **Amendments and Additions.** Ordinances proposing additions or amendments to the Code shall be assigned appropriate Code numbers and shall be incorporated into the Code as of their effective date. 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. In integrating ordinances into the Code, the Clerk, in cooperation with the City Attorney, may correct obvious grammatical, punctuation, and spelling errors and perform like actions to insure a uniform and accurate code of ordinances so long as the meaning of the ordinance is not altered.

**100.05** **Headings and Index.** Chapter, section, subdivision and other titles are not considered part of the subject matter of this Code but are intended only for convenient reference. The indexing system is not apart of the subject matter of this Code but is intended only to facilitate access to Code sections.

**100.06** **Availability to the Public.** Copies of the Code shall be kept in the office of the Clerk for public inspection. Copies may be purchased for a reasonable charge as determined by the City Council.

**100.07 Existing Rights and Liabilities.** The repeal of prior ordinances and the adoption of this Code are not to be construed in any manner to affect the rights and liabilities existing at the time of repeal and enactment of this Code. Any act done, offense committed, right accruing, liability, penalty, forfeiture or punishment occurring, incurred or assessed prior to the effective date of this Code is not affected by the enactment of this code.

**100.08 Separability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Code is held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of any other portions of this Code.

**100.09 Penalties.**

Subd. 1 Petty Misdemeanors. Whenever an act or omission is declared in this Code to be a petty misdemeanor, any person violating the provision will, upon conviction, be subject to maximum penalties equal to maximum penalties specified by state law from time to time for a petty misdemeanor. The cost of prosecution may be added to the penalty imposed on every person convicted of violating any provision of this code.

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 any provision of this code, or any rule or regulation adopted under this Code will, upon conviction be guilty of a misdemeanor, and be subject to maximum penalties equal to the maximum penalties specified by state law from time to time for a misdemeanor. The cost of prosecution may be added to the penalty imposed on every person convicted of violating any provision of this Code.

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 will not subject the officer or employee to the penalty imposed for violation unless a penalty is specifically provided for such failure.

## SECTION 105 DEFINITIONS

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

**105.02 City.** The city of Circle Pines, Minnesota.

**105.03 City Administrator.** Acts as chief executive of the City, incorporating duties of Clerk and Treasurer.

**105.04 Clerk.** The office of the Clerk of the City

**105.05 Council.** The Circle Pines City Council.

**105.06 Councilmember.** Any member of the Council, including the Mayor.

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

**105.08 Owner.** 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.

**105.09 Person.** Any natural individual, firm, partnership,

association, institution, company, corporation, limited liability company or any other public or private entity. As applied to partnerships or associations, the term includes the partners or members.

As applied to corporations, the term includes the officers, agents and employees.

**105.10 Section.** A section of this Code unless the reference is expressly made to the Minnesota Statutes or other law.

**105.11 State.** The State of Minnesota.

**105.12 Statutory Definitions.** In this Code, the terms defined in Minn. Stat., §§ 645.44 and 645.45 have the meanings given them in those sections, unless this Code contains a different definition.

**105.13 Treasurer.** The office of the Treasurer of the City.

**105.14 Interpretation.** Words and phrases used in this Code will 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 will be interpreted and understood in accordance with such meaning.

## SECTION 110 INCORPORATION OF STATE LAW

**110.01 Adoption by Reference.** Statutes or administrative rules or regulations of the State and codes and ordinances adopted by reference in this Code are adopted under authority granted by Minn. Stat., § 471.62. One copy of any item adopted, unless more copies are required by law, shall be kept by the Clerk for review by the public.

**110.02 Official Statutes, Codes, Regulations and Ordinances.** References in this Code to Minnesota Statutes are to Minnesota Statutes in effect on the date of enactment of this Code, 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 on the date of enactment of this Code, 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.

