

CODIFIER: **Robert Vose**
Kennedy & Graven, Minneapolis, Minnesota
City of Pine Island Staff

NOTICE TO USER

This volume contains all City ordinances in effect

EXCEPT

None

For total accuracy the user should inquire of the City Administrative Offices as to ordinances not included

CITY OF PINE ISLAND, MINNESOTA

(1-22-07)

FOREWORD

This book contains a codification of the ordinances of the City of Pine Island, Minnesota, pursuant to authority granted the Council by Minnesota Statutes, Section 415.021. It is known and should be cited as the “City Code”.

The ordinances of the City were previously codified in 1980 but over the years, as the number of ordinances increased with the growth of the City. And with changing times, the City Council determined that a complete and detailed re-codification was essential in order, to maintain knowledge as to the current law. In this codification most of the original ordinances have lost their identity and have been supplemented by other essential legislative enactments. Certain ordinances retain their number and effective dates because of the nature of the subject matter contained therein.

This codification, arrangement and format seek to facilitate keeping the City Code up-to-date and the amending procedure less cumbersome and expensive. A complete codification of the proportions desired is a difficult and lengthy task, but the effort will be well-rewarded if it is found that the City Code accomplishes (1) the elimination of repetition and non-essentials; (2) easy revision incorporating each new ordinance or amendment; (3) comprehensiveness; and, (4) the ease of locating a particular subject or provision.

The reader will find in this book an Analysis followed by a full text of the individual Chapters of the City Code with a Sub-Analysis at the beginning of each Chapter. This physical layout is designed to make local law more accessible to laypersons for it is closest to them and touches their lives every day. The City Code is dedicated to this purpose.

MAYOR:

Rod Steele

COUNCIL:

**Randy Bates
Erik Diskerud
Nick Novak
Gerald Vettel**

CITY ATTORNEY:

**Robert Vose
Kennedy & Graven, Chartered**

(02-27-13)

ANALYSIS

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1	GENERAL PROVISIONS AND DEFINITIONS APPLICABLE TO THE ENTIRE CITY CODE INCLUDING PENALTY FOR VIOLATION
2	ADMINISTRATION AND GENERAL GOVERNMENT
3	MUNICIPAL UTILITIES - RULES AND REGULATIONS,RATES, CHARGES AND COLLECTIONS
4	CONSTRUCTION LICENSING, PERMITS AND REGULATION
5	ALCOHOLIC BEVERAGES LICENSING AND REGULATION
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SUB-ANALYSIS

Title

CHAPTER 1

**GENERAL PROVISIONS AND DEFINITIONS
APPLICABLE TO THE ENTIRE CITY CODE
INCLUDING PENALTY FOR VIOLATION**

Section

1.01	Application
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**CHAPTER 1 GENERAL PROVISIONS AND DEFINITIONS
APPLICABLE TO THE ENTIRE CITY CODE
INCLUDING PENALTY FOR VIOLATION**

SEC. 1.01. APPLICATION. The provisions of this Chapter shall be applicable to all the chapters, sections, subdivisions, paragraphs and provisions in the City Code, and the City Code shall apply to all persons and property within the City of Pine Island, Minnesota, and within such adjacent area as may be stated in specific provisions.

SEC. 1.02. DEFINITIONS. Unless the language or context clearly indicates that a different meaning is intended, the following words, terms and phrases, for the purpose of every chapter, section, subdivision, paragraph and provision of this City Code, shall have the following meanings and inclusions:

Subd. 1. “City” means the City of Pine Island, Minnesota, acting by or through its duly authorized representative.

Subd. 2. “Council” and “City Council” mean the City Council of the City of Pine Island, Minnesota.

Subd. 3. “City Administrator” means for purposes of this City Code and any other ordinance, regulation, resolution, or policy adopted by the City Council including the City’s personnel policies, the person, committee, or body designated to fulfill the duties or responsibilities thereof. The City Council shall make such designation by resolution. The City Council may designate various persons, committees, or bodies to fulfill particular duties or responsibilities of the City Administrator. (Amended, Ord. No. 122, Second Series, 02-27-2013)

Subd. 4. “Person” includes all firms, partnerships, associations, corporations and natural persons.

Subd. 5. “Written” and “In Writing” mean any mode of representing words and letters in the English language.

Subd. 6. “Street” means the entire area dedicated to public use, or contained in an easement or other conveyance or grant to the City, and shall include, but not be limited to, roadways, boulevards, sidewalks, alleys, and other public property between lateral property lines in which a roadway lies.

Subd. 7. “Public Property” and “Public Place” mean any place, property or premises dedicated to public use, owned by the City, occupied by the City as a lessee, or occupied by the City as a street by reason of an easement, including, but not limited to, streets, parks or parking lots so owned or occupied.

Subd. 8. “Private Property” means all property not included within the definition of public property or public place.

Subd. 9. “Intersection” means the area embraced within the prolongation or connection of the lateral curb line or, if no curb, then the lateral boundary lines of the roadways or streets which join one another at, or approximately at, right angles or the area within which vehicles traveling upon different streets joining at any other angle may come in conflict.

Subd. 10. “Roadway” means that portion of a street improved, designed, or ordinarily used for vehicular travel. In the event a street includes two or more separate roadways, the term “roadway” as used herein shall refer to any such roadway separately but not to all such roadways collectively.

Subd. 11. “Police Officer” and “Peace Officer” mean every officer, including special police, authorized to direct or regulate traffic, keep the peace, and appointed or employed for the purpose of law enforcement.

Subd. 12. “Misdemeanor” means the crime for which a sentence of not more than 90 days or a fine of not more than \$700.00, or both, may be imposed.

Subd. 13. “Petty Misdemeanor” means an offense, which does not constitute a crime, and for which a sentence of a fine of not more than \$200.00 may be imposed.

Subd. 14. “Conviction” means either of the following accepted and recorded by the Court:

- A. A plea of guilty; or,
- B. A verdict of guilty by a jury or a finding of guilty by the Court.

Subd. 15. “Crime” means conduct which is prohibited by ordinance and for which the actor may be sentenced to imprisonment or fine.

Subd. 16. “Ordinance” means an ordinance duly adopted by the City Council of Pine Island, Minnesota.

Subd. 17. “Ex Officio Member” means a person who is not counted for the purpose of determining a quorum, and has no right to vote, but shall have the right and obligation (within their discretion) to speak to any question coming before the board, commission or other deliberative body of which they are such a member.

Subd. 18. “May” is permissive.

Subd. 19. “Shall” is mandatory.

Subd. 20. “Violate” includes failure to comply with.

Subd. 21. “Premises” means any lot, piece or parcel of land within a continuous boundary whether publicly or privately owned, occupied or possessed.

SEC. 1.03. VIOLATION A MISDEMEANOR OR A PETTY MISDEMEANOR. Every person violates a chapter, section, subdivision, paragraph or provision of this City Code when they perform an act thereby prohibited or declared unlawful, or fail to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof shall be punished as for a misdemeanor, or as for a petty misdemeanor, except as otherwise stated in specific provisions herein, as set forth in the specific chapter in which the section, subdivision, paragraph or provision violated appears. Upon conviction for a crime, the actor may be convicted of either the crime charged if it is a misdemeanor, or a petty misdemeanor as an included offense necessarily proved if the misdemeanor charge were proved.

SEC. 1.04. OTHERWISE UNLAWFUL. The City Code does not authorize an act or omission otherwise prohibited by law.

SEC. 1.05. SEVERABILITY. Every chapter, section, subdivision, paragraph or provision of the City Code shall be, and is hereby declared, severable from every other such chapter, section, subdivision, paragraph or provision and if any part or portion of any of them shall be held invalid, it shall not affect or invalidate any other chapter, section, subdivision, paragraph or provision.

SEC. 1.06. PAYMENT INTO CITY TREASURY OF FINES AND PENALTIES. The Court or officer thereof receiving such monies shall pay all fines, forfeitures and penalties recovered for the violation of any ordinance, charter, rule or regulation of the City into the City Treasury. Payment shall be made in the manner, at the time, and in the proportion provided by law.

SEC. 1.07. MEANINGS. As used in this City Code, words of the male gender shall include the female and neuter, and the singular shall include the plural and the plural shall include the singular.

SEC. 1.08. CITATION. This codification of the ordinances of the City of Pine Island shall henceforth be known as the City Code and cited thus: "CITY CODE, SEC. _____."

SEC. 1.09. PENALTIES FOR EACH OFFENSE. When a penalty or forfeiture is provided for the violation of a chapter, section, subdivision, paragraph or provision of this City Code, such penalty or forfeiture shall be construed to be for each such violation.

SEC. 1.10. TITLES. A title or caption to or in any chapter, section, subdivision, subparagraph or other provision of the City Code is for convenience only and shall not limit, expand, or otherwise alter or control the content, wording or interpretation thereof.

SEC. 1.11. REFERENCE TO A PUBLIC OFFICIAL. Wherever an appointed public official is referred to in the City Code, the reference shall include such public official or official's designee.

Source: City Code
Effective Date: 7-1-90

(Sections 1.12 through 1.99, inclusive, reserved for future expansion.)