

ORDINANCE NO. 0-09-03
CITY OF DELANO
COUNTY OF WRIGHT
STATE OF MINNESOTA

AN ORDINANCE ENACTING A RECODIFICATION OF THE CITY CODE FOR THE CITY OF DELANO, MINNESOTA, AMENDING, RESTATING, REVISING, UPDATING, RECODIFYING, AND COMPILING CERTAIN ORDINANCES OF THE CITY DEALING WITH THE SUBJECTS EMBRACED IN THE CITY CODE, AND PROVIDING PENALTIES FOR THE VIOLATION OF THE CITY CODE.

WHEREAS Minnesota Statutes §§ 415.02 and 415.021 authorize the City of Delano to cause its ordinances to be codified and printed in a book,

NOW THEREFORE the City Council of the City of Delano, Minnesota, ordains:

Section 1. The general ordinances of the City as amended, restated, revised, updated, recodified, and compiled in book form, including penalties for the violations of various provisions thereof, are adopted and shall constitute the City Code of the City of Delano. The City Code also adopts, by reference, certain statutes and administrative rules of the State of Minnesota as named in the City Code.

Section 2. The City Code as adopted in Section 1 shall consist of the following Chapters:

Chapter 1 entitled "General Provisions" containing the following sections: City Code, Application, Rules of Interpretation, Definitions, Violation a Misdemeanor or Petty Misdemeanor, Separability, Ordinances Repealed, Ordinances Unaffected, Effective Date of Ordinances, and Existing Rights and Liabilities.

Chapter 2 entitled "Operations and Administration" containing the following sections: Council Meetings, Duties and Salaries of Mayor and City Council Members, Code of Ethics for Elected Public Officials, Boards, Commissions and Task Forces, Planning Commission, Water, Light, and Power Commission, Volunteer Fire Department, Delano Economic Development Authority, Park and Recreation Advisory Commission, Police and Public Safety Commission, Historic Preservation Commission, Compensation for Commissions and Subcommittees, Indemnification, Prohibitions Relating to Employment Applications, Issuance of Citations, Authority to Obtain Criminal History, Disposal of Abandoned, Unclaimed and Excess Property, and Reimbursement of Certain Expenses.

Chapter 3 entitled "Public Property and Service Assessments" containing the following sections: Right-of-Way Management, Current Services Assessments, Parks and Playgrounds, and Public Waters.

Chapter 4 entitled "Public Protection and General Licensing" containing the following sections: Licensing and Permit Provisions, Shows and Large Assemblies, Dances, Solid Waste and Materials, Property Maintenance Code, Animal Regulations and Licenses, Kennels, Peddlers, Transient Merchants and Solicitors, Moving Buildings, Numbering of Homes and Business Places, Parades, Gambling, Adult Uses, Swimming Pools, Fire Code and Other Fire Regulations, Minnesota State Building Code, Temporary Outdoor Sales, Garage and Yard Sales, Pawnbrokers, Fireworks, and Cable Ordinance.

Chapter 5 entitled "Licensing and Regulation of Alcoholic Beverages" containing the following sections: Provisions of State Law Adopted, Definitions, License Required, License Applications, Financial Responsibility of Applicants and Licensee, Processing of Application, Licensee Restrictions and Requirements, Club Licensee Restrictions, Municipal Dispensaries, General Restrictions, and Revocation, Suspension or Fine.

Chapter 6 entitled "Sewer and Water" containing the following sections: Definitions, Control and Supervision, Utility Ownership, Right of Entry, Use of Public Sewers, Prohibited Discharges from Sump Pumps and Other Sources into Sanitary Sewer System, Building Sewers and Connections, Building Sewer Construction Requirements, Storm Water Drainage Utility, Sewer Service Charges, Connection Fees and Sewer Availability Charges and Connection Deposit, Powers and Authority of Inspections, Water Connection, Assessment of Certain Sewer, Water and Electrical Fees, Water Deficiency and Shutoff; Disclaimer, Repair of Leaks and Equipment, Abandoned Service; Disconnection Fees; Improper Disconnection, Private Water Supplies; Connection Prohibited, Shortages; Restrictions Uses and Hours, Private Fire Connections, Opening Hydrants Restricted, Water Meters, State Plumbing Code; Compliance Required, Discontinuance of Service, Cold Weather Rule, and Public Health and Safety Hazard.

Chapter 7 entitled "Traffic and Parking" containing the following sections: State Statutes Adopted by Reference, Definitions, Turns, Through Streets; One-Way Streets, Truck Routes, Seasonal Weight Restrictions, Parking Regulations, Unattended Child in Motor Vehicle, Vehicles Prohibited on Sidewalks, City Lots and Ramps, Truck Zones, Loading Zones, Etc., Snow Season Parking, Snow Accumulation, Establishment of Safety Zones, Lanes of Traffic, Removing Keys, Obstruction in Streets, Curb and Gutter, Street and Sidewalk Painting or Coloring, Snow and Ice on Public Sidewalks, Sidewalk Maintenance and Repair, Vehicle Repair on Street, Exhibition Driving Prohibited, Driving through Private Property to Avoid Traffic Controlling Device, All-Terrain Vehicles, Flood Control Dike, Resolutions, Snowmobiles, Bicycle Ways, Use of Bicycle, Roller-Skates and In-Line Skates, Skateboards on the Lake; Downtown Business District, Operation of Motorized Foot Scooters, Electronic Personal Assistive Mobility Devices, Motorized Bicycles, and Neighborhood Electric Vehicles and Medium-Speed Electric Vehicles, and Motorized Golf Carts.

Chapter 8 entitled "Nuisances and Public Health, Safety and Welfare Offenses" containing the following sections: Public Nuisance Affecting Health, Public

Nuisances Affecting Morals and Decency, Public Nuisances Affecting Peace and Safety and the General Welfare, Special Provisions – Building Maintenance and Appearance, Enforcement, Abatement, Recovery of Cost, Clean-Up of Clandestine Drug Lab Sites, Special Provisions – Outside Parking and Storage, Special Provisions – Abandoned or Inoperable Motor Vehicles, Special Provisions – Lawn Maintenance, Buildings or Structures that Endanger the Public Safety, Health or Property within the City, Hazardous Building Excavations, Tree Diseases, Curfew, Public Decency, Public Drinking, Firearms and Dangerous Weapons Regulations, Anti-Graffiti Regulations, and Nuisance a Misdemeanor.

Section 3. All prior ordinances pertaining to subjects treated in the recodified City Code shall be deemed repealed from and after the effective date of this ordinance, except as they are included and re-ordained in whole or in part in the City Code; provided this repeal shall not affect any offense committed or penalty incurred, or any right established prior to the effective date of this ordinance, nor shall this repeal affect the provisions of ordinances levying taxes; appropriating money; annexing or detaching territory; establishing franchises; granting special rights to certain persons; authorizing public improvements; authorizing the issuance of bonds or borrowing of money; authorizing the purchase or sale of real or personal property; granting or accepting easements, plat or dedication of land to public use; or vacating or setting the boundaries of streets or other public places; nor shall this repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by the City Code. All fees established in prior ordinances shall remain in effect unless amended in this City Code, or until an ordinance adopting a fee schedule is adopted or amended.

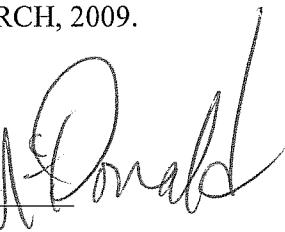
Section 4. This ordinance adopting the recodified City Code shall be a sufficient publication of any ordinance included in it and not previously published in the City's official newspaper. The City Clerk shall cause a substantial quantity of the City Code to be printed for general distribution to the public at actual cost, and shall furnish a copy of the City Code to the Wright County Law Library or its designated depository. The official copy of this City Code shall be marked and be kept in the office of the City Clerk.

Section 5. The City Code is declared to be *prima facie* evidence of the law of the city and shall be received in evidence as provided by Minnesota Statutes by the courts of the State of Minnesota.

Section 6. This ordinance adopting the City Code, and the City Code itself, shall take effect upon publication of this ordinance in the City's official newspaper.

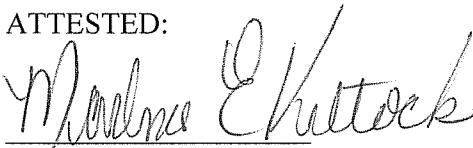
PASSED BY THE CITY COUNCIL OF THE CITY OF DELANO, MINNESOTA THIS
17th DAY OF MARCH, 2009.

APPROVED:


Joseph McDonald

MAYOR

ATTESTED:


Marlene Kittock
CITY CLERK

Motion By: Holly Schrupp
Seconded By: Brad Hotchkiss

McDonald: Aye

Schrupp: Aye

Hotchkiss: Aye

Bartels: Aye

Stolfa: Aye