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101 ADOPTION OF WILLERNIE CODE OF ORDINANCES

The City Council of Willernie does ordain:

101.010 Adoption of Code. The Ordinances of Willernie are hereby codified as the Willernie City Code, consisting of Chapters 100 through 1500, inclusive, and shall be operative without further publication and in accordance with Minnesota Statutes Section 415.021. The Willernie City Code is intended as a codification of the laws and ordinances of the City of Willernie, and shall be construed in accordance with such intent. This Code contains all ordinances enacted and in force through July 20, 2022. Ordinances passed after that date shall be passed as amendments or additions to this Code. Such ordinances shall be incorporated into this Code as directed by the City Council.

101.030 Amendments to Code Any additions or amendments to the City Code when adopted in a form that indicates the intentions of the City Council to make such ordinance a part of this Code shall be deemed to be incorporated herein, so that any reference to the City Code shall include such amendments.

101.040 Availability of Code. The City Code, Appendices, and Schedules, shall be printed and published and maintained at the Willernie City Hall. The City Clerk is hereby directed to maintain a suitable number of copies of the City Code available to the public for reference at City Hall. The City Code shall also be published on the City website promptly after the passage of each ordinance and any amendments thereto.

101.050 Severability. Every section, subdivision, subpart, or provision of each chapter of this Code is declared separable from every other section, subdivision, subpart, or provision. If any section, subdivision, subpart, or provision of any chapter herein shall be declared invalid, it shall not affect any other section, subdivision, subpart, or provision of any other chapter contained herein.

101.060 Preservation of Existing Rights. The repeal of any chapter or any portion thereof by the adoption of this Code shall not affect or impair any completed act or vest right or any proceeding, suit or prosecution commenced in any cause before such repeal shall take effect, and all such matters shall remain in full force and effect as if such chapter or part thereof had

remained in force. No offense committed and no liability, penalty or forfeiture, either civil or criminal, incurred prior to the time when any such chapter or part thereof shall be repealed or altered by this Code shall be discharged or affected by such repeal or alteration, but all such matters shall be instituted and proceeded with, in all respects, as if the prior chapter or portion thereof had not been repealed or altered.

102 RULES OF CONSTRUCTION

102.010 **General.** All words and phrases are used in their plain and ordinary sense unless otherwise clearly indicated. It is the intent of the Willernie City Council that in interpreting and construing the various provisions of this Code, an effort be made to fairly construe those provisions to achieve the beneficial ends for which they were adopted, and therefore this Code must be construed liberally to carry out its purposes. The rules of statutory construction contained in Minnesota Statutes Sections 645.08 through 645.44 shall apply to the interpretation of this Code. Unless clearly in conflict with the provisions of this Code or for some other reason clearly inapplicable, definitions established by state statute or case law shall apply to this Code. All headings used in the Chapters of this Code are for convenience only. Grammatical errors do not negate any part of this Code. Words and phrases that may be necessary for the proper interpretation of any part of this code may be added if they do not conflict with the obvious intent and do not affect the scope and operation of the relevant chapter, section, subdivision, subpart, or provision of this Code.

102.020 **Number and Gender.** The term “person,” wherever used in this Code, shall be applicable to one or more persons, as the case may be. The singular reference shall include the plural, and references to one gender shall apply to all genders.

102.030 **Minnesota Law.** Unless clearly in conflict with the provisions of this Code or for some other reason clearly inapplicable, definitions established by state statute or case law and statutory rules of construction shall apply to the Willernie City Code. Where a reference is made to a Minnesota State Statute, Rule, or any other similar reference, that reference shall be to such Statute, Rule, or other reference as shall be amended from time to time, and shall refer to the specific Statute, Rule or other reference in effect at that time.

102.040 **Inconsistent Provisions.** If the provisions of one section of this Code differ from those in another section, the provisions that are more restrictive shall prevail.

102.050 **Post-Adoption Changes Not Requiring Publication.** When integrating ordinances into the Code, the City Clerk may:

- A. Correct obvious grammatical, punctuation, and spelling errors;
- B. Change reference numbers to conform with applicable sections of the Code;
- C. Substitute figures for written words and vice versa; and
- D. Take other similar actions to ensure a uniform Code of ordinances if such actions do not alter the meaning of the ordinances enacted.

103 DEFINITIONS

103.010 Certain Terms Defined. Unless the context clearly indicates otherwise, or the term is specifically defined for the purposes of a particular section of this Code, the words and phrases below shall have the following definitions for purposes of this Code:

- (1) “City” means the City of Willernie, located in Washington County, Minnesota, including all territory lying within its boundaries.
- (2) “Clerk” means the Willernie City Clerk.
- (3) “Code” or “City Code” means the Willernie City Code or Willernie Code of Ordinances.
- (4) “Council” or “City Council” means The City Council of the City of Willernie.
- (5) “County” means Washington County, Minnesota.
- (6) “This ordinance” means the chapter or section in which it appears and related sections, subdivisions, subparts, and paragraphs under the same section or chapter.
- (7) “Person” means a natural person, a firm, partnership, corporation, or any other association of people or entity, and includes the manager or agent of that person or organization.
- (8) “State” means the state of Minnesota.
- (9) “Police Department” means the law enforcement agency charged with serving as the police department for the City of Willernie.
- (10) “Vehicle” and “Motor Vehicle” means a thing used for transporting people or goods. This definition includes, but is not limited to the following: snowmobiles, trailers (open-bed and enclosed), RVs/motorhomes, campers, storage trailers, ice houses, automobiles, ATVs, UTVs, motorcycles, and any other machine or device that is on wheels, motorized or pulled by motorized vehicles, including storage pods.

103.020 Other Definitions. Certain chapters of this Code contain other definitions

applicable particularly to such chapters. In case of any conflict between the definitions in Section 103.010 and such other definitions, the other definitions shall prevail in the chapters where applicable.

104 PENALTY FOR VIOLATION OF CODE PROVISIONS

104.010 **Misdemeanor.** Any person who violates any provision of this Code, including Minnesota Statutes specifically adopted by reference, for which another penalty is not specifically provided, shall, upon conviction, be guilty of a misdemeanor. The penalty which may be imposed for any crime which is a misdemeanor under this Code, including Minnesota Statutes specifically adopted by reference, shall be the sentence for a misdemeanor under Minnesota Statutes Chapter 609.

104.020 **Petty Misdemeanor.** Any person who violates any provision of this Code, including Minnesota Statutes specifically adopted by reference, which is designated as a petty misdemeanor shall, upon conviction, be guilty of a petty misdemeanor. The penalty which may be imposed for any crime which is a petty misdemeanor under this Code, including Minnesota Statutes specifically adopted by reference, shall be the sentence for a petty misdemeanor under Minnesota Statutes Chapter 609.

104.030 **Official Duties.** 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 a violation of any provision of this Code.