

ORDINANCE NO. 153

CITY OF HOLDINGFORD COUNTY OF STEARNS STATE OF MINNESOTA

AN ORDINANCE ENACTING THE CODE OF ORDINANCE FOR THE CITY OF HOLDINGFORD MINNESOTA, ADOPTING THE MINNESOTA BASIC CODE AND AMENDING, RESTATING, REVISING, UPDATING, CODIFYING AND COMPILING CERTAIN ORDINANCES OF THE CITY DEALING WITH THE SUBJECTS EMBRACED IN THE CODE OF ORDINANCES, AND PROVIDING PENALTIES FOR THE VIOLATION OF THE CODE OF ORDINANCES.

WHEREAS Minnesota Statutes Section 471.62 authorizes the city to adopt the Minnesota Basic Code by reference, and Sections 415.02 and 415.021 authorize the city to cause its ordinances to be codified and printed in a book,

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

Section 1. The Minnesota Basic Code, First Edition, together with amendments and supplements contained therein, is hereby adopted and shall constitute the "Code of Ordinances of the City of Holdingford." This Code of Ordinances also adopts by reference certain statutes and administrative rules of the State of Minnesota as named in the Code of Ordinances. It is the intention of the City Council that, when adopting the Minnesota Basic Code, all future amendments and supplements are hereby adopted as if they had been in existence at the time this Ordinance was enacted, unless there is clear intention expressed in the Code to the contrary.

Section 2. The Code of Ordinances as adopted in Section 1 shall consist of the following titles (sections of the Minnesota Basic Code which are not yet adopted are indicated):

TITLE I: GENERAL PROVISIONS

- 10. General Provisions

TITLE III: ADMINISTRATION

- 30. General Provisions
- 31. Departments, Boards and Commissions
- 32. Emergency Management

TITLE V: PUBLIC WORKS

- 50. Garbage and Rubbish
- 51. Sewer Regulations
- 52. Water Regulations
- 54. Rates and Charges

TITLE VII: TRAFFIC CODE

- 70. Traffic Regulations
- 71. Parking Regulations
- 72. Snowmobiles
- 73. Recreational Vehicles

Roller Skis and Skateboards 74. Bicycles, Roller Blades, Roller Skates,

TITLE IX: GENERAL REGULATIONS

- 90. Abandoned Property
- 91. Animals
- 92. Health and Safety; Nuisances

TITLE XI: BUSINESS REGULATIONS

- 110. General Licensing Provisions
- 112. Liquor Regulations
- 113. Peddlers and Solicitors
- 114. Tattoo and Body Piercing Services
- 115. Tobacco Regulations
- 116. Regulating Lawful Gambling

TITLE XIII: GENERAL OFFENSES

- 130. General Offenses

(Note to City: List here any specific ordinances that do not pertain to subjects treated in the MBC which the city wishes to repeal at this time. If the city wishes to repeal all general ordinances of the city at this time and wishes to continue in effect only the Minnesota Basic Code of Ordinances and those ordinances codified in TITLE XVII, then in the first sentence of the following Section 3, the phrase "pertaining to the subjects treated in the Code of Ordinances" should be stricken or deleted.)

Also, the city may exclude from adoption any chapter and sections by specifying above the sections not adopted, or by not listing the chapter.

Section 3. All prior ordinances, pertaining to the subjects treated in the Code of Ordinances, 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 Code of Ordinances; 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, or 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, 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 Code of Ordinances. All fees and charges established in ordinances or resolutions adopted prior to the adoption of this city code shall remain in effect unless amended in this code or until an ordinance adopting a schedule of fees and charges is adopted or amended.

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

Section 5. It is the intention of the City Council that, when adopting the Minnesota Basic Code and any supplements or additions to it, that all existing and future amendments to any state or federal rules and statutes adopted by reference or referenced in the Minnesota Basic Code and any supplements or additions to it are hereby adopted by reference or referenced as if they had been in existence at the time the Minnesota Basic Code and any supplements or additions to it was, are or may be in the future adopted, unless there is clear intention expressed in the code to the contrary.

Section 6. The Code of Ordinances 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. A copy of the Code of Ordinances marked "Official Copy" shall be filed as part of the official records of the city in the office of City Clerk. The City Clerk shall provide a copy of the Code of Ordinances to any person who requests a copy and shall charge that person the cost to the city of the copy of the Code of Ordinances.

Section 7. This ordinance adopting the Code of Ordinances, and the Code of Ordinances itself, shall take effect upon publication of this ordinance in the city's official newspaper.

Section 8. Any amendments to a statute or rule adopted in this code or any former code or ordinance which continues to be in effect, shall be included by reference as if the amended statute or rule had been in existence at the time the code or ordinance was adopted.

PASSED BY THE CITY COUNCIL OF THE CITY OF HOLDINGFORD, MINNESOTA  
THIS 12<sup>TH</sup> DAY OF December, 2016.

APPROVED:

\_\_\_\_\_  
Sue Marstein  
MAYOR

ATTEST:

\_\_\_\_\_  
Sandra Meer  
CITY CLERK

MODEL ORDINANCE  
ESTABLISHING FEES AND CHARGES

This model ordinance establishing fees and charges may be enacted by the City Council either at the time the Minnesota Basic Code is adopted or any time thereafter. It should be enacted in the same matter as any other city ordinance is adopted.

ORDINANCE NO. 153A

CITY OF HOLDINGFORD COUNTY OF STEARNS STATE OF MINNESOTA

AN ORDINANCE ADOPTING A SCHEDULE OF FEES AND CHARGES  
FOR VARIOUS SERVICES, LICENSES AND PERMITS  
FOR THE CITY OF HOLDINGFORD, MINNESOTA

Whereas, the City Council of the City of Holdingford has adopted the Minnesota Basic Code as it has been amended and supplemented to be its city code and that code permits the city to adopt by ordinance a schedule of fees and charges for various services, licenses and permits,

Now Therefore, the City Council of the City of Holdingford, Minnesota, ordains:

Section 1. All fees and charges in effect as of the date of the adoption of the city code for the city shall remain in effect unless otherwise modified by the provisions of this ordinance. All citations below are to various sections of the city code unless otherwise indicated.

Section 2. The following are the fees and charges for the permits, licenses and services listed below which are referenced to the section of the city code which authorizes their establishment:

1. The fee for making service connections, pursuant to §51.064(D), shall be  
See Addendum A
2. The connection fee pursuant to §§51.113 and 51.114 shall be  
See Addendum A
3. The charge for not connecting to the municipal water system when it becomes available pursuant to §52.06(B) shall be See Addendum A
4. The fee for each 1,000 gallons of water used from a fire hydrant pursuant to §52.08(A)(4) shall be:  
See Addendum A
5. The fee which must be paid before water service may be turned on pursuant to §52.27(D) shall be  
See Addendum A
6. The fee for the permit to connect to the existing water service leads pursuant to §52.33(B)(1) shall be  
See Addendum A
7. The schedule of rates, fees and charges for permits or services pursuant to §52.51 shall be  
See Addendum A
8. The minimum rate pursuant to §52.53(D), which shall begin to accrue after connection of the service pipe with the curb stop box, shall be See Addendum A

9. The monthly charge for the collection, removal and disposal of garbage and trash from residences and businesses within the corporate limits of the city pursuant to §54.01 shall be  
See Addendum A
10. The monthly charge for water pursuant to §54.01 shall be See Addendum A
11. The monthly charge for sewer services pursuant to §54.01 shall be  
See Addendum A
12. The charge for reinstating utility service and the turn-on charge pursuant to §54.03(C), shall be  
See Addendum A
13. The fee for a “release permit” pursuant to §91.01 shall be  
See Addendum A
14. The fee for dog licenses pursuant to §91.02(B)(1) and (2) shall be  
See Addendum A
15. The fee for duplicate dog tags pursuant to §91.02(B)(3) shall be  
See Addendum A
16. The fee for a release pursuant to §91.05(C) shall be  
See Addendum A
17. The fee for a liquor license pursuant to § 112.23(B) shall be  
See Addendum A

PASSED BY THE CITY COUNCIL OF THE CITY OF HOLDINGFORD, MINNESOTA  
THIS 11<sup>TH</sup> DAY OF MAY, 2009

APPROVED: \_\_\_\_\_ MAYOR, Sue Marstein

ATTEST: \_\_\_\_\_ CITY CLERK, Sandra Meer