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## **ARTICLE 1 - GENERAL PROVISIONS**

### **1-100 Title and Scope of Ordinance**

#### **1-110 Repeal of Prior Ordinances**

This ordinance containing Chapter 1 to 12 inclusive shall be known as the City Code of the City of Ham Lake, Minnesota, 1990, and shall be treated and considered as a new and comprehensive ordinance and shall supersede all other general ordinances passed by the Council prior to the 7<sup>th</sup> day of May 1990, except such as are by reference expressly saved from repeal or continued in force and effect for any purpose.

### **1-200 Definitions**

#### **1-210 Person**

“Person” means any natural individual, organization, firm, partnership, association, or corporation, or other group acting as a unit. As applied to partnerships or associations, the term includes the partners or members; as applied to corporations the term includes the officers, agents, or employees.

#### **1-220 Street**

“Street” means any public way, which includes highway, street, avenue, boulevard, alley or public thoroughfare.

#### **1-230 City**

“City” means the City of Ham Lake.

#### **1-240 Council**

“Council” or “City Council means the City Council of the City of Ham Lake.

#### **1-250 Code**

“Code” means the City Code of the City of Ham Lake. Where the word “Ordinance” may be found, said word may be interchangeable with the word “Code: if not inconsistent therewith.

#### **1-260 Zoning Officer**

“Zoning Officer” shall be that person designated by Article 9-220 of this Code.

### **1-300 Penal Provision**

Any person guilty of violating any provision of the Code of the City of Ham Lake shall be deemed to have committed a misdemeanor, and subject to the misdemeanor penalties imposed by then existing Minnesota statutory provisions.

### **1-400 Rules of Construction**

#### **1-410 Plain Meaning**

All words and phrases in this code are used and shall be construed in their plain, ordinary and usual sense, and except where the context clearly requires otherwise in accordance with this Chapter and any definitions, general or special contained in this code, technical words and phrases having

a peculiar and appropriate meaning in law are to be understood according to their technical import.

**1-420 Gender**

The use of either masculine, feminine, or neuter gender includes the other genders.

**1-430 Singular or Plural**

The use of either the singular or plural includes the other.

**1-440 Tense**

The use of either past, present, or future tense includes the other tenses.

**1-450 Computation of Time**

The time within which an act is to be done is computed by excluding the first day and including the last day. When the last day is a Sunday or legal holiday, such day is excluded and the last day is the next following business day.

**1-460 Minnesota Rules of Construction**

Unless they are clearly in conflict with the provisions of this Code, or otherwise clearly inapplicable, the rules of construction established for the State of Minnesota by statute or case law apply in the construction of this code.

**1-500 Payment of Real Estate Taxes**

Whenever any individual or entity applies for any type of permit, license, zoning approval, subdivision approval or other action for which municipal consent is required, the application shall automatically be rejected if at the time of application there are any delinquent taxes owing on the property affected by the application, unless the applicant is able to demonstrate a financial hardship, and that the approval requested will or is likely to result in the ability to pay the delinquent taxes.

The following conditions and limitations shall apply to such hardship requests:

- a) In no case will payment of the delinquent tax amount extend beyond six months from the date that payment was due; and
- b) In a request for extension of time, the applicant shall clearly document the reasons that applicant is unable to pay the taxes in a timely manner, supplying such level of detail as may be requested by City staff; and
- c) No more than three such extensions shall be granted within any ten-year period of time.

**1-600 Severability**

If any section, subsection, sentence, clause or phrase of any ordinance in this Code is for any reason held to be invalid; that decision shall not affect the remaining portions of this Code.