

ORDINANCE NO \_\_\_\_\_

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF ROCHESTER, MINNESOTA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. The Code entitled "Rochester City Code," published by Municipal Code Corporation, consisting of titles 1 through 12, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before January 23, 2019, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Except as otherwise provided by law or ordinance and unless declared to be a petty misdemeanor, a violation of the Code shall be a misdemeanor punishable by a fine not to exceed \$1,000.00, imprisonment in the city or county jail for a period not to exceed 90 days, or both such fine and imprisonment. Petty misdemeanors shall be punishable by a fine not to exceed \$300.00. A person convicted of a violation of the Code shall pay the costs of prosecution. Except as otherwise provided by law or ordinance: (i) With respect to violations of the Code that are continuous with respect to time, each day that the violation continues is a separate offense; and (ii) With respect to violations of the Code that are not continuous with respect to time, each act is a separate offense. The imposition of a penalty does not prevent suspension or revocation of a license, permit or franchise or other administrative sanctions. Violations of the Code that are continuous with respect to time are a public nuisance and may be abated by injunctive or other equitable relief. The imposition of a penalty does not prevent injunctive relief.

Section 5. Additions or amendments to the Code when passed in such form as to indicate the intention to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after January 23, 2019, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This ordinance shall be effective from and after the date of its publication.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS \_\_\_\_\_6th \_\_\_\_\_ May

Randy Staver  
RESIDENT OF SAID COMMON COUNCIL

ATTEST: Cristina Blezina  
CITY CLERK

APPROVED THIS \_\_\_\_\_

Kim Norton  
MAYOR OF SAID CITY

