

CHAPTER 1

GENERAL PROVISIONS

CITATION AND PURPOSE

1.101. Citation. This code, which represents a revision and codification of the ordinances of the City of Long Prairie, Minnesota, shall be known as the "Long Prairie City Code of 1976" and may be referred to by that name in all proceedings and actions. References to a portion thereof may be by chapter, article, sub-article, section, sub-section, or sub-division using the following symbols:

- For chapter: "Ch." plus the chapter number and title, Ch. 137 MORALS AND CONDUCT.
- For article: The all-capitalized title of the article, the CITATION AND PURPOSE article of the Long Prairie City of 1976.
- For Sub-article: The uncapitalized, underlined title of the sub-article, The Department Heads, sub-article of the Long Prairie City Code of 1976.
- For section: "Sec." plus the section number, sec. 137.101.
- For sub-section: Indicating section as above immediately followed by the sub-section number in parentheses, sec. 137.101 (1).
- For sub-division: Indicating sub-section as above immediately followed by the lowercase sub-division letter, sec.137.101 (1) b.

(No prior Ord.)

1.102. Purpose. It is the intention of the council that this code will serve as a modernized and streamlined version of the ordinances of the city, presented in an orderly manner, with obsolete and unneeded ordinances, and portions thereof deleted.

(No prior ordinance)

EFFECT OF ORGANIZATION AND IDENTIFYING DESIGNATIONS

1.201. Organization and designation of Part of Code. The organization of this code is an

integral part thereof; and chapter, article, and sub-article titles, section numbers and section headnotes are hereby made a part of this code, and may be amended and revised in the same manner as are the provisions of this code.

(No prior ordinance)

1.202. Effect of Organization and Designation. The organization of this code and chapter, article, and sub-article titles, section numbers and section headnotes may be considered in ascertaining the intent of the city council in enacting provisions of this code; but in case of conflict, the provisions of any section control over organization and designations, and specific designations control over general designations.

(No prior ordinance)

CONSTRUCTION OF PROVISIONS

1.301. Construction of Words and Phases. In constructing this code the following canons of interpretation are to govern, unless their observance would involve a construction inconsistent with the manifest intent of the city council, or be repugnant to the context of the relevant provisions of this code:

- (1) Words and phrases are construed according to rules of grammar and according to their common and approved usage, but technical words and phrases and such others as have acquired a special meaning or are defined in this code are construed according to such special meaning or definition.
- (2) The singular includes the plural, and the plural includes the singular.
- (3) Words in the masculine, feminine or neuter gender include the future tense.
- (4) Words used in the past or present tense include the future tense.
- (5) The words "or" and "and" may be read interchangeably in situations where the context requires it.
- (6) General words are restricted in meaning by particular words.

(No prior ordinance)

1.302. Construction of May and Shall. As used in this code, "shall" is always mandatory and "may" is permissive.

(No prior ordinance)

1.303. Grammar and Punctuation. Grammatical errors shall not vitiate any provision of this code. A transportation of words and clauses may be resorted to when a sentence is without meaning as it stands. Punctuation shall not control over the intention of the city council in the

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enactment of a provision. Words and phrases which do not conflict with the obvious purpose and intent of a provision nor in any way affect its scope and operation may be added when necessary to the proper interpretation of the provision.

(No prior ordinance)

1.304. Irreconcilable Provisions. Provisions are to be construed so that effect may be given to each. In case of conflict, they shall be construed as follows, in the priority listed:

- (1) If a special provision is in irreconcilable conflict with a general provision, the special provision will prevail and be construed as an exception to the general provision unless the general provision has been enacted later and shows a manifest intention of the council that the general provision shall prevail.
- (2) If enacted at different times, the latest in date of enactment will prevail.
- (3) If part of the same provision or set of provisions, the provision or portion or clause thereof last in position shall prevail.
(No prior Ordinance)

DEFINITIONS OF WORDS AND PHRASES

1.401. Definitions. When used in this code, the following words, terms, and phrases shall have the meanings given them in this section. except as further defined in relation to specific provisions of this code or unless another intention clearly appears:

- (1) "Administrator-Clerk means the clerk-treasurer of the city of Long Prairie, Todd County, Minnesota.
- (2) "City" means the City of Long Prairie, Todd County, Minnesota.
- (3) "Clerk" means the clerk of the City of Long Prairie, Todd County, Minnesota.
- (4) "Code" means the Long Prairie City Code of 1976 as amended.
- (5) "Council" means the City Council of the City of Long Prairie, Todd County, Minnesota.
- (6) "Person" means any natural person of either sex, a co-partnership, a corporation, an association of persons, and an agent or manager of the aforesaid.

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- (7) "Treasurer" means the treasurer of the city of Long Prairie, Todd County, Minnesota.
(No prior Ordinance).

SEVERABILITY, EFFECT OF REPEAL

1.501. Severability of Provision. Every chapter, section, subsection, or other part thereof of this code shall be severable. If any part of any chapter, section, subsection, or other part thereof is found by a court of competent jurisdiction to be unconstitutional and void, the remaining parts shall remain valid unless the court finds the valid parts of the chapter, section, subsection, or other part thereof to be so essentially and inseparably connected with, and so dependent upon, the void parts that the court cannot presume the council would have enacted the remaining valid parts without the void ones, or unless the court finds the remaining valid parts, standing alone, are incomplete and are capable of being in accordance with the intent of the council.
(No prior Ordinance)

1.502. Effect of Repeal. The repeal of any provisions of this code shall not affect any right accrued, any duty imposed, any penalty incurred, or any proceeding commenced under or by virtue of the provision repealed. Any civil suit, action, or proceeding pending to enforce any right under the authority of the provision repealed shall and may be proceeded with and concluded under the laws in existence when the suit, action, or proceeding was instituted, notwithstanding the repeal of such provisions; or the same may be proceeded with and concluded under the new provisions, if any enacted.
(No prior Ordinance)

AMENDMENTS

1.601. Amendments. This code may be amended by subsequent ordinances enacted in the manner required by law. Amendments shall be given the same force and effect from the date which they become effective as is given to original provisions of this code. Amendments shall be construed in accordance with the manifest intent of the council in their enactment when lawfully enacted even though amendments are irregular or deficient, for some reason, in the manner in which they amend this code.
(No prior Ordinance)