

# City of Canton

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## ORDINANCE #2023-05

**AN ORDINANCE ENACTING THE CODE OF ORDINANCES FOR THE CITY OF CANTON, MINNESOTA, ADOPTING THE MINNESOTA BASIC CODE OF ORDINANCES, 2023 EDITION 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 of Ordinances 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 Canton, Minnesota, ordains:

Section 1. The Minnesota Basic Code of Ordinances, 2023 Edition, together with amendments and supplements contained therein, is hereby adopted and shall constitute the "Code of Ordinances of the City of Canton." 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 of Ordinances, 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 and those existing city ordinances also listed in Section 3:

**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
53. Storm Water Drainage Utility
54. Rates and Charges

TITLE VII: TRAFFIC CODE

70. Traffic Regulations
72. Snowmobiles
73. Recreational Vehicles
74. Bicycles, Roller Blades, Roller Skates, Roller Skis and Skateboards

TITLE IX: GENERAL REGULATIONS

90. Abandoned Property
91. Animals
92. Health and Safety; Nuisances
93. Streets and Sidewalks

TITLE XI: BUSINESS REGULATIONS

110. General Licensing Provisions
111. Commercial Amusements
112. Liquor Regulations
113. Peddlers and Solicitors
114. Reserved
115. Reserved
116. Regulating Lawful Gambling
117. Garage and Rummage Sales
118. Regulation of Public Dances and Special Events
119. Sexually Oriented Businesses

TITLE XIII: GENERAL OFFENSES

130. General Offenses

TITLE XV: LAND USAGE

150. General Provisions
152. Subdivision Control
153. Anti-Blight Regulations

Section 3. All prior ordinances shall be deemed repealed from and after the effective date of this ordinance, except as they are listed in this section; 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.

**These are the prior ordinances that shall remain in effect:**

**31.45 – 31.48 Planning Commission**

**52.25 Supply from One Service**

**70.06 U-Turns Restricted**

**Chapter 71. Parking Regulations**

**91.041 Chickens**

**Chapter 151. City of Canton Zoning Ordinance**

Section 4. This ordinance adopting the Minnesota Basic 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 to be printed for general distribution to the public at actual cost and shall furnish a copy of the Code to the County Law Library or its designated depository. The official copy of this Code 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 of Ordinances and any supplements or additions to it, that all existing and future amendments to any state or federal rules and statues adopted by reference or referenced in the Minnesota Basic Code of Ordinances 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 of Ordinances 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 Minnesota Basic 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 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 to any person who requests a copy and shall charge that person the cost to the city of the copy of the Code.

Section 7. This ordinance adopting the Minnesota Basic Code of Ordinances, and the Code 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 CANTON, MINNESOTA THIS 11th DAY OF OCTOBER 2023.

APPROVED:

  
MAYOR

ATTEST:

  
CITY CLERK