

**City of Hewitt
Ordinance #100-004**

**AN ORDINANCE SETTING FORTH PENALTY FOR VIOLATION OF THE CITY CODE
FOR THE CITY OF HEWITT, COUNTY OF TODD AND STATE OF MINNESOTA.**

Section 1: Penalty

- 1.01 Except as otherwise provided in this Code, any person violating any provision of this Code shall be guilty of a misdemeanor and upon conviction thereof shall be punished in accordance with Minnesota Statute 609.03, as amended.
- 1.02 Where there is a continuing violation of any provision of this Code, each day of violation shall constitute a separate offense.
- 1.03 Wherever there is a conflict between the penalty prescribed by this Code and the penalty prescribed by State law, the provisions of the State law shall govern.
- 1.04 A violation of any provision of this Code which also involves the issuance of a City license or permit shall constitute grounds for revocation of said license or permit.
- 1.05 A person violating any of the provisions of this Code shall, in addition to the penalties prescribed herein, be assessed the cost of prosecution.

Section 2: Application

- 2.01 The Penalty provided in this Ordinance shall be applicable to every section of this Code the same as though it were a part of each and every separate action. Any person convicted of a violation of any section of this Code where any duty is prescribed or obligation imposed, or where any act which is of a continuing nature or declared to be unlawful, shall be deemed guilty of a misdemeanor. A separate offense shall be deemed committed upon each day such duty or obligation remains unperformed or such act continues, unless otherwise specifically provided in this Code.

Section 3: Enforcement

- 3.01 Any licensed peace officer, police officer, County Sheriff of the County of Todd, State of Minnesota, or Deputy Sheriff of the County of Todd, State of Minnesota, having jurisdiction, shall have the authority to enforce any provision of this Code.
- 3.02 Any City Official or employee of the City as designated by this Code, who has the responsibility to perform duty under this Code may enforce compliance with this Code, a specifically defined and set forth in this Code.
- 3.03 The failure of any officer, city official or city employee to perform any official duty imposed by this Code shall not subject the officer, official or employee to the penalty imposed for a violation.

Adopted this 24th day of February, 2009 by the City Council, City of Hewitt.

By Mayor Juanita Mitchell

Attest: Miriam A. Collom, City Clerk/Treasurer

