

# SIBLEY COUNTY

## Article 900 “Repealer/ Severability/ Penalties/ Enforcement/ Effective Date Ordinance” of the Code of Ordinances of the County of Sibley

**ARTICLE 900. REPEALER/ SEVERABILITY/ PENALTIES/  
ENFORCEMENT/ EFFECTIVE DATE**

**SECTION 900.1 REPEALER**

SUBD. 900.1.1 This ordinance, the Sibley County Code, to the extent not already repealed, specifically repeals the following designated ordinances:

<u>Ordinance No.</u>	<u>Name of Ordinance</u>	<u>Original Adoption Date</u>
71-1	Planning & Zoning Ordinance	04/28/78
75-1	Regulations for Large Assemblies	08/19/75
76-1	Sibley County Park Ordinance No. 1	05/18/76
79-1	Sibley County Park Ordinance No. 2	11/06/79
81-1	Exhibition Driving Ordinance	09/08/81
83-1	Aggregate Removal Tax Ordinance	04/12/83
83-2	Solid Waste Ordinance	05/10/83
	Amended Solid Waste Ordinance	12/22/92
88-1	General Liquor	07/12/88
89-1	Open Burning	04/11/89
90-1	Solid Waste Management Service Fee	11/09/90
93-1	Shoreland Zoning Ordinance	01/05/93
98-1	Tobacco Ordinance	02/10/98
	Amended Tobacco Ordinance	03/23/99
	Amended Tobacco Ordinance	08/28/01
98-2	Individual Septic Treatment System	
	Loan Program	04/21/98
99-1	9-1-1 Ordinance	05/11/99
03-1	Cleanup of Clandestine Drug Lab	
	Sites Ordinance	12/23/03

SUBD. 900.1.2 All other ordinances of this county or any provision thereof in conflict with this ordinance, the Sibley County Code, or any of its provisions are hereby repealed.

SUBD. 900.1.3 All prior ordinances, pertaining to the subjects treated in the Code of Ordinances, shall be deemed repealed from and after the effective date of this ordinance, except as they are included and reordained in whole or in part in the Code of Ordinances; provided, this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 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 established in prior ordinances codified in this Code shall remain in effect unless amended in this code or a new fee schedule is adopted or amended.

## **SECTION 900.2 SEVERABILITY**

SUBD. 900.2.1 Every article, section, subdivision, paragraph, part, subpart, item or provision of this ordinance, the Sibley County Code, is declared separable from every other article, section, subdivision, paragraph, part, subpart, item or provision.

SUBD. 900.2.2 If any article, section, subdivision, paragraph, part, subpart, item or provision of this ordinance, the Sibley County Code, is declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

## **SECTION 900.3 PENALTIES**

SUBD. 900.3.1 In addition to any other penalty provision contained in any separate article of this ordinance, the Sibley County Code, or any other law, any person, entity, firm or corporation who shall violate any of the provisions hereof or who shall fail to comply with any of the provisions hereof or who shall make any false statement in any document required to be submitted under the provisions thereof, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) and /or by imprisonment not to exceed ninety (90) days Each day that a violation continues shall constitute a separate offense.

## **SECTION 900.4 ENFORCEMENT**

SUBD. 900.4.1 In addition to any other enforcement provisions contained in any separate article of this ordinance, the Sibley County Code, the following enforcement provisions apply:

900.4.1.1 This Ordinance shall be administered and enforced by the county department head responsible for that area, or such person designated the enforcing officer by the county board.

900.4.1.2 In the event of a violation or a threatened violation of this Ordinance, the Board of County Commissioners, in addition to other remedies, may institute appropriate actions or proceedings to prevent, restrain, correct or abate such violations or threatened violations, and it shall be the duty of the County Attorney to institute such action.

900.4.1.3 Any taxpayer or taxpayers of the County may institute mandamus proceedings in the District Court to compel specific performance by the proper official or officials of any duty required by this Ordinance.

900.4.1.4 Nothing herein contained shall prevent the Board of County Commissioners from taking such other lawful action as is necessary to prevent or remedy any violation.

#### **SECTION 900.5 EFFECTIVE DATE**

SUBD. 900.5.1 This Ordinance shall be in full force and effect from and after its passage, approval and publication, as provided by law.