

1 General Provisions

1.1 Adoption of Town of West Lakeland Code of Ordinances

The Town Board of Town of West Lakeland does ordain:

- 1.1.1 **Adoption of Code.** This ordinance consisting of chapter 1 through 18 inclusive is a codification and revision of the ordinances and is hereby adopted as a single, original and comprehensive ordinance to be known as the Town Code of West Lakeland.
- 1.1.2 **Repeal of Ordinances.** Appendix A to the Town Code of West Lakeland is a listing of all ordinances of the Town that are hereby repealed. Appendix B to the Town Code of West Lakeland is a listing of all ordinances that are special or limited in nature and application, and are continued in force, but not set forth in the Town Code.
- 1.1.3 **Subsequent Ordinances.** Ordinances passed after the effective date of the Town Code shall be passed as amendments or additions to the Town Code. These amendments or additions to the Town Code shall be incorporated into that Town Code as a subsequent revision. It is the intention of the Board that the Town Code shall be kept up to date by the insertion of revised or additional pages. Chronological Number of subsequent ordinances will continue.
- 1.1.4 **Abrogation and Greater Restrictions.** This code is not intended to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances separate from the code, or permits previously adopted or issued. In the event of conflicting provisions within the code, the more restrictive provision shall apply.

1.2 Rules of Construction

- 1.2.1 **General.** Words and phrases shall be constructed in their plain ordinary and usual sense, except that technical words and phrases having a peculiar and appropriate meaning in law shall be understood according to their technical import.
 - 1.2.1.1 **Masculine, Feminine or Neuter.** Unless the context clearly requires otherwise, the use of masculine, feminine or neuter gender shall include other genders.
 - 1.2.1.2 **Singular or Plural.** Unless the context clearly requires otherwise, the use of either singular or plural numbers shall include the other number.
 - 1.2.1.3 **Past, Present and Future.** Unless the context clearly requires otherwise, the use of either past, present or future tense shall include the other tenses.
 - 1.2.1.4 **Joint Authority.** Words importing joint authority to three or more persons shall be construed as authority to a majority of such persons.
 - 1.2.1.5 **Computation of Time.** The time within which an act shall be done shall be computed by excluding the first and including the last day. If the last day is a Sunday or legal holiday, such day shall be excluded.

- 1.2.1.6 Conjunctions.** The word “or” and “and” may be read interchangeably in situations where the context requires it.
- 1.2.2 Deputies.** Whenever the Town Code requires an act to be done, which act may legally be done by an agent or employee as well as by the principal, such requirement shall be satisfied by the performance of such act by an authorized agent or employee.
- 1.2.3 Repeals.** The repeal of a provision which repeals a prior provision does not revive the prior provision, unless the intent to do so is clearly stated. The repeal of any provision shall not be construed to abate, annul or otherwise affect any proceeding had or commenced under or by virtue of the repealed provision and the same shall be as effectual as if the said provision had not been repealed, unless a contrary intent is clearly stated.
- 1.2.4 Minnesota Rule of Construction to Apply.** Unless clearly in conflict with the provisions of this code, or otherwise clearly inapplicable, rules of construction established for the state of Minnesota by statutes or case law shall apply in the construction of this code.

1.3 Authority and Purpose

- 1.3.1 Authority.** These regulations are adopted under the authority granted by Minnesota Statutes 462.354.
- 1.3.2 Purpose.** The purpose of this chapter is to promote the health, safety, morals, prosperity, aesthetics, and general welfare of this community.
- 1.3.3 Intent.** It is the intent of these ordinances to preserve and protect the rural character, natural landscape, and natural and scenic beauty of the township and to provide for the compatibility of different land uses and the most appropriate use of land. This intent will be executed by these ordinances to regulate and restrict the use of all structures, lands, and waters and regulate lot coverage, size, and location of structures so as to: lessen congestion in and promote safety and efficiency of streets and highways; foster public safety and convenience in travel and transportation; secure safety from fire, flooding, and other dangers; provide adequate light, air, sanitation, and drainage; prevent overcrowding; avoid undue population concentration by limiting population distribution and density; stabilize and protect property values; further the appropriate use of land and conservation of natural resources; regulate alterations of natural vegetation and topography; prevent environmental pollution and protect surface and ground waters from contamination; reduce construction site erosion; avoid construction problems resulting from high groundwater; facilitate the use of solar energy devices and other innovative development techniques; provide for orderly, economic, and safe removal and processing of sand, gravel, rock, soil, and other material; implement the community’s comprehensive plan or plan components. To this end, it is further intended to provide for the administration and enforcement of these ordinances and provide penalties for its violation.

1.4 Severability

1.4.1 If any chapter, section, sentence, clauses or other part of the Town Code of West Lakeland shall be adjudged void or of no effect, for any reason whatsoever, such decision shall not affect the validity of any of the other portions of the Town Code. It is hereby declared to be the intent that the several provisions of this regulation are separable in accordance with the following:

1.4.1.1 If any court of competent jurisdiction shall adjudge any provision of this regulation to be invalid, such judgment shall not affect any other provisions of this regulation not specifically included in said judgment

1.4.1.2 If any court of competent jurisdiction shall adjudge invalid the application of any provision of this regulation to a particular property, building, or structure, such judgment shall not affect the application of said provision to any other property, building, or structure not specifically included in said judgment.

1.5 Publication and Effective Date

1.5.1 Effective Date. Regulations contained in this chapter shall become effective after their publication according to law.

1.5.2 Publication. This ordinance, the Town Code of West Lakeland, together with such indexes, supplements, appendices or other material as the town may designate, shall be published in book form and a substantial quantity of copies shall be printed and available at the offices of the town clerk for general distribution to the public at a reasonable cost. The Town Code shall become operative and effective as soon as the town clerk shall publish a notice for two (2) successive weeks in the official newspaper of the town of West Lakeland stating that printed copies of the municipal code are available at the office of the town clerk for general distribution.