

CHAPTER 1 ENFORCEMENT, REPEAL, EFFECTIVE DATE.

Subd. 1. Violations and Penalties.

A. Violations.

1. The violation of any provision of this Ordinance or the violation of the conditions or provisions of any permit issued pursuant to this Ordinance shall be a misdemeanor, and upon conviction thereof, the violator shall be subject to a fine or imprisonment for a term not to exceed ninety (90) days or both.
2. In cases where a building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained or any building, structure or land is used in violation of this Ordinance, the City Clerk or designee, in addition to other remedies may institute any proper action or proceedings in the name of the City. The City and/or its designee shall hereby have the power to prevent unlawful erection, construction, repair, conversion, maintenance or use to restrain, correct or abate such violation to prevent any illegal act, conduct, business or use in or about said premises. It shall be the duty of the City and/or its designee to institute action.

B. Penalties.

1. Unless otherwise provided, each act of violation and every day on which such violation occurs or continues constitute a separate offense.
2. Application to City Personnel: The failure of any officer or employee of the City to perform any official duty imposed by this Ordinance shall not subject the officer or employee to a penalty imposed for violation unless a penalty is specifically provided for such failure.
3. Equitable Release: In the event of a violation or the threatened violation of any provision of this Ordinance or any provision or condition of a permit issued pursuant to this Ordinance, the City in addition to other remedies, may institute appropriate actions or proceedings to prevent, restrain, correct or abate such violation or threatened violation.

Subd. 2. Repeal.

All Ordinances previously in effect pertaining to the regulation of land uses within the City and/or applicable scope and jurisdiction of this Ordinance, to the extent inconsistent with these provisions, are hereby repealed.

Subd. 3. Effective Date.

This Ordinance shall be in full force and effect from and after _____ or the date of its passage and publication according to law, whichever occurs first.

Ordained by the City Council of the City of Avon this ____ day of _____, 2007.