

## **ORDINANCE NO. 366**

AN ORDINANCE ADOPTING THE REVISED ORDINANCES OF THE CITY OF BEACH OF 2009, AND REPEALING ALL ORDINANCES PREVIOUSLY ADOPTED, WITH CERTAIN EXCEPTIONS:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEACH, NORTH DAKOTA, AS FOLLOWS:

**Section 1: Revised Ordinances of 2009.** This Ordinance and the Ordinances hereby adopted shall be known and cited as the Revised Ordinances of 2009.

**Section 2: Enactment.** The Revised Ordinances of 2009, of the City of Beach, North Dakota, consisting of Chapters 1-19, inclusive, an original copy of which has been authenticated by the original signatures of the Mayor and Auditor of the City, and which original is on file in the office of the City Auditor, are hereby adopted as the ordinances of the City of Beach, North Dakota.

**Section 3: Repeal.** All ordinances of the City of Beach, North Dakota, adopted prior to April 6, 2009, are hereby repealed; provided, however, that the following ordinances shall continue in full force and effect regardless of the fact that they may be omitted herein:

1. Ordinance #286, an ordinance adopting certain portions of the North Dakota Motor Vehicle Laws, and also establishing certain limitations and rules for the regulation of traffic, which include traffic administration, enforcement, and obedience to traffic regulation, traffic control devices, speed regulations, turning movements, one-way streets and alleys, stop and yield intersections, miscellaneous driving rules, pedestrian rights and duties, regulations for motor cycles, regulations for bicycles, angle parking, stopping, standing or parking prohibited in specific places, reserved parking areas, time limit parking zones, equipment of vehicles, regulating the kinds and classes of traffic on certain roadways, and operation of snowmobiles.

2. Ordinance #287. An ordinance setting forth certain offenses prohibited within the City of Beach, North Dakota, which are offenses of general applicability; offenses against persons; offenses against property; and offenses against public order, health, safety, and sensibility.

3. All existing ordinances granting franchises, even if omitted from these Revised Ordinances. The incorporation in these Revised Ordinances of any ordinance granting a franchise shall not operate to repeal the ordinance granting the franchise in its original form, nor to extend the term of any franchise beyond that fixed in that ordinance granting the franchise even if reenacted herein.

4. All existing ordinances creating contract obligations on the part of the City, which obligations shall remain binding until fully preformed by the City.

5. All existing ordinances establishing special improvement districts or street grades.

6. All existing ordinances levying taxes for any years under the provisions of any law relating to the issuance of revenue bonds, municipal bonds, warrants, certifications of indebtedness, or other municipal obligations, whether general or specific.

7. All salary and appropriation ordinances.

8. Any and all ordinances adopted in these Revised Ordinances by reference, although the same are not set forth in full herein.

**Section 4: Existing licenses and permits.** All licenses and permits issued prior to the date on which these Revised Ordinances become effective shall continue in force for the remainder of the term for which the license or permit was issued, without additional fees; but all such licensees or permittees shall hereafter be governed by the provisions of these Revised Ordinances of 2009 for the remainder of the term of the license or permit, in the same manner and to the same extent as if the license or permit had been issued pursuant to the provisions of these Revised Ordinances of 2009.

**Section 5: New licenses and permits.** In the case of any license or permit not heretofore required, and appearing for the first time in these Revised Ordinances of 2009, such license or permit shall be secured on or before the first day of the first month following the date on which this enacting of the Revised Ordinances of 2009 shall become effective. The first fee for any such license or permit shall be prorated for the remainder of the term thereof on a monthly basis, provided that a minimum fee for any such new license or permit shall be One Dollar (\$1.00).

**Section 6: Invalidity of Parts.** If any section, subsection, sentence, clause, or phrase of these Revised Ordinances of 2009 shall hereafter for any reason be held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not effect the validity or constitutionality of any other section, subsection, sentence, clause, or phrase, or any portion thereof. The City Council of the City of Beach, North Dakota, hereby declares that it would have passed these Revised Ordinances in each section, subsection, sentence, clause, or phrase, irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases may later be declared to be invalid or unconstitutional.

**Section 7: Effective date.** This Ordinance shall be in full force and effect from and after its final passage and approval.

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Walter Losinski, Mayor

ATTEST:

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Kimberly Nunberg, City Auditor

First Reading: March 16, 2009

Second Reading: April 6, 2009

Final Passage: April 6, 2009