

CHAPTER 1-2 GENERAL CODE PROVISIONS

1-2-1 PENALTY - GENERAL

Excepting in cases where a different penalty is imposed by this Code or by some existing provision of law, every violation of any of the provisions of this Code shall be punished by a fine not exceeding five hundred dollars (\$500.00). Each day's violation of any section of this Code shall be deemed a separate offense.

1926 RO. §186; 1960 R.O. §11.0101; Ordinance 189, 5/3/82; Authority: SDCL 9-19-3

1-2-2 CONFLICTING ORDINANCES REPEALED; EXCEPTIONS

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance, or relating to the subject matter of this Ordinance and not re-enacted as part of this Ordinance, excepting as stated in this Chapter, are hereby repealed; provided however, that nothing herein shall be construed as repealing any special ordinances, appropriation ordinances, franchise ordinances, levying ordinances for the issuance of bonds, or other special ordinances of like character, nor shall this Ordinance repeal or modify the provisions of any resolutions heretofore adopted by the City of Platte unless provisions of this Ordinance in effect, either modify, repeal, or amend such resolutions.

1926 RO. §187; 1960 RO. §11.0102; Authority: SDCL 9-19-3

1-2-3 PUBLICATION AND EFFECT

This Ordinance shall take effect immediately upon its adoption and complete publication of the notice of such adoption as provided by Section 9-19-17 of the South Dakota Codified Laws, or acts amendatory thereto.

1926 RO. §191; 1960 R.O. §11.0103; Authority: SDCL 9-19-3; See Also: SDCL 9-19-17

1-2-4 SEVERABILITY

If any section of this 2008 Municipal Code or any section of its appendices is declared unconstitutional or the application thereof to any person or circumstances is held invalid by a court of competent jurisdiction, the constitutionality of the remainder of the 2008 Municipal Code and applicability thereof to other persons or circumstances shall not be affected.

1926 RO. §189; Authority: SDCL 9-19-3

1-2-5 CITATION OF CODE

This ordinance in revision may be cited as the "2008 Municipal Code," or "Code," or "Code of Ordinances."

Authority: SDCL 9-19-3

1-2-6 AMENDMENTS TO CODE

- (a) Amendments to any of the provisions of this Code shall be made in accordance with SDCL 9-19-6, by amending such provisions by specific reference to the section number of this Code in the following language: "An ordinance amending section_____ of the Revised Ordinances of the City of Platte." followed by: "Be it ordained by the City of Platte" followed by the substance of the provision.

- (b) In the event a new section not heretofore existing in the Code is to be added, an ordinance shall be created amending the Code, made in accordance with SDCL 9-19-6, using the following language: "An ordinance amending the Revised Ordinances of the City of Platte adding _____ (Chapter, Section, or Subsections, as needed)." followed by: "Be it ordained by the City of Platte". The new section shall then be set out in full as desired.

Authority: SDCL 9-19-3; See Also: SDCL 9-19-6

1-2-7 SUPPLEMENTATION OF CODE -- GENERALLY

- (a) By contract or by city personnel, supplements to this Code shall be prepared and printed whenever authorized or directed by the city council. A supplement to the Code shall include all substantive permanent and general parts of ordinances adopted during the period covered by the supplement and all changes made thereby in the Code. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages which have become obsolete or partially obsolete, and the new pages shall be so prepared that, when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement.
- (b) In preparing a supplement to this Code, all portions of the Code which have been repealed shall be excluded from the Code by the omission thereof from reprinted pages.
- (c) When preparing a supplement to this Code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into a unified code. For example, the codifier may:
 - (1) Organize the ordinance material into appropriate subdivisions;
 - (2) Provide appropriate catchlines, headings and titles for sections and other subdivisions of the Code printed in the supplement, and make changes in such catchlines, headings and titles;
 - (3) Assign appropriate numbers to sections and other subdivisions to be inserted in the Code and, where necessary to accommodate new material, change existing section or other subdivision numbers;
 - (4) Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections _____ to _____" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated into the Code); and
 - (5) Make other nonsubstantive changes necessary to preserve the original meaning of ordinance sections inserted into the Code; but in no case shall the

codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodied in the Code.

1-2-8 SUPPLEMENTATION OF CODE – EXCLUSION OF SPECIAL OR TEMPORARY ORDINANCES

Ordinances hereafter adopted which are not of a general or permanent nature shall be numbered consecutively, authenticated, published and recorded in the book of ordinances, but shall not be prepared for insertion in this Code, nor be deemed a part hereof.

1-2-9 RESPONSIBILITY OF OFFICERS WITH RESPECT TO ASSIGNED COPIES OF CODE

Each city officer assigned a copy of this Code shall be responsible for maintaining the same and for the proper insertion of amendatory pages as received. Each such copy shall remain the property of the city and shall be turned over by the officer having custody thereof, upon expiration of his term of office, to his successor or to the municipal finance officer, in case he shall have no successor.