

ORDINANCE NO. 105

AN ORDINANCE OF THE CITY OF HOKAH ADOPTING BY REFERENDEE CERTAIN MINNESOTA CODE OF AGENCY RULES OF THE DEPARTMENT OF AGRICULTURE RELATING TO SHADE TREE PROGRAM AND AMENDING ORDINANCE NO. 63 ENTITLED "AN ORDINANCE RELATING TO THE CONTROL AND PREVENTION OF DUTCH ELM DIEEASE WITHIN THE VILLAGE OF HOKAH" AND PROVIDING FOR PENALTIES FOT THE VIOLATOIN THEREOF.

The City Council of the City of Hokah, Houston County, Minnesota, ordains:

SECTION I. All provisions of Ordinance no. 63, except as hereinafter emended, shall remain in full force and effect, except as to such portions thereof which may be superseded or nullified by operation of law.

SECTION II. Wherever in said Ordinance No. 63 he word, "Village" is used, said word shall be substituted by the word, "City".

SECTION III. Sections 1.0109 through 1.0111 of 3 Minnesota Code of Agency Rules, Department of Agriculture, Shade Tree Program (1978 Edition) together with amendments thereof to date, are hereby adopted by reference and made a part of said ordinance as if set out hereat in full, except as hereinafter provided. A copy of said Agency Rules incorporated herein is on file in the Office of the City Clerk-Administrator, marked "Official Copy."

SECTION IV. The stockpiling of bark bearing elm wood within the city limits of the city of Hokah shall be permitted from the period from September 15 through April 1 of any given year, but all such wood shall have been utilized or otherwise removed and disposed of consistent with this ordinance and of the regulations incorporated by April 1.

SECTION V. Wherever the terms of this ordinance conflict with or are inconsistent with any other ordinance of the City, the provisions of this ordinance shall supersede except where the one regulation is more restrictive than the other, in which case the more restrictive shall control and apply. If any provisions of this ordinance shall be determined to be invalid, nullified and of no effect, all other provisions shall nevertheless remain in full force and effect.

SECTION VI. Persons violating any provisions of this ordinance shall, upon conviction hereof, be deemed guilty of a misdemeanor and shall be subject to fine not to exceed \$500 or imprisonment not to exceed ninety days, or both.

SECTION VII. This ordinance shall become effective upon its due passage and enactment and publication according to law.

Passed and enacted this 6th day of November, 1979.

Approved:

Edward F. Lonkoski
Mayor

Attest:

Ernest Sloan
City Clerk-Administrator