

CHAPTER 11 MISDEMEANORS

SECTION 1100 GENERAL PROVISIONS

1100.01 **Incorporation of State Criminal Code**

The City hereby adopts as its laws the Minnesota Criminal Code as amended. Such adoption of the State Criminal Code will include the adoption of Minnesota Statutes §609.01 through and including §609.89. It is intended that the State Criminal Code Chapter 609, as set forth in this subsection, is hereby adopted by reference and is to be considered as much a part of this Code as if fully set forth herein. A violation of the statutes adopted by reference is a violation of this Code.

1100.02 **Definitions**

Subd. 1 **Conviction** “Conviction” shall mean either of the following accepted and recorded by the Court:

- a. a plead of guilty; or
- b. a verdict of guilty by a jury or a finding of guilty by the Court.

Subd. 2 **Crime** “Crime” shall mean any conduct which is prohibited by this Code and for which the actor may be sentenced to imprisonment or fine.

Subd. 3 **Misdemeanor** “Misdemeanor” shall mean any offense for which the sentence as set out in §1140.03 of this Code may be imposed.

Subd. 4 **Petty Misdemeanor** “Petty Misdemeanor” is any offense which does not constitute a crime, and for which a sentence of a fine as set out in §1140.04 of this Code may be imposed.

1100.03 **Violation a Misdemeanor or Petty Misdemeanor**

Every person who violates a chapter, section, subsection, subdivision, paragraph or provision of this Code when he performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof shall be punished for violation of a misdemeanor, or for a petty misdemeanor as specified by the section of the Code for which said person is convicted of violating. Unless another penalty is expressly provided for in specific provisions of this Code, or in those provisions of state law incorporated by reference, violation of any chapter, section, subsection, subdivision, paragraph or provision shall constitute a misdemeanor.

1100.04 **Separate Violations**

Unless otherwise provided, each act of violation and every day on which a violation occurs or continues shall constitute a separate offense.

1100.05 Applicability

It is the intention of the Council that the penalties provided by this section or any other section of this Code applies to any amendment of any section of this Code whether or not such penalty is reenacted in the amendatory ordinance, unless otherwise provided in the amendatory ordinance.

1100.06 Failure of Officers to Perform Duties

The penalties imposed by this section or any other section of this Code do not apply to the failure of an officer or employee of the City to perform a duty imposed by this Code unless a penalty is specifically provided for such failure.