

1100.02 RULES.

The language set forth in the text of this Ordinance shall be interpreted in accordance with the following rules of construction:

1. The singular number includes the plural, and the plural the singular.
2. The present tense includes the past and the future tenses, and the future the present.
3. The words "shall" and "must" are mandatory while the word "may" is permissive.
4. The masculine gender includes the feminine and neuter.
5. Whenever a word or term defined hereinafter appears in the text of this Ordinance, its meaning shall be construed as set forth in such definition.

1100.03 RELATION TO COMPREHENSIVE PLAN.

It is the policy of the City of Belle Plaine that the enforcement, amendment and administration of this Ordinance be accomplished with due consideration of the recommendations contained in the City Comprehensive Plan as developed and amended from time to time by the Planning Commission, City Council and Metropolitan Council. The Council recognizes the City Comprehensive Plan as the policy for the responsibility to regulate land use and development in accordance with the policies and purpose herein set forth.

1100.04 INTERPRETATION.

In their interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, morals and general welfare. Where the provisions of this Ordinance impose greater restriction than those of any statute, other ordinance or regulation, the provisions of this Ordinance shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this Ordinance, the provisions of such statute, other ordinance or regulations shall be controlling.

1100.05 COMPLIANCE.

All buildings erected hereafter, all uses of land or buildings established hereafter, all structural alteration or relocation of existing buildings occurring hereafter and all enlargements of, or additions to, existing uses occurring hereafter, shall be subject to all regulations of this Ordinance which are applicable to the zoning district in which such buildings, uses or land are located.

However, where a building permit for a building or structure has been issued in accordance with the law prior to the effective date of this Ordinance, which has not by its terms expired prior to such effective date, and provided that construction is begun before the permit's expiration and within one year of its effective date and diligently pursued to completion, said building or structure may be completed in accordance with the approved plans on the basis of which the building permit was issued and further, may upon completion be occupied under a certificate of occupancy by the use for which originally designated, subject thereafter to the provisions of this Ordinance relating to non-conformities.

1100.06 USES NOT PROVIDED FOR WITHIN ZONING DISTRICTS.

Whenever in any zoning district a use is neither specifically permitted nor denied, the use shall be considered prohibited. In such cases, the City Council or the Planning Commission, on their own initiative or upon request, may conduct a study to determine if the use is acceptable, and if so, what zoning district would be most appropriate and the determination as to conditions and standards relating to the development of the use. The City Council, Planning Commission or property owner, upon receipt of the staff study shall, if appropriate, initiate an amendment to the Zoning Ordinance to provide for that particular use or shall find that the use is not compatible for development within the City.

1100.07 SEPARABILITY.

It is hereby declared to be the intention of the City of Belle Plaine that several provisions of this Ordinance are separable in accordance with the following:

1. If any court of competent jurisdiction shall determine any provision of this Ordinance to be invalid, such judgment shall not effect any other provisions of this Ordinance not specifically included in said judgment.
2. If any court of competent jurisdiction shall determine invalid the application of any provision of this Ordinance to a particular property, building or other structure, such judgment shall not affect the application of said provision to any other property, building or structure not specifically included in said judgment.

1100.08 AUTHORITY.

This Ordinance is enacted pursuant to the authority granted by the Municipal Planning Act, Minnesota Statutes, Section 462.351 to 462.364.

1100.09 COMPREHENSIVE; REVISION.

The Council intends Ordinance 02-07 to be a comprehensive revision to Ordinance No. 88-01 of the City, as amended. Any act done, offense committed, or rights accruing or