



**CITY OF HAPPYTOWN
CODE OF ORDINANCES
REVISED AND CODIFIED**

PREAMBLE

WHEREAS, pursuant to the plenary police powers vested in the City of Happytown (hereinafter “the Municipality”) under applicable state-enabling statutes and constitutional provisions, the governing body hereby adopts, codifies, and promulgates the following Municipal Code for the preservation of public health, safety, welfare, and general order;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Happytown as follows:

ARTICLE I — GENERAL PROVISIONS

§1.01 Short Title.

This compilation shall be known and may be cited as the “Happytown Municipal Code” (the “Code”).

§1.02 Construction and Interpretation.

(A) The provisions herein shall be liberally construed in favor of effectuating the legislative intent of the Council, notwithstanding any rule of strict construction against the Municipality.

(B) Words importing the singular number shall include the plural and vice versa; words importing the masculine gender shall include the feminine and neuter; and the term “shall” is mandatory and not directory unless expressly stated otherwise.

(C) In the event of ambiguity, the interpretation most consistent with the preservation of public welfare shall prevail.

§1.03 Severability.

Should any clause, sentence, paragraph, section, or part thereof be adjudged invalid by a court of competent jurisdiction, such judgment shall not impair or invalidate the remainder of this Code, which shall remain in full force and effect.

ARTICLE II — ADMINISTRATIVE AUTHORITY

§2.11 Delegation of Enforcement Authority.

The City Manager, or duly authorized designee, is hereby empowered to promulgate administrative rules, directives, interpretive bulletins, and enforcement memoranda necessary to effectuate the purposes of this Code, provided such instruments are not inconsistent with express legislative enactments.

§2.14 Civil Infractions and Penalties.

(A) Any violation of this Code shall constitute a civil infraction unless otherwise designated as a misdemeanor.

(B) Each day during which a violation persists shall constitute a separate and distinct offense.

(C) The Municipality may pursue cumulative remedies, including but not limited to injunctive relief, administrative citation, lien imposition, or cost recovery proceedings.

ARTICLE III — PUBLIC CONDUCT AND NUISANCE

§3.22 Declaration of Public Nuisance.

Any condition, act, omission, or maintenance of property that endangers public health, obstructs the free use of property, or interferes with the comfortable enjoyment of life or property is hereby declared a public nuisance per se.

§3.27 Abatement Procedures.

The Municipality may summarily abate any nuisance upon written notice and expiration of a compliance period not to exceed ten (10) calendar days, unless exigent circumstances justify immediate action.

ARTICLE IV — LEGISLATIVE AUTHORITY AND ORDINANCE ENACTMENT

§4.01 Legislative Findings and Purpose.

The Council hereby finds and declares that the orderly administration of municipal affairs necessitates the codification, revision, and systematic enforcement of ordinances regulating conduct, property, commerce, and civic activity within the territorial jurisdiction of the Municipality. Such authority is exercised pursuant to constitutional home rule powers, state statutory delegation, and the inherent police power to regulate in furtherance of the public health, safety, morals, and general welfare.

§4.02 Enactment Procedure.

(A) No ordinance shall be valid unless introduced in writing, assigned a tracking designation, and read by

title at not fewer than two (2) duly noticed public meetings.

(B) Emergency ordinances may be adopted upon a supermajority vote where the Council expressly declares that immediate preservation of public peace, property, or fiscal integrity requires expedited enactment.

(C) Codification, renumbering, stylistic revision, and clerical correction shall not constitute substantive amendment.

§4.03 Publication and Effective Date.

Unless otherwise specified, ordinances shall take effect thirty (30) days following publication in the official newspaper of record or digital repository designated by resolution of Council.

ARTICLE V — REGULATORY COMPLIANCE AND ADMINISTRATIVE PROCEDURE

§5.01 Regulatory Scope.

All persons, entities, partnerships, corporations, associations, trusts, and other juridical or natural persons within the Municipality shall comply with all applicable provisions of this Code, irrespective of intent, knowledge, or awareness thereof.

§5.04 Administrative Interpretation.

(A) The City Attorney shall issue advisory opinions upon request of the City Manager or Council.

(B) Interpretive bulletins issued by administrative departments shall be afforded persuasive authority unless contradicted by judicial determination.

(C) Silence within this Code shall not be construed as authorization.

§5.07 Burden of Proof.

In any administrative enforcement proceeding, the Municipality shall establish a prima facie case by a preponderance of the evidence. Upon such showing, the burden shall shift to the respondent to demonstrate compliance, exemption, or lawful nonconformity.

ARTICLE VI — LICENSING AND PERMITTING FRAMEWORK

§6.01 General Licensing Requirement.

No person shall engage in any regulated activity without first obtaining all licenses, certifications, registrations, or approvals required by this Code or related administrative regulation.

§6.05 Conditions of Issuance.

Licenses may be conditioned upon:

1. Demonstration of financial responsibility;
2. Submission of fingerprints, background verification, and sworn disclosures;
3. Inspection of premises for code compliance;
4. Payment of all required fees;
5. Execution of indemnification agreements.

§6.09 Revocation or Suspension.

The City Manager may suspend or revoke any license upon a finding of material misrepresentation, repeated violation, or conduct detrimental to public welfare. Such action shall follow written notice and opportunity for hearing unless exigent circumstances justify immediate suspension.

ARTICLE VII — PUBLIC RECORDS AND DOCUMENT RETENTION

§7.01 Records Classification.

Municipal records shall be classified as public, confidential, privileged, or restricted in accordance with applicable state public records law.

§7.03 Retention Schedule.

Departments shall adhere to an approved records retention schedule, which may mandate preservation periods ranging from three (3) years to permanent archival storage.

§7.07 Fees for Production.

The Municipality may recover the actual cost of duplication, redaction, staff time exceeding one (1) hour, and technological retrieval expenses.

ARTICLE VIII — PUBLIC HEALTH AND SAFETY REGULATIONS

§8.01 General Welfare Clause.

The Municipality reserves authority to regulate activities reasonably calculated to prevent injury, disease, unsanitary conditions, or hazardous accumulation of materials.

§8.05 Unsafe Structures.

Any structure deemed structurally deficient, fire-prone, vermin-infested, or otherwise hazardous shall be declared unsafe. The owner shall remedy such condition within a prescribed compliance period or be subject to municipal abatement and cost recovery.

§8.09 Emergency Powers.

In the event of natural disaster, epidemic, civil unrest, infrastructure failure, or comparable emergency, the Mayor may issue executive directives temporarily superseding ordinary regulatory requirements to preserve life and property.

ARTICLE IX — FINANCE, TAXATION, AND FISCAL MANAGEMENT

§9.01 Annual Budget Adoption.

The Council shall adopt an annual budget by ordinance, appropriating funds for municipal operations, capital improvements, debt service, and contingency reserves.

§9.04 Special Assessments.

Where public improvements confer a specific and peculiar benefit upon certain properties, the Municipality may levy special assessments proportionate to such benefit.

§9.08 Municipal Liens.

Unpaid fines, fees, assessments, or abatement costs shall constitute a lien upon the subject property, enforceable in the same manner as property taxes.

ARTICLE X — ENFORCEMENT MECHANISMS

§10.01 Inspection Authority.

Authorized officials may enter property during reasonable hours to inspect for compliance, subject to constitutional limitations and warrant requirements where applicable.

§10.03 Administrative Citations.

Violations may be addressed through written citation specifying the nature of the infraction, corrective action required, and applicable penalty.

§10.06 Civil Remedies.

In addition to fines, the Municipality may seek injunctive relief, declaratory judgment, or equitable remedies in a court of competent jurisdiction.

§10.09 Cost Recovery.

All expenses incurred by the Municipality in enforcement, including attorney fees and administrative overhead, may be assessed against the responsible party.

ARTICLE XI — ETHICS AND CONFLICTS OF INTEREST

§11.01 Code of Ethical Conduct.

Elected officials and employees shall avoid any action that may result in, or create the appearance of, impropriety, undue influence, or financial gain derived from official position.

§11.04 Disclosure Requirements.

Any official with a financial interest in a matter pending before the Municipality shall disclose such interest and recuse themselves from deliberation and vote.

ARTICLE XII — PUBLIC MEETINGS AND TRANSPARENCY

§12.01 Open Meeting Requirement.

All meetings of the Council and subordinate boards shall be conducted in compliance with open meeting statutes, except where executive session is authorized for limited purposes.

§12.05 Public Comment.

The Council may adopt reasonable rules governing the time, manner, and decorum of public comment.

ARTICLE XIII — DEFINITIONS AND INTERPRETIVE CLAUSES

§13.01 Definitions.

For purposes of this Code:

- “Person” includes natural persons, corporations, limited liability companies, partnerships, joint ventures, trusts, and governmental entities.
- “Shall” denotes mandatory obligation.

- “May” denotes discretionary authority.
- “Including” means including but not limited to.
- “Premises” means any lot, parcel, building, structure, or portion thereof.

§13.06 Headings.

Section headings are provided for convenience only and shall not affect interpretation.

ARTICLE XIV — AMENDMENT AND REVISION

§14.01 Amendments.

This Code may be amended by ordinance adopted in accordance with §4.02.

§14.04 Periodic Review.

The Council may direct periodic review and recodification to ensure consistency, eliminate redundancy, and incorporate judicial interpretations.

ARTICLE XV — MISCELLANEOUS PROVISIONS

§15.01 No Vested Rights.

Except as expressly provided, no person shall acquire a vested right in the continuation of any regulatory scheme, fee structure, or enforcement policy.

§15.03 Immunity.

Nothing herein shall be construed as a waiver of sovereign or governmental immunity except where expressly provided by law.

§15.06 Effective Date.

This expanded Code shall remain in full force and effect unless repealed, amended, or superseded by lawful authority.