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Article 01 General Provisions

Division 1 Authority

43.01.11 Purpose

- A) This chapter is enacted for the purpose of:
- 1) Promoting public health, safety, morals, comfort and general welfare
 - 2) To conserve and protect property and property values
 - 3) To secure the most appropriate use of land
 - 4) To facilitate adequate and economical provisions for public improvements,
 - 5) To implement the comprehensive plan

license issued in conflict with the provisions of the UDC shall be null and void. It shall be the duty of the UDC administrator to create an application manual based on this UDC and amend it as needed.

43.01.17 Penalties

- A) A violation of any provision of this section shall be declared to be a nuisance which shall be remedied pursuant to Chapter 32.
- B) It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain or use any building or land in violation of any of the provisions of this chapter or any amendment or supplement thereto adopted by the city council. Any person violating any of the provisions of the UDC or any amendment or supplement thereto shall be deemed guilty of a misdemeanor. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use continues shall be deemed a separate offense.
- C) Such penalties under A) and B) are cumulative and not exclusive such that the City of Winona has the right to exercise either or both options in its sole discretion or judgement.

43.01.18 Injunctions against Illegal Uses

- A) In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used or any land is or is proposed to be used in violation of this chapter or any amendment or supplement thereto, the city council, the city attorney, the building official or any adjacent or neighboring property owner who would be specially damaged by such violation may, in addition to other remedies provided by law, institute appropriate action or proceedings to prevent the unlawful conversion, maintenance or use to restrain, correct or abate such violations, to prevent the occupancy of such building structure or land or to prevent any illegal act, conduct, business or use in or about such premises.

Division 2 Interpretation

43.01.21 Relationship to Comprehensive Plan

- A) The Comprehensive Plan for the City of Winona or “comprehensive plan”, including amendments adopted by the City Council, is the guiding policy document for the UDC. A primary intent of the UDC is to implement the goals and objectives of the comprehensive plan while remaining consistent with all applicable requirements of federal and state laws.

43.01.22 Conflicting Regulations or Provisions

- A) In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements. Wherever the UDC imposes a greater restriction than is imposed or required by other provisions of law or by other rules or regulations or ordinances, the provisions of the UDC shall govern except as otherwise provided in State statutes or rules.

43.01.23 Use of Graphics, Illustrations, Figures, Photos, and Cross-References

- A) Graphics, illustrations, figures, and photos are provided for illustrative purposes only and shall not be construed as regulations. Where a conflict may occur between the text and any graphic, illustration, figure, or photo, the text shall control.