

**TOWN OF EUREKA  
DAKOTA COUNTY, MINNESOTA  
ORDINANCE NO. 2017-\_\_**

**AN ORDINANCE AMENDING ORDINANCE 1, CHAPTER 4.**

THE TOWN BOARD OF EUREKA TOWNSHIP HEREBY ORDAINS:

SECTION 1. PURPOSE. The Board recognizes that to protect the existing practices of its citizens it is necessary to clarify those practices that are permitted when using land located in the Township for the production and sale of fruits, including apples, grapes and berries, vegetables, flowers, nursery stock, including ornamental shrubs, trees and cultured sod.

SECTION 2. AMENDMENT. Town Ordinance 1, Chapter 4 is hereby amended by amending the definition of Horticulture as follows:

- 2.01 "Horticulture": The use of land for production and sale of fruits, including apples, grapes and berries, vegetables, flowers, nursery stock, including ornamental shrubs, trees and cultured sod. This shall include the right to sell fruits, vegetables, flowers and nursery stock as described above which are harvested from land which is non-contiguous and is harvested and sold for the purpose of supplementing the fruits, vegetables, flowers, and nursery stock, including ornamental shrubs, trees and cultured sod, which are produced on the land at which the sale is occurring.

SECTION 3. SEVERABILITY. Should any section, subdivision clause or any other revision of this Ordinance be held to be invalid in any Court of competent jurisdiction, such decisions shall not affect the validity of the Ordinance as a whole, or of any part hereof, other than the part held to be invalid.

SECTION 4. INSPECTION. A printed copy of the whole Ordinance is available for inspection by any person during the clerk's regular office hours.

SECTION 5. ADOPTION AND ENACTMENT. This Ordinance shall become effective upon passage and publication.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be effective upon its passage and the first day of publication.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Lu Barfknecht, Town Board Chair

\_\_\_\_\_  
Mira Broyles, Town Clerk