ORDINANCE NO. 562

AN ORDINANCE OF THE CITY OF REXBURG, IDAHO, PROVIDING FOR THE DEFINITIONS APPLICABLE GENERALLY TO ORDINANCES OF THE CITY OF REXBURG, IDAHO, AND PROVIDING FOR RULES OF CONSTRUCTION FOR THE ORDINANCES OF THE CITY OF REXBURG, IDAHO.

BE IT ENACTED BY THE CITY COUNCIL OF REXBURG, IDAHO:

Section I. Definitions: The following words and phrases whenever used in ordinances of the City or Rexburg, Idaho, shall be construed as defined in this section unless from the context a different meaning is intedned or unless different meaning is specifically defined and more particularly directed to the use of such words or phrases:

(1) "City/town" Means the City of Rexburg, Idaho, or the area within the territorial limits of the City of Rexburg, Idaho, and such territory outside of the City over which the City has jurisdiction or control of virtue of any constitutional or statuatory provision.

(2) "Computation of time" means the time within which an act is to be done. It shall be computed by excluding the first day and including the last day; and if the last day be Sunday or a legal holiday, that day shall be excluded.

(3) "Council" means the City Council of the City of Rexburg, Idaho. "All its members" or "all councilmen" mean the total number of councilmen provided by the general laws of the State of Idaho.

(4) "County" means the County of Madison, Idaho.

(5) "Law" denotes applicable federal law, the constitution and statutes of the State of Idaho, the ordinances of the City of Rexburg, and when appropriate, any and all rules and regulations which may be promulgated thereunder.

(6) "May" is permissive.

(7) "Month" means a calendar month" means a calendar month.

(8) "Must" and "sahll." Each is mandatory.

(9) "Oath" shall be construed to include an affirmation or declaration in all cases in which, by laws, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."

(10) "Ordinance" means a law of the City; providied that a temporary or special law, administrative action, order or directive, may be in the form of a resolution.

(11) "Owner" applied to a building or land includes any part owner, joint owner, tenant in common, joint tenant or tenant by the entirely, of the whole or a part of such building or land.

(12) "Person" means natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.

(13) "Personal property" includes money, goods, chattels, things in action and evidences of debt.

(14) "Presceding" and "following" mean next before and next after, respectively.

(15) "Property" includes real and personal property.

(16) "Real property" includes lands, tenements and herditaments.

(17) "Sidewalk" means that portion of a street between the curb line and the adjacent property line intended for the use of pedestrians.

(18) "State" means the State of Idaho.

(19) "Street" includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in this city which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state.

(20) "Tenant" and "occupant," applied to a building or land, includes any person who occupies whole or a part of such building or land, whether alone or with others.

(21) Title of Office: Use of the title of any officer, employee, department, board or commission means that officer, employee, department, board or commission of the City.

(22) "Written" includes printed, typewritten, mimeographed or multigraphed.

(23) "Year" means a calendar year.

(24) All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

(25) When an act is required by an ordinance the same being such that it may be done as well by an agent as by the principal, such requirement shall be construed as to include all such acts performed by an authorized agent.

Section 2. Grammatical interpretation: The following grammatical rules shall apply in the ordinances of the City of Rexburg, Idaho:

(1) Gender. Designation in the form of any gender includes the masculine, feminine and neuter genders.

(2) Singular and Plural. The singular number includes the plural and the plural includes the singular.

(3) Tenses. Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicant.

(4) Use of Words and Phrases. Words and phrases not specifically defined shall be construed according to the context and approved usage of the language.

Section 3. Prohibited acts include causing, permitting, etc. Whenever in the ordinances of the City of Rexburg, any act or omission is made unlawful, it shall include causing, allowing, permitting, aiding, abetting, suffering, or concealing the fact of such act or omission.

Section 4. Construction. The provisions of the ordinances of the City of Rexburg, and all proceedings under them are to be construed with a view to effect their objects and to promote justice.

Section 5. Repeal shall not revive any ordinances. The repeal of any ordinance shall not repeal the repealing clause of such ordinance or revive any ordinance which has been repealed thereby.

PASSED AND ADOPTED this 18th day of June 1975.

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Afton Anderson City Clerk

SIGNED AND APPROVED this 18th day of June, 1975.

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Mayor, John C. Porter

STATE OF IDAHO,)
(SS
County of Madison.)

I, AFTON ANDERSON, City Clerk of the City of Rexburg, Idaho, do hereby certify: That the foregoing is a full, true and correct copy of an Ordinance entitled:

AN ORDINANCE OF THE CITY OF REXBURG, IDAHO, PROVIDING FOR THE DEFINITIONS APPLICABLE GENERALLY TO ORDINANCES OF THE CITY OF REXBURG, IDAHO, AND PROVIDING FOR RULES OF CONSTRUCTION FOR THE ORDINANCES OF THE CITY OF REXBURG, IDAHO.

passed by the City Council of the said City and approved by the Mayor on the 18th day of June, 1975.

IN WITNESS WHEREOF, I have herunto set my hand and affixed the seal of said City of Rexburg, this 18th day of June, 1975.

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City Clerk