

TITLE 1. GENERAL PROVISIONS.

1-001. Name of Code.

(1) The Ordinances contained in this Code and all Ordinances of a general nature hereafter adopted and inserted herein and all amendments, additions and changes thereto shall be part of this Code and shall be known and cited as the "Revised Ordinances of Tremonton City Corporation."

1-002. Repeal of Existing Ordinances.

(1) So far as the provisions of these Revised Ordinances are the same as those of previously existing Ordinances, they shall be construed as continuations thereof. All Ordinances and Resolutions of this City heretofore in force, except such as are of a private, local or temporary nature including franchises, grants, dedications, bond issues, elections and special levies for local assessments, hereby are repealed except as otherwise provided in subsection B of this section.

(2) Those ordinances of this City which are of a general nature which are not repealed and which the Recorder is hereby authorized and directed to insert in the appropriate place in this Code and which shall be deemed part of this Code are:

(a) Tremonton City Land Development Code.

(3) The fees or charges established by the ordinances repealed by this Code of Revised Ordinances shall remain in effect until subsequently changed by Ordinance or Resolution, except that the fees and charges established by this Code of Revised Ordinances shall prevail in the event of a conflict.

1-003. Effect of Repealing Ordinances.

(1) The repeal of the Ordinances as provided in Section 1-002, shall not affect any debt or fee which is accrued, any duty imposed, any penalty incurred, nor any action or proceeding commenced under or by virtue of the Ordinances repealed or the term of office of any person holding office at the time these Ordinances take effect; nor shall the repeal of any Ordinance have the effect of reviving any Ordinance heretofore repealed or superseded.

1-004. Effective Date.

(1) These Revised Ordinances shall become effective May 11, 1995.

1-005. Definition and Rules of Construction. In the construction of the Ordinances of this City, the

following rules and definitions shall be observed and applied unless such construction would be inconsistent with the manifest intent of these Ordinances:

(1) "General Rule." All words and phrases shall be construed and understood according to the common use and understanding of the language; the technical words and phrases and such other words and phrases as may have acquired a particular meaning in law shall be construed and understood according to such particular meaning.

(2) "Gender" - Singular and Plural. Unless otherwise indicated from the context of the Ordinance, all words used in the singular shall include the plural and all words used in the masculine gender shall extend to and apply to the feminine gender.

(3) "Person." The term "person" includes all individuals both male and female, any governmental agency, corporation, partnership, association, company, and every other form of organization whether formed voluntarily or involuntarily.

(4) "Tenses." The use of any verb in the present tense shall include the future and past tense when applicable.

(5) "Highway" - "Road." The terms "highway" and "road" include public bridges, and may be equivalent to the words "county way," "county road," "common road," and "state road."

(6) "Street." The term "street" includes alleys, lanes, courts, boulevards, public ways, public squares, public places, sidewalks, gutters and culverts, crosswalks, and intersections.

(7) "Business." The term "business" includes any trade, profession, calling, activity, operation or enterprise for which a license is required by any Ordinance of this City.

(8) "License." The term "license" includes any certificate or license issued by this City.

(9) "Property." The term "property" includes both real and personal property.

(10) "Owner." The term "owner" applied to a building or land shall include any part owner, joint owner, tenant in common, joint tenant or lessee of a whole or part of such building or land.

(11) "Tenant" - "Occupant." The term "tenant" or "occupant" applied to a building or land shall apply to any person who occupies all or any part of such building or land either alone or with others.

(12) "Reasonable Time." In all cases where any Ordinance requires that an act be done in a reasonable time or that reasonable notice be given, such reasonable time for such notice shall be deemed to mean such time as may be necessary for the expeditious performance of such duty or compliance with such notice.

(13) "Time How Computed." The time within

which an act is to be done as provided in any Ordinance or in any Resolution or order of this City, when expressed in days, shall be determined by excluding the first day and including the last day, except if the last day be a Sunday or a holiday, then the last day shall be the day next following such Sunday or holiday which is not a Sunday or holiday. When time is expressed in hours, Sunday and all holidays shall be excluded.

(14) "Week." The word "week" shall be construed to mean any seven (7) day period.

(15) "Location." Whenever any act, conduct or offense is prohibited or required and no reference is made to location, unless the context specifically indicates otherwise, the act, conduct, or offense prohibited or required shall be within the boundaries of this City.

(16) "Chief of Police," "City Marshal," "Town Marshal" or "Marshal." The terms "Chief of Police," "City Marshal," "Town Marshal" or "Marshal" as used in this code all have the same meaning and may be used interchangeably.

(17) "Municipality." The word "municipality" as used throughout this Code means the "Tremontion City Corporation."

(18) "Governing Body." The word "governing body" as used throughout this Code means the City Council of this City.

(19) "Offense." Offense means any act, action, or conduct prohibited by this Code or the failure to perform any acts required in this Code.

(20) "Officer or Officials." The terms "officer" or "official" as used in this Code mean any elected or appointed person employed by the City unless the context clearly indicates otherwise.

(21) "Recorder." The term "Recorder" means the individual appointed to act as the Recorder of the City.

1-006. Captions.

(1) The captions in this Code immediately preceding each section are intended as mere captions to indicate the content of the section and shall not be deemed or taken to be part of the sections.

1-007. Severability.

(1) It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code is declared unconstitutional or without effect by any final judgment or decree of a court of competent jurisdiction, such judgment or decree shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

1-009. Statutes or Codes Included and Excluded.

(1) Any reference or citation to any statute shall not be interpreted or construed to include, incorporate, or make the citation or statute part of this Code unless the provisions of this Code specifically include, incorporate, or make the citation or statute part of this Code by reference or incorporation, and any reference or citation not specifically included or incorporated may be changed, amended or deleted without publication on an order of the City Council.

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