

MILLVILLE CITY CODE
TITLE 1 - GENERAL PROVISIONS
CHAPTER 1.04 - GENERAL PROVISIONS

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1.04.010: DEFINITIONS

The following words and phrases, whenever used in the ordinances of the city of Millville, shall be construed as defined in this section unless from a context a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

BUSINESS: Any trade, profession, calling, activity, operation or enterprise for which a license is required by any ordinance or enterprise for which a license is required by any ordinance of this municipality.

CHIEF OF POLICE, CITY MARSHAL, OR MARSHAL: As used in this code all have the same meaning and may be used interchangeably.

CITY OR MUNICIPALITY: The city of Millville, or the area within the territorial limits of the city, and such territory outside the city over which the city has jurisdiction or control by virtue of any constitutional or statutory provision.

COUNCIL OR GOVERNING BODY: The city council of the city of Millville. "All its members" or "all council members" means the total number of council members holding office.

COUNTY: The county of Cache.

GENERAL RULE: All words and phrases shall be construed and understood according to the common use and understanding or 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.

LAW: Denoted applicable federal law, the constitution and statutes of the state of Utah, the ordinances of the city, and when appropriate, any and all rules and regulations which may be promulgated thereunder.

LICENSE: Means and includes any certificate or license issued by this municipality.

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 municipality.

MAY: Is permissive.

MONTH: A calendar month.

MUST OR SHALL: Are each mandatory.

OATH: Includes an affirmation or declaration in all cases in which, by law, 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".

OFFENSE: Any act, action, or conduct prohibited by this code or the failure to perform any acts required in this code.

OFFICER OR OFFICIALS: Any elected or appointed person employed by the municipality unless the context clearly indicates otherwise.

OWNER: Applied to a building or land, means and includes any part owner, joint owner, tenant in common, joint tenant, tenant by the entirety, of the whole or a part of such building or land.

PERSON: Means and includes a 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.

PERSONAL PROPERTY: Means and includes money, goods, chattels, things in action and evidences of debt.

PRECEDING AND FOLLOWING: Next before and next after, respectively.

PROPERTY: Means and includes both real and personal property.

REAL PROPERTY: Means and includes lands, tenements and hereditaments.

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.

RECORDER: The individual(s) appointed to act as the recorder of the municipality.

SIDEWALK: That portion of a street between the edge of the asphalted road and the adjacent property line intended for the use of pedestrians.

STATE: The state of Utah.

STREET: Means and includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in the 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.

TENANT AND OCCUPANT: Applied to a building or land, means and includes any person who occupies the whole or a part of such building or land, whether alone or with others.

TREASURER: The individual(s) appointed to act as the treasurer of the municipality.

WEEK: Means and shall be construed to mean any seven (7) day period.

WRITTEN: Means and includes printed, typewritten, mimeographed, multigraphed, or otherwise reproduced in permanent visible form.

YEAR: A calendar year. (Ord. 2000-2 § 3)

1.04.020: INTERPRETATION OF LANGUAGE

All words and phrases shall be construed 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. (Ord. 2000-2 § 3)

1.04.030: GRAMMATICAL INTERPRETATION

The following grammatical rules shall apply in the ordinances of the city unless it is apparent from the context that a different construction is intended:

A. Gender: Each gender includes the masculine, feminine and neuter genders.

B. Singular And Plural: The singular number includes the plural and the plural includes the singular.

C. Tenses: Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable. (Ord. 2000-2 § 3)

1.04.040: ACTS BY AGENTS

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 to include all such acts performed by an authorized agent. (Ord. 2000-2 § 3)

1.04.050: PROHIBITED ACTS INCLUDE CAUSING AND PERMITTING

Whenever in the ordinances of the city 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. (Ord. 2000-2 § 3)

1.04.060: COMPUTATION OF TIME

Except when otherwise provided, the time within which an act is required to be done shall be computed by excluding the first day and including the last day, unless the last day is Sunday or a holiday, in which case it shall also be excluded. (Ord. 2000-2 § 3: prior code § 1.110)