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ORDINANCE NO. 86-15

529767

AN ORDINANCE DEFINING WORDS AND PHRASES GENERALLY USED IN THE ORDINANCES OF FREMONT COUNTY, IDAHO; DEFINING THE TITLE OF OFFICERS OF FREMONT COUNTY, IDAHO; PROVIDING FOR THE INTERPRETATION OR CONSTRUCTION OF WORDS AND PHRASES USED IN THE ORDINANCES OF FREMONT COUNTY, IDAHO; PROVIDING FOR THE GRAMMATICAL INTERPRETATION OF THE ORDINANCES OF FREMONT COUNTY, IDAHO; PROVIDING FOR ACTS TO BE DONE BY AGENTS OF FREMONT COUNTY, IDAHO; PROVIDING FOR PROHIBITED ACTS INCLUDED IN DEFINED VIOLATIONS OF FREMONT COUNTY, IDAHO, ORDINANCES; PROVIDING FOR THE COMPUTATION OF TIME UNDER FREMONT COUNTY ORDINANCES; PROVIDING FOR THE GENERAL CONSTRUCTION OF THE ORDINANCES OF FREMONT COUNTY, IDAHO; PROVIDING FOR THE EFFECT OF REPEAL OF ORDINANCES OF FREMONT COUNTY, IDAHO; AND, PROVIDING FOR THE EFFECTIVE DATE HEREOF:

Section 1. Definitions. The following words and phrases, whenever used in the ordinances of the City of Fremont, State of Idaho, shall be construed as defined in this section unless from the 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:

- A. "City" and "town" each mean the incorporated cities in Fremont County, Idaho, or the area within the territorial limits of said cities, and such territory outside said cities over which the cities have jurisdiction or control by virtue of any constitutional or statutory provision.
- B. "Commission" means the Board of Commissioners of Fremont County, Idaho. "All its members" or "all commissioners" means the total number of commissioners holding office.
- C. "County" means the county of Fremont.
- D. "Law" denotes applicable federal law, the Constitution and statutes of the state of Idaho, the ordinances of the County of Fremont, and, when appropriate, any and all rules and regulations which may be promulgated thereunder.
- E. "May" is permissive.

F. "Month" means a calendar month.

G. "Must" and "shall" are each mandatory.

H. "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."

I. "Owner," applied to a building or land, included 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.

J. "Person" 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.

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

L. "Preceding" and "following" means next before and next after, respectively.

M. "Property" includes real and personal property.

N. "Real property" includes lands, tenements and hereditaments.

O. "Sidewalk" means that portion of a street between the curblines and the adjacent property line intended for the use of pedestrians.

P. "State" means the state of Idaho.

Q. "Street" includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in Fremont County 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.

R. "Tenant" and "occupant," applied to a building or land, include any person who occupies the whole or a part of such building or land, include any person who occupies the whole or a part of such building or land, whether alone or with others.

S. "Written" includes printed, typewritten, mimeographed, multigraphed, or otherwise reproduced in permanent visible form.

T. "Year" means a calendar year.

Section 2. 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 of Fremont.

Section 3. 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.

Section 4. Grammatical interpretation. The following grammatical rules shall apply in the ordinances of the County of Fremont, 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.

Section 5. 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.

Section 6. Prohibited acts include causing and permitting. Whenever in the ordinances of the City of Fremont, any act or omission is made unlawful, the unlawful act shall include causing, allowing, permitting, aiding, abetting, suffering, or concealing the fact of such act or omission.

Section 7. 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.

Section 8. Construction. The provisions of the ordinances of the County of Fremont, and all proceedings under them are to be construed with a view to effect their objects and to promote justice.

Section 9. Repeal shall not revive any ordinances. The repeal of an ordinance shall not repeal the repealing clause of an ordinance or revive any ordinance which has been repealed thereby.

Section 10. Effective date. This ordinance shall take effect from and after its passage, all as provided by law.

PASSED THIS 24th DAY OF Nov., 1986, BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, IDAHO.

James Siddoway
JAMES SIDDOWAY, CHAIRMAN

ATTEST:
Betty J. Hill
BETTY J. HILL, CLERK

Microfilm No. 529767
Day August 2010
At 9:49 O'Clock AM
ABBE MACE
FREMONT CO RECORDER
Fee \$ 0 Recorded at Request of CP Deputy
Abbie Mace