

## TITLE 1 CHAPTER 3

### DEFINITIONS

#### SECTION:

- 1-3-1: Construction of Words
- 1-3-2: Definitions, General
- 1-3-3: Catchlines

1-3-1:           **CONSTRUCTION OF WORDS:** Whenever any word in any section of this Code importing the plural number is used in describing or referring to any matters, parties or persons, any single matter, party or person shall be deemed to be included, although distributive words may not have been used.

When any subject matter, party or person is referred to in this Code by words importing the singular number only, or the masculine gender, several matters, parties or persons and females as well as males and bodies corporate shall be deemed to be included; provided, that these rules of construction shall not be applied to any section of this Code which contains any express provision excluding such construction or where the subject matter or context may be repugnant thereto.

The word “ordinance” contained in the ordinances of the City has been changed in the content of the Code to “Title”, “Chapter”, “Section”, and/or “subsection” or words of like import for organizational and clarification purposes only. Such change to the City’s ordinances is not meant to amend passage and effective dates of such original ordinances.

1-3-2:           **DEFINITIONS, GENERAL:** Whenever the following words or terms are used in this Code, they shall have such meanings herein ascribed to them, unless the context makes such meaning repugnant thereto:

#### AGENT:

The word “agent” as used in this Code shall mean a person acting on behalf of another.

#### CITY:

The word “City” as used in this Code shall mean the City of Albion, County of Cassia, State of Idaho.

#### EMPLOYEE:

Whenever reference is made in this Code to a City employee by title only, this shall be construed as though followed by the words “of the City of Albion”.

#### FEE:

The word “fee” as used in this Code shall mean a sum of money charged by the City for carrying on a business, profession or occupation, or for the provision of a service by the City.

**LICENSE:**

The word “license” as used in this Code shall mean the permission granted for the carrying on of a business, profession or occupation.

**MISDEMEANOR:**

When a crime punishable by imprisonment in the State prison is also punishable by fine or imprisonment in a county jail, in the discretion of the court, it shall be deemed a misdemeanor for all purpose after a judgment imposing a punishment other than imprisonment in the State prison.

Whenever the words, “misdemeanor”, “petty misdemeanor” or “violation” are used in this Code, these terms or any of them shall be construed to mean misdemeanor and shall be punished, unless otherwise provided for in a specific Section, as provided under Section 1-4-1 of this Code.

**NUISANCE:**

The word “nuisance” shall mean anything offensive or obnoxious to the health and welfare of the inhabitants of the City; or any act or thing repugnant to, or creating a hazard to, or having a detrimental effect on the property of another person or to the community.

**OCCUPANT:**

The word “occupant” applied to a building or land shall include any person who occupies the whole or any part of such building or land whether alone or with others.

**OFFENSE:**

The word “offense” shall mean any act forbidden by any provision of this Code or the omission of any act required by the provisions of this Code.

**OFFICER:**

Whenever reference is made in this Code to a City officer by title only, this shall be construed as though followed by the words “of the City of Albion”.

**OPERATOR:**

The word “operator” as used in this Code shall mean the person who is in charge of any operation, business or profession.

**OWNER:**

The word “owner” applied to a building or land shall include any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of a part of such building or land.

**PERSON:**

The word “person” shall mean any public or private corporation, firm, partnership, association, organization, government or any other group acting a unit, as well as a natural person.

**PERSONAL PROPERTY:**

The term “personal property” shall include every description of money, goods, chattels, effects, evidence of rights in action and all written, instruments by which any pecuniary obligation, right or title to property is created, acknowledged, transferred, increased, defeated, discharged or diminished and every right or interest therein.

**RETAILER:**

The word “retailer” as used in this Code, unless otherwise specifically defined, shall be understood to relate to the sale of goods, merchandise, articles or things in small quantities direct to the consumer.

**RIGHT-OF-WAY:**

The term “right-of-way” shall mean the privilege of the immediate use of a roadway or other property.

**STREET:**

The word “street” shall include alleys, lanes, courts, boulevards, public ways, public squares, public places and sidewalks.

**TENANT:**

The word “tenant” applied to a building or land shall include any person who occupies the whole or any part of such building or land whether alone or with others.

**WHOLESALER:**

The word “wholesaler” and “wholesale dealer” as used in this Code, unless otherwise specifically defined, shall be understood to relate to the sale of goods, merchandise, articles or things in quantity to persons who purchase for the purpose of resale.

**WRITTEN, IN WRITING:**

The words “written” or “in writing” may include printing and any other mode of representing words and letters, but when the written signature of any person is required by law to any official or public writing or bond required by law, it shall be in the proper handwriting of such person, or in case he is unable to write, by his proper mark.

1-3-3: **CATCHLINES:** The catchlines of the several sections of this Code are intended as mere catchwords to indicate the content of the section and shall not be deemed or taken to be titles of such sections, nor deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any division or section hereof, nor unless expressly so provided, shall they be so deemed when any of such sections, including the catchlines, are amended or re-enacted.