

CHAPTER 3

DEFINITIONS AND CONSTRUCTIONAL RULES

SECTION:

- 1-3-1: *General Constructional Rule*
- 1-3-2: *Plural and Singular Words*
- 1-3-3: *Masculine and Feminine Gender*
- 1-3-4: *Priority of Ordinance*
- 1-3-5: *Definitions*
- 1-3-6: *Captions*

1-3-1: GENERAL CONSTRUCTIONAL RULE: Except as expressly stated in this Code, all words shall have their ordinary, generally-accepted meaning.

1-3-2: PLURAL AND SINGULAR WORDS: Whenever any word in this Code is used in either the singular or in the plural form, then such word shall be deemed to include both the plural and singular forms of such word, unless the context indicates an intent otherwise.

1-3-3: MASCULINE AND FEMININE GENDER: When any person is referred to in any section of this Code by use of the masculine gender, then such reference shall be deemed to include the feminine gender unless the context indicates an intent otherwise.

1-3-4: PRIORITY OF ORDINANCE: In the event of any discrepancy or conflict between this Code and any ordinance passing or amending the same section of this Code, then the provisions of the ordinance shall prevail.

1-3-5: DEFINITIONS: Whenever the following words or terms are used in this Code, they shall have the meanings ascribed below, unless the context clearly indicates otherwise:

AGENT: A person acting on behalf of another.

BUILDING OFFICIAL: The Director of the Planning and Building Division of the City, or his or her nominee.

CITY: The City of Shelley, County of Bingham, State of Idaho.

CITY ATTORNEY: An attorney appointed by the Mayor to provide general counsel and legal assistance to the City and to prosecute or defend all civil actions in which the City is a party.

CITY PROSECUTING ATTORNEY: An attorney appointed by the Mayor to prosecute violations of this Code.

COUNCIL: The lawfully elected City Council of the City.

CRIME: An act in violation of this Code.

FELONY: A crime as defined under Idaho Code, Section 18-111.

INFRACTION: A civil public offense, not constituting a crime, which is punishable only by a penalty not exceeding One Hundred Dollars (\$100) and for which no incarceration may be imposed.

LICENSE: The permission granted for the carrying on of a business, trade, profession or occupation.

MISDEMEANOR: Every crime except a felony.

OCCUPANT: Any person who occupies the whole or any part of such building or land whether alone or with others.

OFFENSE: A crime or other violation of this Code.

OPERATOR: The person who is generally in charge of or responsible for conducting any business, profession or enterprise.

OWNER: Any person owning real or personal property, including any part owner, joint owner, tenant in common, joint tenant, remainderman or person holding a life estate or reversionary interest of any kind.

PERSON: A human being and any public or private corporation, firm, partnership, trust, estate, sole proprietorship, association, organization, government, or any other entity recognized under Idaho law.

PERSONAL PROPERTY: Money, goods, chattels, effects, rights in action and all written instruments evidencing any pecuniary obligation.

RIGHT OF WAY: The privilege of the immediate use of the roadway or other property.

STATE: The State of Idaho.

STREET: All public roads, ways, alleys and rights of way used for the movement of vehicular traffic, including any public sidewalks adjacent thereto.

TENANT: Any person who occupies any building or real property for a consideration to the owner.

UNIFORM FIRE CODE: The Uniform Fire Code as adopted by Ordinance of the City.
UNIFORM PLUMBING CODE: The Uniform Plumbing Code as adopted by Ordinance of the City.

UNIFORM BUILDING CODE: The Uniform Building Code as adopted by Ordinance of the City.

UNIFORM HOUSING CODE: The Uniform Housing Code as adopted by Ordinance of the City.

UNIFORM CODE FOR ABATEMENT OF DANGEROUS BUILDINGS: The Uniform Code for Abatement of Dangerous Buildings as adopted by Ordinance of the City.

1-3-6: CAPTIONS: The captions and titles used at the commencement of each section or subsection of this Code are used only to indicate the content of the section and shall not limit, modify or in any manner affect the scope, meaning or intent of the provisions thereafter.