

ORDINANCE NO. 1438

AN ORDINANCE PROVIDING DEFINITIONS, TITLES, INTERPRETATION OF LANGUAGE, GRAMMATICAL INTERPRETATIONS, ACTS BY AGENTS, PROHIBITED ACTS, COMPUTATION OF TIME, CONSTRUCTION AND AFFECTS OF REPEAL OF THE ORDINANCES OF THE CITY OF HOOD RIVER UPON THEIR RECODIFICATION.

THE CITY OF HOOD RIVER ORDAINS AS FOLLOWS:

Section 1. Definitions. The following words and phrases, whenever used in the ordinances of the City of Hood River, Oregon, 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 City of Hood River, Oregon, or the area within the territorial limits of the City of Hood River, Oregon, and such territory outside of the City of Hood River over which the City of Hood River has jurisdiction or control by virtue of any constitutional or statutory provision.

B. "Council" means the six elected council members and the mayor of the City of Hood River. "All its members" or "all councilmen" means the total number of councilmen holding and mayor holding office.

C. "County" means the County of Hood River.

D. "Law" denotes applicable federal law, the Constitution and statutes of the state of Oregon, the ordinances of the City of Hood River, 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, 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.

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" mean 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 curbline and the adjacent property line intended for the use of pedestrians.

P. "State" means the State of Oregon.

Q. "Street" includes all streets, highway, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in the City of Hood River 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, 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 Hood River.

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 City of

Hood River, unless it is apparent from the contest 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 Hood River, 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.

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 City of Hood River, 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.

Read for the first time: September 26, 1978.

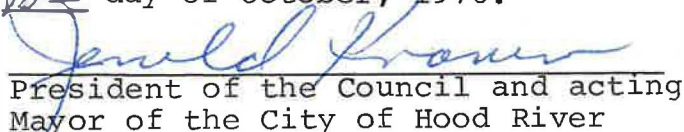
Read for the second time: October 10, 1978.

PASSED by the Council of the City of Hood River this 10th day of October, 1978.


City Recorder

APPROVED by the President of the Council as the acting Mayor of the City of Hood River in the absence of the Mayor from the City of Hood River on this 10th day of October, 1978.

LAW OFFICES
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President of the Council and acting
Mayor of the City of Hood River