

## CITY OF PALMER, ALASKA

## ORDINANCE NO. 204

AN ORDINANCE ADOPTING GENERAL PROVISIONS, DEFINITIONS AND RULES OF CONSTRUCTION APPLICABLE TO THE PALMER CODE OF ORDINANCES.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be of a permanent nature and shall become a part of the City of Palmer Code of Ordinances.

Section 2. Severability. If any provisions of this ordinance, or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Enactment. The following provisions are hereby adopted:

1. Definitions. The following words and phrases, whenever used in the ordinances of the City of Palmer, Alaska, 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" means the City of Palmer, Alaska, or the area within the territorial limits of the City of Palmer, Alaska, and such territory outside of the City over which the City has jurisdiction or control by virtue of any charter, constitutional or statutory provision.

B. "Council" means the City Council of the City of Palmer. "All its members" or "all councilmen" means the total number of councilmen holding office.

C. "Borough" means the Matanuska-Susitna Borough.

D. "Law" denotes applicable federal law, the Constitution and statutes of the State of Alaska, the ordinances of the City of Palmer, 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.

ORDINANCE NO. 204 - CONTINUED

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 curblin and the adjacent property line intended primarily for the use of pedestrians.

P. "State" means the State of Alaska.

Q. "Street" includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in this City which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law.

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.

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.

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.

4. Grammatical interpretation. The following grammatical rules shall apply in the ordinances of the City of Palmer, 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.

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.

6. Prohibited acts include causing and permitting. Whenever in the ordinances of the City of Palmer 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.

7. Computation of time. Except when otherwise provided, the time within which an act is required to be done shall be

ORDINANCE NO. 204 - CONTINUED

computed by excluding the day of the act, event or default from which the designated period of time begins to run and including the last day of the period unless the last day is Sunday or a holiday, in which case it shall also be excluded.

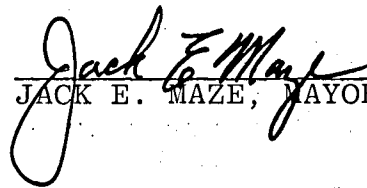
8. Construction. The provisions of the ordinances of the City of Palmer and all proceedings under them are to be construed with a view to effect their objects and to promote justice.


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 4. Publication and Effective Date. This ordinance shall become effective ten days after its adoption and publication shall be by posting a copy hereof on the City Hall bulletin board for a period of ten days following its adoption, and notice of public hearing shall be given by such posting at least five days before final passage.

Introduction and First Reading	<u>April 11, 1978</u>
Vote on First Reading	<u>April 11, 1978 - 7-0</u>
Public Hearing will be held before final passage on:	<u>April 25, 1978</u>

Adopted by the City Council of the City of Palmer, Alaska, this 25th day of April, 1978.

  
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JACK E. MAZE, MAYOR

  
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WILLIAM E. CURTIS, CITY CLERK