

CHAPTER 3

DEFINITIONS

SECTION:

- 1-3-1: Construction of Words
- 1-3-2: Definitions, General
- 1-3-3: Catch lines

1-3-1: **CONSTRUCTION OF WORDS:**

- A. Whenever any word in any section of this City 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 City Code by words importing the singular number only, or a particular gender, several matters, parties or persons and the opposite gender and bodies corporate shall be deemed to be included; provided, that these rules of construction shall not be applied to any section of this City Code which contains any express provision excluding such construction or where the subject matter or context may be repugnant thereto. The use of any verb in the present tense shall include the future and past tense when applicable. (1998 Code)
- B. All words and phrases shall be constructed and understood according to the common use and understanding of the language; the technical words and phrases and such other words and phrases as may have acquired a particular meaning in law shall be construed and understood according to such particular meaning. (1977 Code 1-005A)
- C. The word "ordinance" contained in the ordinances of the City has been changed in the content of this City 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. (1998 Code)

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: A person acting on behalf of another with authority conferred, either expressly or by implication.

BUSINESS: Includes all activities engaged in within the City carried on for the purpose of gain or economic profit, except that the acts of employees rendering service to employers shall not be included in the term “business”, unless otherwise specifically provided.

CITY: Providence City, Utah.

CITY COUNCIL: Unless otherwise indicated, the City Council of Providence City, Utah.

CODE: The City Code of Providence City, Utah.

COUNTY: The County of Cache, Utah.

EMPLOYEES: 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 Providence City”.

FEE: A sum of money charged by the City for the carrying on of a business, profession, or occupation.

GENDER: A word importing either the masculine or feminine gender only shall extend and be applied to the other gender and to persons.

HIGHWAY; ROAD: Includes public bridges, and may be equivalent to the words “county way”, “county road”, “common road”, and “State road”.

LICENSE: The permission granted for the carrying on of a business, profession or occupation. The term “license” includes any certificate or license issued by the City.

LOCATION:	Whenever any act, conduct or offense is prohibited or required and no reference is made to location, unless the context specifically indicates otherwise, the act, conduct, or offense prohibited or required shall be within the boundaries of this City.
NUISANCE:	Anything offensive to the sensibilities of reasonable persons, or any act or activity creating a hazard which threatens the health and welfare of inhabitants of the City, or any activity which by its perpetuation can reasonably be said to have a detrimental effect on the property of a person or persons within the community.
OCCUPANT:	As 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:	Any act forbidden by any provision of this Code or the omission of any act required by the provisions of this Code.
OFFICERS OF OFFICIALS:	Any elected or appointed person employed by the City, unless the context clearly indicates otherwise. Whenever reference is made in this Code to a City officer of official by title only, this shall be construed as though followed by the words "of Providence City".
OPERATOR:	The person who is in charge of any operation, business or profession.
OWNER:	As applied to a building or land, shall include any part owner, joint owner, tenant in common, and joint tenant or lessee of the whole or of a part of such building or land.
PERSON:	Any public or private corporation, firm, partnership, association, organization, government or any other group acting as a unit, as well as a natural person.
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.

PROPERTY: Includes both real and personal property.

REASONABLE TIME: In all cases where any ordinance requires that an act be done in a reasonable time or that reasonable notice be given, such reasonable time for such notice shall be deemed to mean such time as may be necessary for the expeditious performance of such duty or compliance with such notice.

RETAILER: Unless otherwise specifically defined, shall be understood to relate to the sale of goods, merchandise, articles or things direct to the consumer.

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

STATE: The State of Utah.

STREET: Includes alleys, lanes, courts, boulevards, public ways, public squares, public places, sidewalks, gutters and culverts, crosswalks and intersections.

TENANT OR OCCUPANT: As 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.

TIME COMPUTED: The time within which an act is to be done as provided in any ordinance or in any resolution or order of this City, when expressed in days, shall be determined by excluding the first day and including the last day, except if the last day be a Sunday or a legal holiday, then the last day shall be the day next following such Sunday or legal holiday which is not a Sunday or legal holiday. When time is expressed in hours, Sunday and all legal holidays shall be excluded.

WEEK: Shall be construed to mean any seven (7) day period.

WHOLESALE: The terms "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 to persons who purchase for the purpose of resale.

WRITTEN, 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, it shall be in the proper handwriting of such person, or in case such person is unable to write, by such person's proper mark. (1977 Code ' 1-005; 1998 Code)

1-3-3 **CATCHLINES:** The catch lines of the several sections of the City 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 be 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 catch lines, are amended or re-enacted. (1977 Code ' 1-006; 1998 Code)