

KANOSH TOWN CORPORATION

REVISED ORDINANCES

OF

TOWN OF KANOSH, UTAH

TITLE 1

ADMINISTRATIVE AND GENERAL PROVISIONS

Chapter 1

ORDINANCES

1-1-1. Repeal of Existing Ordinances.

The ordinances contained in this book shall be known as the "Revised Ordinances of Town of Kanosh" and so far as their provisions are the same in effect as those of previously existing ordinances they shall be construed as continuations thereof; but subject to the above limitations and provisions of the next section, all ordinances and resolutions of Town of Kanosh heretofore in force, except such as are of a private, local, or temporary nature including franchises, grants, dedications, bond issues, and special levies for local assessments, are hereby repealed.

1-1-2. Effect of Repealing Ordinance.

The repeal of the ordinances, as provided in Section 1-1-1, shall not affect any rate which is accrued, any duty imposed, any penalty incurred, nor any action or proceeding commenced under or by virtue of the ordinance repealed nor the term of office of any person holding office at the time when the revised ordinances take effect; nor shall the repeal of any ordinance thereby have the effect of reviving any ordinance theretofore repealed or superseded.

1-1-3. Effective Date.

The revised ordinances of Town of Kanosh shall take effect on January 9, 1972.

1-1-4. Penalty for Violation of Ordinance.

When no other penalty is prescribed, any person convicted of violating any provision of any ordinance in these Revised Ordinances, or any ordinance hereafter enacted, shall be punished by a fine not to exceed ninety-nine dollars (\$99.00); or by imprisonment in the county jail for a period not longer than three months, or by both such fine and imprisonment.

1-1-5. Rules for Construction of Ordinances.

In the construction of these ordinances and all ordinances amendatory thereof, the following rules shall be observed unless such construction would be inconsistent with the manifest intent of the legislative body or repugnant to the context of the ordinance:

The singular number includes the plural.

Words used in the present tense include the future.

Words used in the masculine gender comprehend as well the feminine and neuter.

The word "person" includes bodies politic and corporate, partnerships, associations and companies.

The word "property" includes both real and personal property.

The words "highway" and "road" include public bridges, and may be held equivalent to the words "county highway", "county road", "common road", and "state road".

The word "street" includes alleys, lanes, courts, boulevards, public ways, public squares, public places and sidewalks.

The word "owner" applied to buildings 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.

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

The term "business" includes any trade, profession, calling, activity, operation or enterprise for which a license is required.

The term "license" includes certificate of license.

1-1-6. Enacting Clause.

The enacting clause of all ordinances of Town of Kanosh shall be in substantially the following form:

"Be it ordained by the Board of Trustees of Kanosh Town Corporation."

1-1-7. Separability of Ordinances.

Should any section, clause or provision of any ordinance of Town of Kanosh, Utah, be declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of any other section or portion of the chapter or title of which such section forms a part, and the various sections, clauses, and provisions of these ordinances are hereby declared to be separate and distinct.

1-1-8. Ordinances—When Effective.

All ordinances before taking effect shall be deposited in the office of the Town Clerk, and published at least once in some newspaper published within the Town, or if there is no newspaper published therein, then by posting in three public places within the limits of Town of Kanosh; provided, that when a revision is made and the revised ordinances are published by authority of the governing body, no further publication is necessary; and provided further, that if any ordinances establishing rules and regulations are adopted where such rules and regulations have been printed as a code in book form no further publication is necessary if reference is made to such code and not less than three copies are on file in the office of the Kanosh Town Clerk for examination by the public. Ordinances shall not go into effect until the twentieth day after publication or posting nor until the thirtieth day after passage or whichever day is the later. Ordinances may take effect at a later date if so provided in the ordinance. Measures necessary for the immediate preservation of the peace, health, or safety of the Town may, if so provided in the ordinance, take effect at an earlier date.

1-1-9. Liability of Employers and Agents.

When the provisions of an ordinance prohibit the commission or omission of an act, not only the person actually doing the prohibited thing or omitting the directed act, but also the employer and all other persons concerned or aiding or abetting therein, shall be guilty of the offense described and liable to the penalty prescribed for the offense.