

Chapter 1.04

GENERAL PROVISIONS

Sections:

1.04.010	Definitions.
1.04.020	Title of office.
1.04.030	Interpretation of language.
1.04.040	Grammatical interpretation.
1.04.050	Acts by agents.
1.04.06	Prohibited acts include causing and permitting.
1.04.070	Computation of time.
1.04.080	Savings Ordinance.

1.04.010 Definitions. The following words and phrases, whenever used in the municipal code of the town, 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.

"City" and "town" shall each mean the town of Marbleton, Wyoming, or the area within the town limits of the town of Marbleton, Wyoming, and such territory outside Marbleton over which Marbleton has jurisdiction or control by virtue of any constitutional or statutory provision.

"Council" means the town council of the town of Marbleton. "All its members" or "all council members" means the total number of council members holding office.

"County" means the County of Sublette, State of Wyoming. . . .

"Law" denotes applicable federal law, the Constitution and statutes of the State of Wyoming, the ordinances of the town and, when appropriate, any and all rules and regulations which may be promulgated thereunder.

"May" is permissive.

"Month" means a calendar month.

"Must" and "shall" are each mandatory.

"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."

"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 part of such building or land.

"Person" includes a natural person, joint venture, joint stock company, partnership, association, club, corporation, business, trust, organization or the manager, lessee, agent, servant, officer or employee of any of them.

"Personal property" includes money, goods, chattels, things in action and evidences of debt.

"Preceding" and "following" mean next before and next after, respectively.

"Property" includes real and personal property.

"Real property" includes lands, tenements and hereditaments.

"Sidewalk" means that portion of a street between the curblin and the adjacent property line intended for the use of pedestrians.

"State" means the State of Wyoming.

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

"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.

"Written" includes printed, typewritten, mimeographed, multigraphed, telefaxed, or otherwise reproduced in permanent written form.

"Year" means a calendar year. (Ord. 91-14 §1, 1991)

1.04.020 Title of office. The use of the title of any officer, employee, department, board or commission means that officer, employee, department, board or commission of the town. (Ord. 91-14 §2, 1991)

1.04.030 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. (Ord. 91-14 §3, 1991)

1.04.040 Grammatical interpretation. The following grammatical rules shall apply in the ordinances of the town, unless it is apparent from the context that a different construction is intended:

- A. Each gender includes the masculine, feminine and neuter genders;
- B. The singular number includes the plural and the plural includes the singular;
- C. Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable. (Ord. 91-14 §4, 1991)

1.04.050 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. (Ord. 91-14 §5, 1991)

1.04.060 Prohibited acts include causing and permitting. Whenever in the ordinances of the town 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. (Ord. 91-14 §6, 1991)

1.04.070 Computation of time. Except when otherwise provided, the time within which any act is required to be done shall be computed by excluding the first day and including the last day, unless the last day is Saturday, Sunday or a holiday, in which case it shall also be excluded. (Ord. 91-14 §7, 1991)

1.04.080 Savings Ordinance.

A. If any sentence, clause, phrase or portion of any Ordinance of the Town of Marbleton, either collectively or individually, is, for any reason, held invalid or unconstitutional by any court of competent and sufficient jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

B. If any Ordinance of the Town of Marbleton, or any portion thereof, is held by any court of competent and sufficient jurisdiction, or superseded by executive or legislative action, that Ordinance shall be interpreted, if possible, narrowly so as to conform to the subsequent holding or action.

C. Any and all Ordinances of the Town of Marbleton shall be in full force and effect from and after passage on three readings and posting according to law unless expressly indicated within the Ordinance.

D. No Ordinance shall be deemed to have a Grandfathering Clause or its equivalent unless expressly stated within that Ordinance. The lack of a Grandfathering Clause or its equivalent, however, shall not require the Town of Marbleton to enforce its Ordinances retroactively. All enforcement of Ordinances remains in within the sole discretion of the Mayor in consultation with the Town Council and Officials. (Ord. 2009-08, 12/7/2009)

Chapter 1.08

TOWN SEAL

Sections:

1.08.010 Corporate seal.

1.08.010 Corporate seal. A seal, the impression of which shall be in circular form, bearing the words, "Town of Marbleton, Sublette County, Wyoming," on the outer edge, and the words, "Incorporated August 4, 1914, Seal" in the center is adopted and declared to be the seal of the town. (Prior code §1-601)

Chapter 1.12

GENERAL PENALTY

Sections:

1.12.010 Penalty, where not otherwise provided.

1.12.010 Penalty, where not otherwise provided. No person, firm, partnership, corporation or business shall violate any of the provisions of the ordinances of the town. Except in cases where a different penalty is prescribed by the ordinances of the town, any person who violates any of the provisions of the ordinances of the town