

CHAPTER 1      GENERAL

Article 1-1    HOW CODE DESIGNATED AND CITED

The Ordinance embraced in the following chapters and sections shall constitute and be designated "The Code of the City of Coolidge, Arizona", and may be so cited. Such code may also be cited as the "Coolidge City Code".

Article 1-2    CONSTRUCTION OF ORDINANCES

The rules and the definitions set forth in this chapter shall be observed in the construction of this code and the ordinances of the city unless such construction would be inconsistent with either the manifest intent of the council or the context of this code or the ordinances of the city.

ARTICLE 1-3 DEFINITION

- 1-3-1 General Rule Regarding Definitions
- 1-3-2 Acts by Agents
- 1-3-3 City
- 1-3-4 Code
- 1-3-5 Council
- 1-3-6 Department, Board, Commission, Office, Officer or Employee
- 1-3-7 Oath
- 1-3-8 Or, And
- 1-3-9 Person
- 1-3-10 He/She
- 1-3-11 Preceding, Following
- 1-3-12 Signature or Subscription by Mark
- 1-3-13 State
- 1-3-14 Tenant or Occupant
- 1-3-15 Tenses
- 1-3-16 Time -- Reasonable
- 1-3-17 Time -- Computation
- 1-3-18 Week
- 1-3-19 Year

Section 1-3-1 GENERAL RULE REGARDING DEFINITIONS

All words and phrases shall be constructed and understood 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 1-3-2 ACTS BY AGENTS

When an ordinance requires an act to be done which may by law as well be done by an agent as by the principal, such requirement shall be construed to include all such acts when done by an authorized agent.

Section 1-3-3 CITY

Whenever the word "city" is used, it shall be construed to mean the City of Coolidge, Arizona.

Section 1-3-4 CODE

The words "the code" or "this code" shall mean "The Code of the City of Coolidge, Arizona" unless the text indicates otherwise.

\* State Law Reference. For definition and construction of statutes generally, see A.R.S., Sec. 1-211 to 1-215.  
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Section 1-3-5 COUNCIL

Whenever the word "council" is used, it shall be constructed to mean the common council of the City of Coolidge, Arizona.

Section 1-3-6 DEPARTMENT, BOARD, COMMISSION, OFFICE, OFFICER OR EMPLOYEE

Whenever any "department, board commission, office, officer or employee" is referred to, it shall mean a department, board, commission, office, officer, or employee of the city, unless the context clearly indicates otherwise.

Section 1-3-7 OATH

"Oath" includes affirmation or declaration.

Section 1-3-8 OR, AND

"Or" may be read "and", "and" may be read "or", if the sense requires it.

Section 1-3-9 PERSON

The word "person" shall extent and be applied to firm, corporations, or voluntary associations, as well as to individuals, unless plainly inapplicable.

Section 1-3-10 HE/SHE

Whenever the words "he" or "she" is used, it shall be construed to include both sexes.

Section 1-3-11 PRECEDING, FOLLOWING

The words "preceding" and "following" mean next before and next after, respectively.

Section 1-3-12 SIGNATURE OR SUBSCRIPTION BY MARK

"Signature" or "subscription" includes a mark when the signer cannot write, such signer's or subscriber's name being written near the mark by a witness who writes his own name near the signer's or subscriber's

name; but a signature or subscription by mark can be acknowledged or can serve as a signature or subscription to a sworn statement only when two witnesses so sign their names thereto.

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Section 1-3-13 STATE

The words "the state" shall be construed to mean the State of Arizona.

Section 1-3-14 TENANT or OCCUPANT

The words "tenant" or "occupant" applied to a building or land shall include any person holding a written or an oral lease or who occupies the whole or part of such building or land, either alone or with others.

Section 1-3-15 TENSES

The present tense includes the past and future tenses, and the future includes the present.

Section 1-3-16 TIME -- REASONABLE

In all cases where any section of this code shall require any act to be done in a reasonable time or reasonable notice to be given, such reasonable time or notice shall be deemed to mean such time only as may be necessary for the prompt performance of such duty, or compliance with such notice.

Section 1-3-17 TIME -- COMPUTATION

The time within which an act is to be done as provided in this code or in any order issued pursuant to any ordinance, when expressed in days, shall be computed by excluding the first day and including the last, except that if the last day is Sunday or a holiday, it shall be excluded; and when such time is expressed in hours, the whole of Sunday or a holiday, from midnight to midnight, shall be excluded.

Section 1-3-18 WEEK

A "week consists of seven consecutive days.

Section 1-3-19 YEAR

The word "year" shall mean a calendar year, except where otherwise provided.

Article 1-4      REFERENCE TO CHAPTERS, ARTICLES OR SECTIONS:  
CONFLICTING PROVISIONS

- 1-4-1      Additional Rules of Construction
- 1-4-2      References to this Code
- 1-4-3      Conflicting Provisions -- Different Chapters
- 1-4-4      Conflicting Provisions -- Same Chapter

Section 1-4-1    ADDITIONAL RULES OF CONSTRUCTION

In addition to the rules of construction specified in the previous section, the rules set fourth in Sections 1-4-2, 1-4-3 and 1-4-4 shall be observed in the construction of this code.

Section 1-4-2    REFERENCES TO THIS CODE

All references to chapters, articles or sections are to the chapters, articles and sections of this code unless otherwise specified.

Section 1-4-3    CONFLICTING PROVISIONS -- DIFFERENT CHAPTERS

If the provisions of different chapters of this code conflict with or contravene each other, the provisions of each chapter shall prevail as to all matters and questions growing out of the subject matter of such chapter.

Section 1-4-4    CONFLICTING PROVISIONS -- SAME CHAPTER

If conflicting provisions are found in different sections of the same chapters, the provisions of the section which is the last in numerical order shall prevail unless such construction is inconsistent with the meaning of such chapter.

Article 1-5 SECTION HEADINGS

Headings of the several sections of this code are intended as a convenience to indicate the contents of the section and shall not be deemed or taken to be titles of such section, nor as any part of the section, nor unless expressly so provided shall they be so deemed when any of such section, including the headings, is amended or reenacted.

Article 1-6 EFFECT OF REPEAL

When any ordinance repealing a former ordinance, clause or provision shall be itself repealed, such repeal shall not be construed to revive such former ordinance, clause or provision, unless it shall be expressly so provided.

The repeal of any ordinance shall not affect any punishment or penalty incurred before the repeal took effect nor any suit, prosecution or proceeding pending at the time of the repeal, for any offense committed under the ordinance repealed.

Article 1-7 SEVERABILITY OF PARTS OF CODE

It is hereby declared to be the intention of the council that the sections, paragraphs, sentences, clauses and phrases of this code shall be severable, and if any provisions of this code is held unconstitutional for or any reason by a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining provisions of the code.

Article 1-8 PENALTY

Unless otherwise specifically provided, whenever in this code or in any ordinance of the city any act is prohibited or is made or is declared to be unlawful or an offense or a misdemeanor or whenever in such code or ordinance the doing of any act is required or the failure to do any act is declared unlawful, any person violating any such provisions of this code or any ordinance of a class 1 misdemeanor punishable by a fine not exceeding one thousand (\$1000) or imprisonment for a term not exceeding six (6) months or both such fine and imprisonment, in the discretion of the city magistrate. Each day any violation of any provision of this code or of any ordinance shall continue, shall constitute a separate offense.

In addition to the penalties hereinabove provided any condition caused

or permitted to exist in violation of any of the provisions of this code or any ordinance shall be deemed a public nuisance and may be, by the city, abated as provided by law, and each day that such condition continues shall be regarded as a new and separate offense.

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Article 1-9 REPEAL OF EXISTING ORDINANCES

- 1-9-1 Effective Date of Repeal
- 1-9-2 Ordinances Exempt from Repeal

Section 1-9-1 EFFECTIVE DATE OF REPEAL

All ordinances of the city except those specifically exempted in this article, now in force and effect are hereby repealed immediately upon adoption, but all rights, duties and obligations created by said ordinances shall continue and exist in all respects as if this code had not been adopted and enacted.

Section 1-9-2 ORDINANCES EXEMPT FROM REPEAL

The adoption and enactment of this code shall not be construed to repeal or in any way to affect or modify:

- A. Any special ordinance or ordinances regarding franchises, annexations, dedications or zoning.
- B. Any ordinances making an appropriation.
- C. Any ordinances affecting any bond issue or by which any bond issue may have been authorized.
- D. The running of the statutes of limitations in force at the time this code becomes effective.
- E. The continued existence and operation of any department, agency, commission or office heretofore legally established or held.
- F. Any bond of any public officer.
- G. Any taxes, fees, assessments or other charges incurred or imposed.
- H. Any ordinances authorizing, ratifying, confirming, approving or accepting any compact or contract with any other municipality, the state or any county or subdivision thereof, or with the United States or any agency or instrumentality thereof.

Article 1-10 EFFECTIVE DATE OF CODE

Each and every section of this code as herein contained and hereby enacted shall take effect and be in force immediately upon adoption, except that where a later effective date is provided, it shall prevail.

Article 1-11 CITY SEAL

The official seal of the City shall be in the common form, not less than 1 1/2 inches in diameter with the words "Coolidge Incorporated, September 24th, 1945" inscribed thereon and with the design as adopted by the council.