

CHAPTER 1. GENERAL

1.1	<u>How Code Designated and Cited</u>	1.2	<u>Construction of Ordinances</u>
1.3	<u>Definitions</u>	1.4	<u>References to Chapters, Articles or Sections</u>
1.5	<u>Section Headings</u>	1.6	<u>Effect of Repeal</u>
1.7	<u>Severability of Parts of Code</u>	1.8	<u>Fiscal Year</u>
1.9	<u>Penalty</u>	1.10	<u>Repeal of Existing Ordinance</u>
1.11	<u>Effective Date of Code</u>	1.12	<u>State Enabling Legislation Cited</u>

Article 1.1 How Code Designated and Cited

The ordinances embraced in the following chapters and sections shall constitute and be designated “The Code of the Town of Rangeley, Maine”, and may be so cited. Such Code may also be cited as the “Rangeley Town Code.”

Article 1.2 Constructions of Ordinances

The rules and the definitions set forth in this Chapter shall be observed in the construction of this Code unless such construction would be inconsistent with either the manifest intent of the Town or the context of this Code.

Article 1.3 Definitions

Section 1.3.1 General Rules Regarding Definitions

All words and phrases should be construed 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 particular ad appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrase and such offers as may have acquired a particular 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

Section 1.3.3 Code

The words “the Code” or “this Code” shall mean the “The Code of the Town of Rangeley, Maine” unless the context indicates otherwise.

Section 1.3.4 Computation of Time

The time within which an act is to be done as provided in this Code or in any order issued pursuant to any ordinance, which expressed in days, shall be computed by excluding the first day and including the last, except that if the last day is a Saturday.

Sunday or holiday, it shall be excluded; and when such time is expressed in hours, the whole of Saturday, Sunday or a holiday, from midnight to midnight shall be excluded.

Section 1.3.5 Day

A “day” is the period of time between any midnight and the midnight following.

Section 1.3.6 Daytime, Nighttime

“Daytime” is the period of time between sunrise and sunset. “Nighttime” is the period of time between sunset and sunrise.

Section 1.3.7 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 Town of Rangeley, unless the context clearly indicates otherwise.

Section 1.3.8 Reserved

Section 1.3.9 Gender; Singular and Plural

Words of the masculine gender include the feminine; and words in the singular number include the plural, and words in the plural number include the singular.

Section 1.3.10 In the Town

The words “in the Town” or “within the Town” shall mean and include all territory over which the Town now has, or shall hereafter acquire, jurisdiction for the exercise of its police power or other regulatory powers.

Section 1.3.11 Joint Authority

All words purporting to give a joint authority to three or more Town officers or other persons shall be construed as giving such authority to a majority of such officers or other persons unless it shall be otherwise expressly declared in the law giving the authority.

Section 1.3.12 Month

The word “month” shall mean a calendar month.

Section 1.3.13 Oath

“Oath” includes affirmation or declaration.

Section 1.3.14 Or, And

“Or” may be read “and” and “and” may be read “or” if the sense requires it.

Section 1.3.15 Person

The word “person” shall extend and be applied to firms, corporations, partnerships, or voluntary associations, as well as to individuals, unless plainly inapplicable.

Section 1.3.16 Personal Property

“Personal property” includes every species of property, except real property as defined in this Article.

Section 1.3.17 Preceding, Following

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

Section 1.3.18 Property

The word “property” shall include real and personal property.

Section 1.3.19 Real Property

“Real property” shall include lands, tenements, and hereditaments.

Section 1.3.20 Shall, May

“Shall” is mandatory, and “may” is permissive.

Section 1.3.21 Shall Have Been

The words “shall have been” include past and future cases

Section 1.3.22 Signature or Subscription by Mark

“Signature” or “subscription” includes a mark when the signor 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 own names thereto.

Section 1.3.23 State

The words “the state” shall be construed to mean the State of Maine.

Section 1.3.24 Tenant or Occupant

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

Section 1.3.25 Tenses

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

Section 1.3.26 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 1.3.27 Time - Computation

See § 1.3.4 Computation of Time

Section 1.3.28 Town

Whenever the word “Town” is used, it shall be construed to mean the Town of Rangeley, Maine unless otherwise specified.

Section 1.3.29 Truck

The word “truck” shall mean any motor vehicle with a gross weight of 10,000 pounds or heavier designed or used primarily for the carrying of property other than the effects of the driver or passengers.

Section 1.3.30 Week

A “week” consists of seven consecutive days.

Section 1.3.31 Writing

“Writing” includes any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement, or record is required or authorized by this Code, it shall be made in writing in the English language unless it is expressly provided otherwise.

Section 1.3.32 Year

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

Article 1.4 Reference to Chapters, Articles or Sections: Conflicting Provisions

Section 1.4.1 Additional Rules of Construction

In addition to the rules of construction specified in the previous Article, the rules set forth in § 1.4.2, -- 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 be chapters, articles or sections of this Code unless otherwise specified.

Section 1.4.3 Conflicting Provisions - Difference 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 chapter, the provisions of the section which is 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 the Code are intended as a convenience to indicate the contents of the section and shall not be deemed to be titles of such sections, 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 re-enacted.

Article 1.6 Effect of Repeal

When any ordinance, repeal or Chapter which, is a formed ordinance, chapter clause, or provision, is itself repealed, such repeal shall not be construed to revive such former ordinance, chapter clause or provision, unless it shall be expressly so provided. The repeal of an 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 Town that the sections, paragraphs, sentences, clauses and phrases of this Code shall be severable, and if any provisions of this Code is held unconstitutional or illegal for any reason by the court of competent jurisdiction, such unconstitutionality or illegality shall not affect any of the remaining provisions of the Code.

Article 1.8 Fiscal Year

The fiscal year of the Town shall commence on the first day of July of each year and shall end on the thirtieth day of June of each year thereafter.

Article 1.9 Penalty

When an act or omission is declared by statute, universal search or by this Code or by any ordinance of the Town to be unlawful and no penalty is prescribed by such statute, Code or ordinance, the act or omission is punishable as a misdemeanor.

Article 1.10 Repeal of Existing Ordinances

Section 1.10.1 Effective Date of Repeal

All resolutions in conflict with any provisions of this Code and ordinances of the Town of Rangeley except those specifically exempted in this Article, now in force and effect are hereby repealed effective at twelve o'clock noon on the _____ day of _____, 20____, 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.

Article 1.11 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 unless otherwise specifically provided for therein:

- A. Any special ordinances or resolutions regarding franchises, annexations, dedications, traffic control regulations, signs and devices and speed limits.
- B. Any ordinance making an appropriation.
- C. Any ordinance 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.