

CITY OF HOMER
HOMER, ALASKA

ORDINANCE 80-3

AN ORDINANCE AMENDING THE GENERAL PROVISIONS
OF THE HOMER CITY CODE, UPDATING AND MODERN-
IZING LANGUAGE.

WHEREAS, the City of Homer has contracted with a professional codification firm to review the Homer City Code and make recommendations for modernizing and updating the Code, and,

WHEREAS, recommendations have been submitted concerning GENERAL PROVISIONS,

THE CITY OF HOMER ORDAINS:

Section 1. Section 1-100.1. DESIGNATION AND CITATION OF CODE is repealed and reenacted to read:

Sec. 1-100.1. DESIGNATION AND CITATION OF CODE. The ordinances included in the following chapters, articles, and sections constitute and are hereby designated the "Code of Ordinances, City of Homer, Alaska," or the "Homer City Code" and may be so cited.

Section 2. Section 1-100.2. RULES OF CONSTRUCTION is hereby repealed and reenacted to read:

Sec. 1-100.2. DEFINITIONS. The following words and phrases, whenever used in the ordinances of the City of Homer, Alaska, 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. "City" means the City of Homer, Alaska, or the area within the territorial limits of the City of Homer, and such territory outside of the City over which the City has jurisdiction or control by virtue of any constitutional or statutory provision.

City Attorney. "City Attorney" means the City Attorney of the City of Homer.

City Council. "City Council" or "Council" means the City Council of the City of Homer.

City Clerk. "City Clerk" means the City Clerk of the City of Homer.

City Manager. "City Manager" means the City Manager of the City of Homer.

Computation of Time. Whenever a notice is required to be given or an act to be done a certain length of time before any proceedings shall be had, the day on which such notice is given or such act is done shall be counted in computing the time, but the day on which such proceedings are to be had shall not be counted.

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

Mayor. "Mayor" means the Mayor of the City of Homer.

Municipal Judge, Municipal Magistrate. "Municipal Judge" or "Municipal Magistrate" means the Municipal Judge or Municipal Magistrate of the City of Homer.

Oath. "Oath" includes an affirmation 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".

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

Owner. "Owner", applied to a building or land, includes any part owner, joint owner, tenant in common, joint tenant or tenant of the entirety, or agent in charge for any of the foregoing, of the whole or a part of such building or land.

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

Personal Property. "Personal Property" includes every species of property except real property.

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

Real Property. "Real Property" includes lands, tenements and hereditaments.

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

State. "State" means the State of Alaska.

Tenant and Occupant. "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.

Year. "Year" means a calendar year.

Section 3, Chapter 1, GENERAL PROVISIONS of the Homer City Code, is hereby amended by adding the following new Section 1-100.3 and re-numbering existing Sections 1-100.3 - 1-100.7 accordingly.

Sec. 1-100.3. GRAMMATICAL INTERPRETATION. The following grammatical rules shall apply in the Homer City Code and the ordinances of the city:

- A. Gender. Any gender includes the other genders;
- B. Singular and Plural. The singular number includes the plural and the plural includes the singular;
- C. Tenses. Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable;
- D. Use of Words and Phrases. Words and phrases not specifically defined shall be construed according to the context and approved usage of the language;
- E. All words and phrases shall 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 peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

CITY OF HOMER

Leo Rhode, Mayor

ATTEST:

Kathleen F. Herold
Kathy Herold, City Clerk

First Reading 2/11/80

Public Hearing 2/25/80

Second Reading 2/25/80

Effective Date 2/26/80