

**AN ORDINANCE OF THE VILLAGE OF INNSBROOK, MISSOURI,
ESTABLISHING DEFINITIONS AND RULES OF CONSTRUCTION FOR
THE INTERPRETATION OF ALL VILLAGE ORDINANCES.**

**BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE VILLAGE OF
INNSBROOK, MISSOURI, AS FOLLOWS:**

Section One. Definitions.

In the construction of all the ordinances of the Village, the following definitions shall be observed, unless it shall be otherwise expressly provided in any Section or Ordinance, or unless inconsistent with the manifest intent of the Board of Trustees, or unless the context clearly requires otherwise:

ARTICLE: Shall mean all sections of an ordinance that are part of a sub-topic or division within an ordinance the same as if codified as such.

CHAIRMAN: Shall mean the Chairman of the Board of Trustees of the Village of Innsbrook, Missouri.

CHAPTER: Shall mean all sections of an ordinance relating to a single general topic or matter the same as if codified as such.

BOARD: Shall mean the Board of Trustees of the Village of Innsbrook, Missouri.

COUNTY: The words "the county" or "this county" or "county" shall mean the County of Warren, Missouri.

DAY: Shall mean a day of twenty four (24) hours, beginning at 12 o'clock midnight.

MAY: The word "may" is permissive.

MONTH: Shall mean a calendar month.

NEWSPAPER: Whenever in the ordinances of the Village, it is required that notice be published in the "official newspaper" or a "newspaper of general circulation published the Village," and if there is no newspaper published within the Village, the said notice shall be published in a newspaper of general circulation within the Village, regardless of its place of publication. Such newspaper shall not include an advertising circular or other medium for which no subscription list is maintained.

OATH: Shall be construed to include an affirmation in all cases in which 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, shall include any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or a part of such building or land.

PERSON: Shall include a corporation, firm, partnership, limited liability company, association, organization and any other group acting as a unit as well as individuals.

It shall also include an executor, administrator, trustee, receiver or other representative appointed according to law. Whenever the word "person" is used in any ordinance prescribing a penalty or fine, as to partnerships or associations, the word shall include the partners or members thereof, and as to corporations and limited liability companies, shall include the officers, agents or members thereof who are responsible for any violation of such Section.

PERSONAL PROPERTY: Shall include goods, chattels, things in action and evidences of debt.

PRECEDING, FOLLOWING: The words "preceding" and "following" shall mean next before and next after, respectively.

PROPERTY: Shall include real and personal property.

PUBLIC WAY: Shall include any street, alley, boulevard, parkway, highway, sidewalk or other public thoroughfare.

REAL PROPERTY: The terms "real property," "premises," "real estate" or "lands" shall be deemed to be co-extensive with lands, tenements and hereditaments.

SHALL: The word "shall" is mandatory.

SIDEWALK: Shall mean that portion of the street between the curb line and the adjacent property line which is intended for the use of pedestrians.

SIGNATURE: Where the written signature of any person is required, the proper handwriting of such person or his mark shall be intended.

STATE: The words "the state" or "this state" or "state" shall mean the State of Missouri.

STREET: Shall mean and include any public way, highway, street, avenue boulevard, parkway, alley or other public thoroughfare, and each of such words shall include all of them.

TENANT OCCUPANT: The words "tenant" or "occupant," applied to a building or land, shall include any person who occupies the whole or a part of such building or land, whether alone or with others.

WRITING: The words "writing" and "written" shall include printing, lithographing or any other mode of representing words and letters.

YEAR: Shall mean a calendar year, unless otherwise expressed, and the word "year" shall be equivalent to the words "year of our Lord."

Section Two. Construction, Generally.

All general provisions, terms, phrases and expressions contained in the ordinances of the Village shall be liberally construed in order that the true intent and meaning of the Board of Trustees may be fully carried out. Technical words and phrases having a peculiar and appropriate meaning in law shall be understood according to the technical import.

Section Three. Headings.

The headings of any Village ordinances are intended as guides and not as part of any particular ordinance for purposes of interpretation or construction.

Section Four. Repeal of Ordinances.

Whenever any ordinance or part of an ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, the ordinance or part of an ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the prior ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under any ordinance previous to its repeal shall in any way be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if such ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section Five. Repeal Not to Revive Former Ordinance.

When an ordinance repealing a former ordinance, clause or provision shall itself be repealed, such repeal shall not be construed to revive such former ordinance, clause or provision unless it be expressly so provided and such former ordinance, clause or provision is set forth at length.

Section Six. Severability.

It is hereby declared to the intention of the Board of Trustees that the sections, paragraphs, sentences, clauses and phrases of the Village of Innsbrook Ordinances are severable and if any phrase, clause, sentence, paragraph or section of these Ordinances shall be declared unconstitutional otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the validity of the remaining portions of these Ordinances. The Board of Trustees of Innsbrook, Missouri, hereby declares that it would have passed the same, even though such portions so held to be unconstitutional had not been included therein.

Section Seven. Tense.

Except as otherwise specifically provided or indicated by the context, all words used in the ordinances of the Village indicating the present tense shall not be limited to the time of adoption of said ordinance but shall extend to and include the time of the happening of any act, event, or requirement for which provision is made herein, either as a power, immunity, requirement, or prohibition.

Section Eight. Notice.

Whenever notice may be required under any Village ordinance, the same shall be served in the following manner unless otherwise specified:

- A. By delivering the notice to the person personally or by leaving the same at his residence, office or place of business with some person of suitable age and discretion, or
- B. By mailing said notice by certified or registered mail to such person at his last known address, or
- C. If the person is unknown, or may not be notified under the requirements of Subsection A or B above, then by posting said notice in some conspicuous place on the premises involved at least five (5) days before the act or action concerning which the notice is given is to take place. No person shall interfere with, obstruct, mutilate, conceal, or tear down any official notice or placard posted by any Village officer, unless permission is given by said officer.
- D. Notice to Village officials, members of the Media, or others in appropriate circumstances may also be by regular mail, facsimile, or other electronic data transfer capable of generating a paper record.

Section Nine. Computation of Time.

In computing any period of time prescribed or allowed by Village ordinance or by a notice

or order issued pursuant thereto, the day of the act, event or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor a legal holiday. When the period of time prescribed or allowed is less than seven (7) days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation. A half holiday shall be considered as other days and not as a legal holiday.

Section Ten. Gender.

When any subject matter, party or person is described or referred to by words importing the masculine, females as well as males, and associations and bodies corporate as well as individuals, shall be deemed to be included.


Section Eleven. Number.

When any subject matter, party or person is described or referred to by words importing the singular number, the plural and separate matters and persons and bodies corporate shall be deemed to be included; and when words importing the plural number are used, the singular shall be deemed to be included.

Section Twelve. Effective Date.

This Ordinance shall be in full force and effect both from and after its passage and approval.

This Bill was passed and approved this 23 day of July, 1998, by the Board of Trustees of the Village of Innsbrook after having been read by title or in full two times prior to passage.



A J Suedel

CHAIRMAN

ATTEST:

Terence B. Jachow

Village Clerk