

**1.050 Severability.**

If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The council hereby declares that it would have passed this code, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional, and if for any reason this code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

**GENERAL PROVISIONS**

**1.100 Definitions.**

The following words and phrases, whenever used in the ordinances of the City of West Linn, Oregon, 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. The City of West Linn, Oregon, or the area within the territorial limits of the City of West Linn, and such territory outside of the City of West Linn, over which the City of West Linn has jurisdiction or control by virtue of any constitutional or statutory provision.

City Engineer. The City Engineer of West Linn, Oregon, or his or her designee.

City Manager. The administrative head of the city's government appointed by the city council, or his or her designee.

Council. The city council of the City of West Linn, Oregon. "All its members" or "all council members" means the total number of council members holding office.

County. The county of Clackamas.

Law. Applicable federal law, the Constitution and statutes of the state of

Oregon, the ordinances of the City of West Linn, and, when appropriate, all rules and regulations which may be promulgated thereunder.

May. Permissive.

Month. A calendar month.

Must and shall. 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, or contract purchaser of the whole or a part of such building or land.

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. Includes money, goods, chattels, things in action and evidences of debt.

Preceding and following. Next before and next after, respectively.

Property. Includes real and personal property.

Real property. Includes lands, tenements and hereditaments.

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

State. The state of Oregon.

Street. Includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in this city which have been or may hereafter be dedicated and open to public use, or such other public property as designated in any law 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, or otherwise reproduced in permanent visible form.

Year. A calendar year.

[Section 1.100 amended by Ord. No. 1407, enacted 10/13/97]

**1.105 Title of Office.**

Use of the title of any officer, employee, department, board or commission means that officer, employee, department, board or commission of the City of West Linn.

**1.110 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.

**1.115 Grammatical Interpretation.**

The following grammatical rules apply in the ordinances and code of the City of West Linn, unless it is apparent from the context that a different construction is intended:

(1) Gender. Each gender includes the masculine, feminine and neuter genders.

(2) Singular and Plural. The singular number includes the plural and the plural includes the singular.

(3) Tenses. Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable.

**1.120 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.

**1.125 Prohibited Acts Include Causing and Permitting.**

Whenever in the ordinances of the City of West Linn, 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.

**1.130 Computation of Time.**

Except when otherwise provided, the time within which an act is required to be done shall be computed by excluding the first day and including the last day, unless the last day is Sunday or a holiday, in which case it shall also be excluded.

**1.135 Construction.**

The provisions of the ordinances and code of the City of West Linn and all proceedings under them are to be construed with a view to effect their objects and to promote justice.

**1.140 Repeal Shall Not Revive Any Ordinances.**

The repeal of an ordinance shall not repeal the repealing clause of an ordinance or revive any ordinance which has been repealed thereby.

**GENERAL PENALTY**

**1.205 Penalty Designated.**

Any person violating any of the provisions or failing to comply with any of the mandatory requirements of any ordinance of the city, where a specific penalty is not specified in the ordinance for the violation, shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the ordinances of the city where a specific penalty is not elsewhere established, shall be punished by a fine of not to exceed \$500 or by imprisonment, not to exceed 30 days, or by both such fine or imprisonment.