

Sec. 1-1-2. - General Definitions and Rules of Construction.

The following definitions and rules of construction shall apply to this Code and to all ordinances and resolutions unless the context requires otherwise:

- (1) *Generally.* When provisions conflict, the specific shall prevail over the general. All provisions shall be liberally construed so that the intent of the City Council may be effectuated. Words and phrases shall be construed according to the common and approved usage of the language, but technical words, technical phrases and words and phrases that have acquired peculiar and appropriate meanings in law shall be construed according to such meanings.
- (2) *Bribe.* The term "bribe" signifies any money, goods, right in action, property, thing of value, or advantage, present or prospective, or any promise or undertaking to give any, asked, given, or accepted, with a corrupt intent to influence unlawfully the person to whom it is given in the person's action, vote, or opinion in any public or official capacity.
- (3) *City.* The term "City" means the Sandy City Corporation.
- (4) *City Council or Council.* The term "City Council" or "Council" means the City Council of the Sandy City Corporation.
- (5) *Code.* The term "Code" means the Sandy City Code, as designated in Section 1-1-1.
- (6) *Computation of time.* In computing a period of days, the first day is excluded and the last day is included. If the last day of any period is a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. When a person must act within a specified time from service of a notice and service is made only by mail, three days shall be added to the time within which the act must be done.
- (7) *Conjunctions.* In a provision involving two or more items, conditions, provisions or events, which items, conditions, provisions or events are connected by the conjunction "and," "or" or "either...or," the conjunction shall be interpreted as follows, except that, in appropriate cases, the terms "and" and "or" are interchangeable:
 - a. The term "and" indicates that all the connected terms, conditions, provisions or events apply.
 - b. The term "or" indicates that the connected terms, conditions, provisions or events apply singly or in any combination.
 - c. The term "either...or" indicates that the connected terms, conditions, provisions or events apply singly but not in combination.
- (8) *Corruptly.* The term "corruptly" imports a wrongful design to acquire or cause some pecuniary or other advantage to the person guilty of an act, established either by proof or by presumption of law.
- (9) *County.* The term "County" means Salt Lake County, Utah.
- (10) *Delegation of authority.* A provision that authorizes or requires a City officer or City employee to perform an act or make a decision authorizes such officer or employee to act or make a decision through subordinates.
- (11) *Gender.* Words of one gender include all other genders.
- (12) *Highway, roads.* The terms "highway" and "roads" include public bridges, and may be held equivalent to the terms "county way," "county road," "common road," "state road" and "street."
- (13) *Includes and including.* The terms "includes" and "including" are terms of enlargement and not of limitation or exclusive enumeration, and the use of the terms does not create a presumption that components not expressed are excluded.
- (14) *Joint authority.* A grant of authority to three or more persons as a public body confers the authority to a majority of the number of members, as fixed by statute or ordinance.

- (15) *Knowingly*. The term "knowingly" imports only a knowledge that the facts exist which brings the act or omission within the provisions of these ordinances. It does not require any knowledge of the unlawfulness of such act or omission.
- (16) *May*. The term "may" creates discretionary authority or grants permission or a power.
- (17) *May not*. The term "may not" imposes a prohibition.
- (18) *Month*. The term "month" means a calendar month.
- (19) *Motor Vehicle*. Unless specified otherwise, the term "motor vehicle" does not include a "motor assisted scooter" as defined in Title 10, Chapter 9.
- ~~(1920)~~ *Must*. The term "must" imposes a duty.
- ~~(2021)~~ *Must not*. The term "must not" imposes a prohibition.
- ~~(2122)~~ *Neglect, negligent, negligence, and negligently*. The terms "neglect," "negligent," "negligence," and "negligently" import a want of such attention to the nature or probable consequences of the act or omission as a prudent man ordinarily bestows in acting in his own concern.
- ~~(2223)~~ *Number*. The singular includes the plural and the plural includes the singular.
- ~~(2324)~~ *Oath*. The term "oath" includes an affirmation.
- ~~(2425)~~ *Officers, departments, etc.* References to officers, departments, boards, commissions or employees are to city officers, city departments, city boards, city commissions and city employees.
- ~~(2526)~~ *Owner*. The term "owner," as applied to property, includes any part owner, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety of the whole or part of such property.
- ~~(2627)~~ *Person* includes an individual, firm, partnership, corporation, association, business, trust or other form of business entity or enterprise, including a receiver, trustee and the plural as well as the singular in number, unless the intent gives a more limited meaning that is disclosed by the context.
- ~~(2728)~~ *Personal property*. The term "personal property" means any property other than real property.
- ~~(2829)~~ *Premises*. The term "premises," as applied to real property, includes lands and structures.
- ~~(2930)~~ *Property*. The term "property" means real and personal property.
- ~~(3031)~~ *Real property*. The term "real property" includes lands, tenements and hereditaments.
- ~~(3132)~~ *Shall*. The term "shall" imposes a duty.
- ~~(3233)~~ *Shall not*. The term "shall not" imposes a prohibition.
- ~~(3334)~~ *Sidewalk*. The term "sidewalk" means that portion of the street between the curb or lateral line of the roadway, and the adjacent property line, intended for the use of pedestrians.
- ~~(3435)~~ *Signature*. The term "signature" includes any name, mark, or sign written with the intent to authenticate any instrument or writing.
- ~~(3536)~~ *State*. The term "State" means the State of Utah.
- ~~(3637)~~ *State statutes*. The abbreviation "U.C.A. 1953" means the Utah Code Annotated, 1953, as now or hereafter amended, as in effect at any given time. References to state acts are to so such acts as now or hereafter amended.
- ~~(3738)~~ *Street*. The term "street" includes alleys, lanes, courts, boulevards, public ways, public squares, public places, and sidewalks.

- (~~38~~39) *Swear*. The term "swear" includes the term "affirm."
- (~~39~~40) *Tenant, occupant*. The term "tenant" or "occupant," applied to a building or land, shall include any person who occupies the whole or any part of such building or land, either alone or with others.
- (~~40~~41) *Tense*. The present tense includes the past and future tenses. The future tense includes the present tense.
- (42) *Vehicle*. Unless specified otherwise, the term "vehicle" does not include a "motor assisted scooter" as defined in Title 10, Chapter 9.
- (~~41~~43) *Week*. The term "week" means a period of seven consecutive days.
- (~~42~~44) *Willfully*. The term "willfully," when applied to the intent with which an act is done or omitted, implies simply a purpose or willingness to commit the act or make the omission referred to. It does not require any intent to violate the law, to ensure another or to acquire any advantage.
- (~~43~~45) *Written*. The term "written" includes any form of words, letters, symbols or figures.
- (~~44~~46) *Year*. The term "year" means 12 consecutive months.

(Revised Ords. 1978, § 1-1-4)