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CHAPTER 1. CITY CODE

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1-1-1. Title.

The Codification of the Ordinances of Tooele City shall be known as the "Tooele City Code." The Code shall be divided into Titles, Chapters and Sections and reference thereto shall be made in that order. (Ord. 87-24, 01-02-88)

1-1-2. Acceptance.

This city code, as hereby presented in printed form, shall hereafter be received without further proof in all courts and in all administrative tribunals of this State as

the ordinances of the City of general and permanent effect. (Ord. 67-3, 08-14-67)

1-1-3. Amendments.

All ordinances amending the Tooele City Code shall include the citation reference to Title, Chapter and Section being added, repealed or otherwise amended. Such reference shall satisfy all statutory or common law requirements of adoption by ordinance, as long as the said amendment is adopted by ordinance. All such amendments shall be drafted in such form as they will appear in the Tooele City Code, and shall be prepared for insertion within the volumes of the Tooele City Code within 30 days of its final passage. (Ord. 87-24, 01-02-88; Ord. 76-4, 02-09-76)

1-1-4. Construction of words.

Whenever any word in any section of this City Code importing the plural number is used, in describing or referring to any matters, parties, or persons, any single matter, party, or person shall be deemed to be included, although distributive words may not have been used. When any subject matter, party or person is referred to in this City Code by words importing the singular number only, or the masculine gender, several matters, parties, persons and females as well as males and bodies corporate shall be deemed to be included; provided, that these rules of construction shall not be applied to any section of this City Code which contains any express provision excluding such construction or where the subject matter or content may be repugnant thereto. (Ord. 67-3, 08-14-67)

1-1-5. Interpretations.

In the determination of the provisions of each section of this Code the following rules shall be observed:

(1) Intent to Defraud: Whenever an intent to defraud is required in order to constitute an offense, it shall be sufficient if an intent appears to defraud any person.

(2) Liability of Employers and Agents: When the provisions of any section of this City Code prohibit the commission of an act, not only the person actually doing the prohibited act or omitting the directed act, but also the employer and all other persons concerned with or in aiding or abetting the said person shall be guilty of the offense described and liable to the penalty set forth. (Ord. 67-3, 08-14-67)

1-1-6. Pagination.

All pages in addition to those occurring in the Tooele City Code prior to amendment shall be numbered consecutively using a decimal system to designate the additional pages, beyond the page where the additional pages are inserted, with the principal number being the number of the previous page, and the additional pages being numbered with decimals commencing with the number 0.1 and running in sequence to the furthest number necessary. For example, if following page 25, forty five additional pages were added by amendment to the Tooele City Code, the first additional page would be designated page 25.1 and the last additional page would

be number 25.45. (Ord. 87-24, 01-02-88; Ord. 76-4, 02-09-76)

1-1-7. Enacting ordinance reference number and date to be indicated.

Whenever the Tooele City Code shall be amended by ordinance, the reference number of the amending ordinance and the date of its passage shall be provided in parenthesis following the ordinance amendment. Such reference data shall serve as legislative history only. (Ord. 87-24, 01-02-88; Ord. 76-4, 02-09-76)

1-1-8. Reference to date of insertion of additional pages.

All additional pages inserted into the Tooele City Code shall include, in addition to the pagination requirements of section six of this title and chapter, a reference in parenthesis at the bottom of the page to the date the said sheets are prepared for insertion into the said Tooele City Code. (Ord. 87-24, 01-02-88; Ord. 76-4, 02-09-76)

1-1-9. Effective date.

The Tooele City Code shall become effective on July 4, 1976. (Ord. 87-24, 01-02-88; Ord. 76-4, 02-09-76)

1-1-10. Applicability and offenses prior to effective date.

(1) The provisions of this Code shall govern the construction of, the punishment for, and defenses against any offense defined in this Code, or except where otherwise specifically provided or the context otherwise requires, any offense defined outside this code; provided such offense was committed after the effective date of this code.

(2) Any offense committed prior to the effective date of this Code shall be governed by the law existing at the time of commission thereof, except that a defense or limitation on punishment available under this Code shall be available to any defendant tried or retried after the effective date. An offense under the laws of this City shall be deemed to have been committed prior to the effective date of this Code if any of the elements of the offense occurred prior thereto. (Ord. 76-4, 02-09-76)

1-1-11. Rule of strict construction not applicable.

The rule that a penal statute is to be strictly construed shall not apply to this Code, any of its provisions, or any offense defined by the laws of this City. All provisions of this Code and offenses defined by the laws of this City shall be construed according to the fair import of their terms to promote justice and to effect the objects of the law. (Ord. 76-4; 02-09-76)

1-1-12. Severability.

Should any phrase, sentence, section or chapter of this Tooele City Code be determined to be invalid for any

reason by any court of competent jurisdiction wherein the validity of the said phrase, sentence, section or chapter was at issue, the invalidity of said provision shall not affect the balance of this Tooele City Code and said provision shall be considered severable from the balance to the extent the meaning and clear intent of the balance of this Code is not affected. (Ord. 87-24, 01-02-88; Ord. 76-4, 02-09-76)