

Chapter 1.04

GENERAL PROVISIONS

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1.04.010 Definitions.

The following words and phrases, whenever used in the ordinances of the town of Burlington, 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:

“County” means the county of Racine.

“Law” denotes applicable federal law, the Constitution and statutes of the state of Wisconsin, the ordinances of the town, and when appropriate, any and all rules and regulations which may be promulgated there under.

“May” is permissive.

“Month” means a calendar month.

“Must” and “shall” are each 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, means and includes any part owner, joint owner, tenant in common, joint tenant, tenant by the entirety, of the whole or a part of such building or land.

“Person” means and 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” means and includes money, goods, chattels, things in action and evidences of debt.

“Preceding” and “following” mean next before and next after, respectively.

“Property” means and includes real and personal property.

“Real property” means and includes lands, tenements and hereditaments.

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

“State” means the state of Wisconsin.

“Street” means and includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in the town which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state.

“Tenant” and “occupant,” applied to a building or land, mean and include any person who occupies the whole or a part of such building or land, whether alone or with others.

“Town” means the town of Burlington, or the area within the territorial limits of the city, and such territory outside the town over which the town has jurisdiction or control by virtue of any constitutional or statutory provision.

“Town board” means the board of supervisors of the town of Burlington. “All its members” or “all supervisors” means the total number of supervisors holding office.

“Written” means and includes printed, typewritten, mimeographed, multigraphed, or otherwise reproduced in permanent visible form.

“Year” means a calendar year.
(Editorially added during 2001 codification)

1.04.020 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. (Editorially added during 2001 codification)

1.04.025 Statutory References.

Wherever in this Code there is a reference to or adoption of State of Wisconsin Statutes, it is the intention such reference shall apply, with full force and effect, to any amendment, restatement, recodification, or renumbering of such referenced Statute which occurs after this date, unless expressly stated otherwise in this Code. (June, 2007)

1.04.030 Grammatical interpretation.

The following grammatical rules shall apply in the ordinances of the town unless it is apparent from the context that a different construction is intended:

A. Gender. Each gender includes the masculine, feminine and neuter 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. (Editorially added during 2001 codification)

1.04.040 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.
(Editorially added during 2001 codification)

1.04.050 Prohibited acts include causing and permitting.

Whenever in the ordinances of the town 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. (Editorially added during 2001 codification)

1.04.060 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. (Editorially added during 2001 codification)

1.04.070 Construction.

The provisions of the ordinances of the town, and all proceedings under them, are to be construed with a view to affect their objects and to promote justice. (Editorially added during 2001 codification)

1.04.080 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. (Editorially added during 2001 codification)