

Section ID:

Section:

Title: General Provision

Last Revised Date: 12/16/2002

Description: GENERAL PROVISIONS
AND PENALTIES

PAHRUMP TOWN ORDINANCE NO. 19

TOWN ORDINANCES - GENERAL PROVISIONS AND PENALTIES

SUMMARY

AN ORDINANCE DEFINING CERTAIN TERMS, GRAMMATICAL CONSTRUCTION, AND LANGUAGE USAGE; SPECIFYING CERTAIN GENERAL CONDITIONS AND INTERPRETATIONS; DESIGNATING ACTS AS MISDEMEANORS AND SETTING PENALTIES FOR SAME; AND LIMITING INVALIDATION OF ONLY THAT PART INVALIDATED, WITH RESPECT TO ALL ORDINANCES OF THE UNINCORPORATED TOWN OF PAHRUMP.

TITLE: TOWN ORDINANCES - GENERAL PROVISIONS AND PENALTIES

BILL NO. 85-5

THE PAHRUMP TOWN BOARD FINDS AS FOLLOWS:

That it is necessary to define certain terms and language usage as well as set forth certain matters which shall be common to all ordinances of the Town of Pahrump;

NOW, THEREFORE, the Pahrump Town Board, pursuant to the authority of NRS 269.155 does ordain:

TOWN ORDINANCES - GENERAL PROVISIONS AND PENALTIES

Sections:

19.000 Short Title

19.100 Definitions

19.200 Construction and Use of Language

19.300 General Penalties

19.400 Severability

- 19.000 **SHORT TITLE.** This title shall be known as the “General Provisions Ordinance.”
- 19.100 **DEFINITIONS**
- 19.105 **“BOARD” OR “TOWN BOARD”** means Town Board of the unincorporated Town of Pahrump, County of Nye, State of Nevada. “All its members” or “all members” means the total number of board members holding office. “Board member” or “member” means a person duly elected to the Town Board and holding office at the time.
- 19.120 **“FISCAL YEAR”** means the period starting July 1 of any year through June 30 of the following year.
- 19.125 **“LAW”** denotes the applicable federal law, the Constitution of the United States, Constitution of the State of Nevada, statutes of the State of Nevada, ordinances of Nye County, ordinances of the Town of Pahrump, and, when appropriate, any and all rules and regulations which may be promulgated thereunder.
- 19.130 **“MAY”** is permissive.
- 19.135 **“MONTH”** means calendar month.
- 19.140 **“MUST”** and **“SHALL”** are each mandatory.
- 19.143 **“OATH”** includes any 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” or “sworn” shall be equivalent to the words “affirm” or “affirmed.”
- 19.146 **“OWNER”** applied to a building or land, includes any part owner, joint owner, tenant in common, joint tenant, or tenant by the entirety of the whole or part of such building or land.
- 19.152 **“PERSON”** includes a natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, and any other legal entity or the manager, lessee, agent, servant, officer, or employee of any of them.
- 19.158 **“PRECEDING”** and **“FOLLOWING”** mean next before and next after, respectively.
- 19.160 **“PROPERTY”** includes real and personal property.
- 19.162 **“QUORUM”** means, with reference to the Town Board, a majority of members thereof.
- 19.164 **“REAL PROPERTY”** includes land, tenements, and hereditaments.
- 19.170 **“STATE”** means the State of Nevada.
- 19.175 **“STREET”** includes all streets, highways, avenues, alleys, courts, cul-de-sacs, squares, sidewalks, curbs, or other public ways in the town which have been or may hereafter be dedicated and open to public use, or other public property so designated in any law of this state.
- 19.180 **“TENANT”** and **“OCCUPANT”** applied to a building or land, include any person who occupies the whole or part of such building or land, whether along or with others.

- 19.185 **“TOWN”** means the unincorporated Town of Pahrump.
- 19.188 **“WILL”** shall refer to a future action or event, but shall not be mandatory.
- 19.190 **“WRITTEN”** includes printed, typewritten, mimeographed, multi graphed, or otherwise reproduced in permanent form.

19.195 **“YEAR”** means calendar year.

19.200 CONSTRUCTION AND USE OF LANGUAGE

19.210 **GRAMMATICAL INTERPRETATION.** The following grammatical rules shall apply in ordinances of the Town of Pahrump, or any codification of same, unless it is apparent from the context that a different construction is intended.

A. Gender. Each gender includes the masculine, feminine, and neuter gender.

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 and vice versa, unless manifestly inapplicable.

19.220 **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 each peculiar and appropriate meaning.

19.230 **TITLE OF OFFICE.** Use of the title of any officer, employee, department, board, commission, or committee means that officer, employee, department, board, commission, or committee of the Town.

19.240 **ACTS BY AGENTS.** When an act is required by an ordinance of the Town, or any codification thereof, the same being such that it may be done as well by an agent as by the principle, such requirement shall be construed to include all such acts performed by an authorized agent.

19.250 PROHIBITED ACTS INCLUDE CAUSING AND PERMITTING.

Whenever in

any ordinance of the Town, or any codification of same, 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.

19.260 **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 an official national or state holiday, in which case it shall also be excluded.

19.270 **CONSTRUCTION OF PROVISIONS.** The provisions of the ordinances of the Town of Pahrump, or any codification thereof, and all proceedings under them are to be construed with a view to effect their objects and to promote justice.

19.280 **REPEAL SHALL NOT REVIVE AND ORDINANCES.** The repeal of an ordinance, or any codification thereof, shall not repeal the repealing clause of an ordinance, or any codification thereof, or revive any ordinance, or codification thereof, which has been repealed thereby.

19.300 PENALTIES

19.310 PROHIBITED ACT IS MISDEMEANOR WHEN NO PENALTY IMPOSED.

Whenever the performance of any act is prohibited by a Town ordinance, or is made or declared to be unlawful, or whenever the doing of an act is required by a Town ordinance, or the failure to do any act is declared to be unlawful by a Town ordinance, and no penalty for the violation of such provision is imposed or provided for, then the performance of such act or the failure to perform such act shall be a misdemeanor.

19.320 MISDEMEANOR PENALTIES DESIGNATED. Any person, firm, or corporation who shall be convicted of a misdemeanor shall be punished by a fine not to exceed one thousand dollars (\$1,000.00), or imprisonment in the county jail not to exceed six (6) months, or both such a fine and imprisonment.

19.400 SEVERABILITY. If any one or more sections, clauses, or parts of an ordinance shall be declared invalid or void, such judgement shall not affect, impair or invalidate the remaining provisions of that ordinance, but shall be confined in its operation to the specific sections, clauses, or parts held invalid or void.

NOTICE OF ADOPTION OF BILL NO. 85-5

PAHRUMP TOWN ORDINANCE NO. 19

TOWN ORDINANCES - GENERAL PROVISIONS AND PENALTIES

NOTICE IS HEREBY GIVEN that the Pahrump Town Board, at its regular meeting

held the 29th day of October, 1985, adopted bill No. 85-5.

Typewritten copies of the Nye County Clerk, Courthouse, Tonopah, Nevada, and The Town Office of the Pahrump Town Board, at the Town Office, Community Center, Pahrump, Nevada.

Board Members voting in favor of the adoption:

__Signatures on file__

Board members voting against the ordinance:

This ordinance shall be in full force and effect on and after the 11th day of November, 1985, after publication in full in a newspaper having general circulation in the Town of Pahrump, Nye County, Nevada at least once a week for a period of two weeks.

DATED this 29th day of October, 1985.

PAHRUMP TOWN BOARD