

Code of Ordinances, Town of Woodland, North Carolina

TITLE I, USE OF THE CODE AND PENALTIES

Chapter

10. GENERAL PROVISIONS

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CHAPTER 10: GENERAL PROVISIONS

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§ 10.01 SHORT TITLE.

The provisions embraced in this and the following chapters and sections shall constitute and be designated the "Code of Ordinances, Town of Woodland, North Carolina", and may be so cited.

Statutory reference:

As to admission of code into evidence, see G.S. 160A-79

§ 10.02 DEFINITIONS.

For the purpose of this code the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"BOARD." The Board of Commissioners of the town.

"COUNTY." The County of Northampton, in the State of North Carolina, except as otherwise provided.

"MAYOR." The Mayor of the town.

"MONTH." A calendar month.

"OATH." An affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in certain cases the words swear and sworn shall be equivalent to the words affirm and affirmed.

"OFFICIALS," "BOARDS," and "COMMISSIONS." whenever reference is made to "OFFICIALS," "BOARDS," and "COMMISSIONS" by title only, they shall be deemed to refer to

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the officials, boards, and commissions of the Town of Woodland.

"OR" and "AND." "OR" may be read "AND" and "AND" may be read "OR" if the sense requires it.

"OWNER." When applied to building or land, shall include any part owner, joint owner, tenant in common, joint tenant, or tenant by the entirety, of the whole or a part of the building or land.

"PERSON." A corporation, firm, partnership, association, organization, and any other group acting as a unit, as well as an individual.

"PERSONAL PROPERTY." Every species of property except real property as herein defined.

"PRECEDING" and "FOLLOWING." Next before and next after respectively.

"PROPERTY." Real and personal property.

"REAL PROPERTY." Lands, tenements, and hereditaments.

"SIDEWALK." Any portion of a street between the curb line and the adjacent property line intended for the use of pedestrians.

"SIGNATURE" or "SUBSCRIPTION." Includes a mark when the person cannot write.

"STATE." The State of North Carolina.

"STREET." Any public way, road, highway, street, avenue, boulevard, parkway, alley, lane, or bridge and the approaches thereto within the town.

"TENANT" or "OCCUPANT." When applied to a building or land shall include any person who occupies the whole or a part of the building or land whether alone or with others.

"TOWN," "CITY," "MUNICIPAL CORPORATION," or "MUNICIPALITY." Shall mean the Town of Woodland, in Northampton County, North Carolina, except as otherwise provided.

"WRITING" and "WRITTEN." Printing and any other mode of representing words and letters.

"YEAR." A calendar year.

§ 10.03 RULES OF CONSTRUCTION.

(A) The time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day is a Saturday, Sunday, or legal holiday, that shall be excluded.

(B) Gender. Words importing the masculine gender shall include the feminine and neuter.

(C) Joint authority. All words giving a joint authority to three or more persons or officers shall

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§ 10.07 SEVERABILITY.

It is declared to be the intention of the Board that the sections, paragraphs, sentences, clauses, and phrases of this code are severable and if any phrase, clause, sentence, paragraph, or section of this code shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, the unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this code since the same would have been enacted by the Board without the incorporation in this code of an unconstitutional or invalid phrase, clause, sentence, paragraph, or section.

§ 10.08 AMENDMENTS TO CODE; AMENDATORY LANGUAGE.

(A) All ordinances passed subsequent to this code of ordinances, which amend, repeal or in any way affect this code of ordinances, may be numbered in accordance with the numbering system of this code and printed for inclusion herein. In the case of repealed chapters, sections and subsections or any part thereof, by subsequent ordinances, such repealed portions may be excluded from the code by omission from reprinted pages affected thereby. The subsequent ordinances as numbered and printed, or omitted, in the case of repeal, shall be prima facie evidence of subsequent ordinances until a time that this code of ordinances and subsequent ordinances numbered or omitted are readopted as a new code of ordinances by the Board.

(B) Amendments to any of the provisions of this code may be made by amending these provisions by specific reference to the section number of this code in the following or similar language: "That section of the Code of Ordinances, Town of Woodland, is hereby amended to read as follows: _____." The new provisions shall then be set out in full as desired.

(C) In the event a new section not heretofore existing in the code is to be added, the following or similar language may be used: "That the Code of Ordinances, Town of Woodland is hereby amended by adding a section to be numbered, which section reads as follows: _____." The new provisions shall then be set out in full as desired.

§ 10.09 DAMAGING ORDINANCES.

No person shall tear or deface any of the town ordinances.
Penalty, see § 10.99

§ 10.99 PENALTY.

This section of the Code or Ordinances, Town of Woodland, is hereby amended on 15 July, 2004 to read as follows:

(A) In accordance with G.S. 160A-175, violation of any provision hereof shall be a Misdemeanor as provided in G.S. 14-4, punishable on conviction by a fine not exceeding \$50 or by imprisonment not exceeding 30 days. An ordinance may provide by express statement that the maximum fine or term of imprisonment to be imposed for its violation shall be some figure or number of days less than the maximum penalties prescribed by G.S. 14-4.

(B) An ordinance contained herein may provide for its enforcement by other remedies, as authorized in G.S. 160A-175, including the imposition of civil fines, the ordering of specific equitable relief, including injunctions, or a combination of remedies. In addition, any ordinance contained herein

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may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction.

(C) . Any Town citation issued for any violations of Woodland Town Ordinances shall carry a civil penalty in the amount established in a separate penalty fee schedule. If the offender fails to pay this penalty within ten (10) working days from date of issue a Criminal Summons will be issued for the violators appearance in court.

(D) An ordinance may provide, when appropriate, that each day's continuing violation shall be a separate and distinct offense.