

ORDINANCE 2010-76

AN ORDINANCE AMENDING THE DEFINITIONS AND RULES OF CONSTRUCTION OF THE SHOREACRES CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES:

That if any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance; and,

That section 1-2 of the Shoreacres City Code is hereby amended to read as follows:

Sec. 1-2. Definitions and rules of construction.

In the construction of this Code and of all ordinances and resolutions passed by the city council, the following definitions and rules of construction shall be observed, unless such construction would be inconsistent with the manifest intent of the city council:

City. The term "city" shall mean the City of Shoreacres, in the County of Harris and State of Texas.

Code. The term "Code" shall mean the Shoreacres City Code.

Computation of time. In computing any period of time prescribed or allowed by this Code, the day of the act, event or default after which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included unless it is a Sunday or legal holiday, in which event the period shall run until the end of the next day which is neither a Saturday, Sunday or legal holiday.

Council, city council. Whenever the term "council" or "city council" is used, it shall be construed to mean the city council of the City of Shoreacres, Texas.

County. The term "county" shall mean Harris County, Texas.

Delegation of authority. Whenever a section of this Code requires or authorizes an officer or employee of the city to do some act or perform some duty, it shall be construed to authorize the officer or employee to designate, delegate and authorize subordinates to perform the act or duty, unless the terms of the section specifically provide otherwise.

Gender. A word importing the masculine gender only shall extend and be applied to females and to firms, partnerships and corporations as well as to males.

In the city. The term "in the city" shall mean and include all territory over which the city now has, or shall hereafter acquire, jurisdiction for the exercise of its police, regulatory and other powers.

Joint authority. Words purporting to give authority to three or more officers or other persons shall be construed as giving such authority to a majority of such officers or other persons unless it is otherwise declared.

Month. The term "month" shall mean a calendar month.

Number. Any word importing the singular number shall include the plural, and any word importing the plural number shall include the singular.

Oath. The term "oath" shall be construed to include an affirmation in all cases in which by law an affirmation may be substituted for an oath, and in such cases the terms "swear" and "sworn" shall be equivalent to the terms "affirm" and "affirmed."

Officers, departments, boards, committees, commissions, employees. Officers, departments, boards, commissions and employees referred to in this Code shall mean officers, departments, boards, committees, commissions and employees of the city unless the context clearly indicates otherwise.

Official time standard. Whenever certain hours are named in this Code, they shall mean Central Standard Time or Central Daylight Saving Time, as may be officially in current use in the state.

Or, and. "Or" may be read "and," and "and" may be read "or" if the sense requires it.

Owner. The term "owner," applied to a building or land, shall include any part owner, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety of the whole or of a part of such building or land.

Person. The term "person" shall extend and be applied to associations, corporations, firms, partnerships and bodies politic and corporate, as well as to individuals.

Personal property. The term "personal property" includes every species of property, except real property as defined in this section.

Preceding, following. The term "preceding" and "following" shall mean next before and next after, respectively.

Property. The term "property" includes real and personal property.

Public place. A public place shall mean any public street, alley, square, highway, grounds, house or premises; or any hotel, restaurant, boardinghouse, grocery, saloon, garden, workshop or other place, or part of a place, to which people usually resort, or have a right to resort, for business or pleasure.

Real property. The term "real property" includes lands, tenements and hereditaments.

Roadway. The term "roadway" shall mean that portion of a highway other than the berm or shoulder that is improved, designed or ordinarily used for vehicular travel. If a highway includes two or more separate roadways, the term "roadway" as used in this definition shall refer to each such roadway separately.

Shall, may. "Shall" is mandatory, and "may" is permissive.

Sidewalk. The term "sidewalk" shall mean any portion of the street between the curblines, or the lateral lines of the roadway, and the adjacent property lines, intended for the use of pedestrians.

Signature or subscription. The term "signature" or "subscription" shall include a mark when a person cannot write.

State. The term "state" shall be construed to mean the State of Texas.

Street or highway. The term "street" or "highway" shall mean the entire width between the boundary lines of every publicly maintained way when any part is open to the use of the public for purposes of vehicular travel.

Tense. Words used in the past or present tense include the future, as well as the past and present.

Vacant lot. The term "vacant lot" shall mean a lot which is undeveloped and not appurtenant to an adjoining residence under common ownership.

Vernon's Ann. Civ. St. The abbreviation "Vernon's Ann. Civ. St." shall mean the latest edition or supplement to Vernon's Annotated Civil Statutes.

V.T.C.A. The abbreviation "V.T.C.A." shall mean and refer to the latest edition or supplement of Vernon's Texas Code Annotated.

Written or in writing. The term "written" or "in writing" shall be construed to include any representation of words, letters or figures, whether by printing or otherwise.

Year. The term "year" shall mean a calendar year.

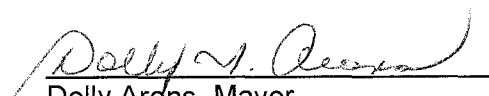
The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

This Ordinance shall be effective from and after its passage and approval, and it is so ordered.

PASSED AND APPROVED this the 23rd day of AUGUST 2010.

ATTEST:

David K. Stall
City Secretary


Dolly Arons, Mayor