

CHAPTER 1.01 USE AND CONSTRUCTION; CITATIONS

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Sec. 1.01.01 **Title of Code; Citation**

These collected ordinances shall be known and referred to as the “Town of Sumpter Code of Ordinances.” References to this code shall be cited as follows: “Sec. 2.01.01, Code of Ordinances, Town of Sumpter, Wisconsin.”

Sec. 1.01.02 **Principles of Construction**

The following rules or meanings shall be applied in the construction and interpretation of ordinances unless such application would be clearly inconsistent with the plain meaning or intent of the ordinances:

- A. Acts by agents. When an ordinance requires an act be done by a person which may be legally be performed by an authorized agent of the principal person, the requirement shall be construed to include all acts performed by such agents.
- B. Computation of Time. In computing any period of time prescribed or allowed by these ordinances, the day of the act or event from which the period of time begins to run shall not be included, but the last day of the period shall be included, unless it is a Saturday, Sunday, or a legal holiday. If the period of time prescribed or allowed is less than seven (7) days, Saturdays, Sundays, and legal holidays shall be excluded in the computation. As used in this Section, “legal holidays” means any statewide legal holiday specified in sec. 230.35(4)(a), Wis. Stats.
- C. Fine. The term “fine” shall be the equivalent of the word “forfeiture,” and vice versa.
- D. Gender. Every word in these ordinances referring to the masculine gender shall also be construed to apply to females, and vice versa.

- E. General Rule. All words and phrases shall be construed according to their plain meaning in common usage. However, words or phrases with a technical or special meaning shall be understood and construed according to that technical or special meaning if such is the intent of the ordinances.
- F. Joint Authority. All words purporting to give a joint authority to three (3) or more Town officers or other persons shall be construed as giving such authority to a majority of such officers or other persons.
- G. Person. The word person shall mean any of the following entities: natural persons, corporations, partnerships, associations, bodies politic or any other entity of any kind which is capable of being sued.
- H. Repeal. When any ordinance having the effect of repealing a prior ordinance is itself repealed, such repeal shall not be construed to revive the prior ordinance or any part thereof, unless expressly so provided.
- I. Singular and Plural. Every word in these ordinances referring to the singular number only shall also be construed to apply to several persons or things, and every word in these ordinances referring to a plural number shall also be construed to apply to one (1) person or thing.
- J. Tense. The use of any verb in the present tense shall not preclude the interpretation of the verb in the future tense where appropriate.
- K. Town. The words “the Town” or “this Town” shall mean the Town of Sumpter, Wisconsin.
- L. Town Board. Whenever the words “Town Board” or “Board” are used, they shall mean the Town Board of the Town of Sumpter, Wisconsin.
- M. Town Clerk. Whenever the words “Clerk” or “Town Clerk” are used, they shall mean the Town Clerk of the Town of Sumpter, Wisconsin.
- N. Wisconsin Administrative Code. The term “Wisconsin Administrative Code” and its abbreviation “Wis. Admin. Code” shall mean the Wisconsin Administrative Code as of the adoption of this code, as amended or renumbered from time to time.
- O. Wisconsin Statutes. The term “Wisconsin Statutes” and its abbreviation as “Wis. Stats.” shall mean the Wisconsin Statutes and Annotations for 2013-14 updated through 2015 Wisconsin Act 392, published May 10, 2016.

Sec. 1.01.03 **Conflict of Provisions**

- A. If the provisions of different Chapters appear to conflict with each other, the provisions of each individual Chapter shall control all issues arising out of the events and persons most specifically intended to be governed by that Chapter.
- B. If the provisions of different sections of the same Chapter conflict with each other, the provision which is more specific in its application to the events or persons raising the conflict shall control over the more general provision.

Sec. 1.01.04 **Severability of Provisions**

If any provision, clause, section, or chapter of this Code of Ordinances is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other provision, clause, section, or chapter of this Code of Ordinances. The remainder of this Code of Ordinances shall remain in full force and effect

