

Chapter 1: General Provisions

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Chapter 1: General Provisions

Sec. 1-101

How Code Designated and Cited

The provisions embraced in the following chapters and sections shall constitute and be designated “The Code of the City of Woodbine, Georgia, 1985,” and may be so cited.

Sec. 1-102

Rules of Construction

In the construction of this Code and of all ordinances, the following rules shall be observed unless such construction would be inconsistent with the manifest intent of the Mayor and Council:

1. General Rule All words and phrases shall be construed and understood 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.
2. Gender-Singular and Plural Every word in any code provision or ordinance importing the masculine gender shall extend to and be applied to females as well as males; and every word importing the singular number only shall extend and be applied to several persons or things as well as to one person or thing; and every word importing the plural number only shall extend and be applied to one person or thing as well as to several persons or things.
3. Tenses The use of any verb in the present tense shall include the future when applicable.
4. Joint Authority All words purporting to give a joint authority to three or more city officers or other persons shall be construed as giving such authority to a majority of such officers or other persons unless it shall be otherwise expressly declared in the law giving the authority.
5. Delegation of Authority Whenever a provision requires the head of a department or other officer of the city to do some act or perform some duty, it shall be construed to authorize subordinates to do the required act or perform the required duty unless the terms of the provision designate otherwise.
6. Computation of Time The time within which an act is to be done as provided in any code provision or ordinance or in any order issued pursuant to any ordinance, when expressed in days, shall be computed by excluding the first day and including the last, except that if the last day be a Sunday or a holiday it shall be excluded; and when any such

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Rules of Construction (Continued)

time is expressed in hours the whole of Sunday, from midnight to midnight, shall be excluded.

7. Overlapping Provisions Where any provision of this Code imposes greater restrictions upon the subject matter than any general provisions imposed by this Code, the provision imposing the greater restriction or regulation shall be applicable.

Sec. 1-103 Definitions

Words and phrases used in this Code shall have the following meanings, unless otherwise specified.

Advice and Consent Whenever the term “advice and consent” of the city council is used in this Code it shall be construed to mean an affirmative vote of the majority of the entire city council.

City The words “the city” or “this city” shall mean the City of Woodbine, Georgia.

City Administrator The words “city administrator” shall mean the City Administrator of the City of Woodbine, Georgia.

City Council, Council The words “city council” or “the council” shall mean the City Council of the City of Woodbine, Georgia.

County The words “the county” or “this county” shall mean the County of Camden, Georgia.

Court The word “court” shall mean the recorder’s court of the city.

Governing Authority, Governing Body The words “governing authority: or “governing body” shall mean the Mayor and City Council of the City of Woodbine, Georgia.

Judge or Recorder The words “judge” or “recorder” shall mean the judge of the recorder’s court of the city.

Mayor The word “mayor” shall mean the Mayor of the City of Woodbine, Georgia.

Sec. 1-103 Definitions (Continued)

Mayor and Council The term “mayor and council” shall mean the Mayor and City Council of the City of Woodbine, Georgia.

Misdemeanor The term “misdemeanor” shall mean a violation of the state criminal law punishable by a fine not in excess of \$1,000 or confinement in a county or other jail for a term not exceeding 12 months, or by both such fine and imprisonment.

Municipality The word “municipality” shall be construed as synonymous with the term “city”, “town”, or “municipal corporation”.

Oath The word “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 words “affirm” and “affirmed” shall be equivalent to the words “swear” or “sworn”.

Ordinance The word “ordinance” shall mean a legislative act of the municipal governing body of a general and permanent nature.

Owner The word “owner”, when applied to a building or to land, shall include any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or of a part of such building or land.

Person The word “person” shall include a corporation, firm, partnership, association, organization, and any other group acting as a unit, as well as an individual.

Personal Property The term “personal property” shall include every species of property except real property, as hereinafter defined.

Preceding, Following The words “preceding” and “following” shall mean next before and next after, respectively.

Property The term “property” includes real, personal, and mixed estates and interests.

Real Property The words “real property” shall include lands, tenements, and hereditaments; and whatever is erected or growing upon or affixed to the land.

Reasonable Time or Notice Reasonable time or notice shall be deemed to mean only such time as may be necessary for the prompt performance of the act required.

Sec. 1-103 Definitions (Continued)

Resolution The word “resolution” shall mean a legislative act of the municipal governing body of a special or temporary character.

Sidewalk The word “sidewalk” shall mean any portion of a street between the curb line and the adjacent property line, intended for the use of pedestrians, but shall not include any unimproved areas between the curb line and improved walkways.

Signature, Subscription The word “signature” or “subscription” shall include a mark intended as such when the person cannot write.

State The words “state” of “this state” shall mean the State of Georgia.

Street The word “street” shall mean and include any public way, road, highway, street, avenue, boulevard, parkway, alley, viaduct or bridge, and the approached thereto, within the city.

Tenant or Occupant The word “tenant” of “occupant”, when applied to a building or to land, shall include any person holding a written or oral lease of, or who occupies the whole or part of such building or land, either alone or with others.

Town See Municipality.

Week The word “week” shall mean seven days. (See 1-102 (6)).

Writing or Written The words “writing” or “written” shall include printing and any other permanent mode of representing words and letters.

Year The word “year” shall mean a calendar year.

Sec. 1-104 Section Headings

The underlined headings of the several sections and subsections of this Code are intended as mere captions to indicate the contents of the section or subsection and shall not be deemed or taken to be titles of such sections, nor as any part of the section or subsection.

Sec. 1-105 Effect of Repeal or Expiration of Code Section

1. The repeal of a code section or ordinance, or its expiration by virtue of any provision contained therein, shall not affect any right accrued or any offense committed, any penalty or punishment incurred, or

Sec. 1-105 Effect of Repeal or Expiration of Code Section (Continued)

any proceeding commenced before the repeal took effect or the ordinance expired.

2. When any ordinance repealing a former code section, ordinance, clause or provision, shall be itself repealed, such repeal shall not be construed to revive such former code section, ordinance, clause, or provision, unless it shall be expressly so provided.

Sec. 1-106 Amending Code

1. All ordinances passed subsequent to this Code which amend, repeal or in any way affect this Code shall 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 the affected reprinted pages. The subsequent ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence as such subsequent ordinances until such time as a new code is adopted by the city council
2. Amendments to any of the provisions of this code may be made by specific reference to the section number of this code in the following language: "That section ___ of the Code of Ordinances, City of Woodbine, Georgia, 1976, is hereby amended to read as follows..." The new provisions may then be set out in full as desired.
3. In the event a new section not heretofore existing in the Code is to be added, the following language may be used. "The Code of Ordinances of the City of Woodbine, Georgia, 1985, is hereby amended by adding a section (or subsection or chapter) to be numbered ____, which section reads as follows...." The new provision shall then be set out in full as desired.
4. All sections, chapters, or provisions sought to be repealed must be specifically repealed by section, chapter, or provision number, as the case may be.

Sec. 1-107 Altering Code

It shall be unlawful for any person to change or amend by additions or deletions any part or portion of this code, or to insert or delete pages or portions thereof, or to alter or tamper with such code in any manner whatsoever, except by ordinance or resolution or other official act of the

mayor and city council.

Sec. 1-108 Penalty Where no Penalty Provided

1. Whenever in this code or in any ordinance of the city any act is prohibited or is declared to be unlawful, or whenever in such code or ordinance the doing of any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of such provision of this code or any ordinance shall subject the person committing the violation to a fine not exceeding \$1,000 and costs or imprisonment for a maximum of six (6) months, any or all of such penalties to be imposed at the discretion of the judge of the recorder's court.
2. The infliction of a penalty under the provisions of this section shall not prevent the revocation of any permit or license or the taking of other punitive or remedial action where called for or permitted under the provisions of the city's charter or code.

Sec. 1-109 Primacy of 1953 City Charter

In the event that any Section of this Code shall conflict with Georgia Laws 1953, Page 2093, et seq., entitled "Woodbine Charter", being commonly referred to as the 1953 Charter of the City of Woodbine shall prevail, and such Section of this Code of Ordinances shall be deemed to be of no effect so far as it shall conflict with the City Charter.