

CHAPTER 1
ARTICLE 1

GENERAL PROVISIONS

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CHAPTER 1

ARTICLE 1

GENERAL PROVISIONS

1-1-1 The Code

The provisions embraced in this and the following chapters, articles and sections shall constitute and be designated as the code of the Town of Grand Lake, Colorado, and may be so cited. This code may also be cited as the Grand Lake municipal code.

1-1-2 Definitions

- (a) Board. The board of trustees, consisting of one mayor and six trustees of the Town of Grand Lake, Colorado.
- (b) Code. The code of the Town of Grand Lake, Colorado.
- (c) County. The County of Grand, Colorado.
- (d) Law. Denotes applicable federal law, the Constitution and statutes of the State of Colorado, the ordinances of the Town of Grand Lake, Colorado, this code and, when appropriate, any and all rules and regulations which may be promulgated thereunder.
- (e) Owner. As applied to land or building, includes any part owner, joint owners, tenants in common or joint tenants of the whole or of a part of such building or land.
- (f) Person. Natural person, a joint venture, a joint stock company, a partnership, association, firm, club, company, corporation, business, trust, organization or any other legal entity and the manager, lessee, agent, servant, officer or employee of any of them.
- (g) State. The State of Colorado.
- (h) Town. The Town of Grand Lake, Colorado, or the area within the corporate limits of the Town of Grand Lake, Colorado, and such territory outside the Town over which the Town has jurisdiction or control by virtue of any constitutional or statutory provision.

1-1-3 Rules of Construction

The following rules of construction shall apply to the interpretation and construction of this code unless expressly provided otherwise in any chapter, article or section of this code, or unless inconsistent with the manifest intent of this code or unless the context clearly requires otherwise:

- (a) Computation of Time. In computing any period of time prescribed within this code, the day of the act, event or default from 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 a legal holiday, in which event the period runs until the end of the next day which is not a Sunday or a legal holiday.
- (b) Gender. The use of any gender shall be interpreted to include any other gender.
- (c) Number. Any word imparting the singular shall include the plural and any word imparting the plural shall include the singular.

- (d) Tenses. Words used in the present tense include the past and future tenses. Words used in a future tense include the present and past tenses. Words used in the past tense include the future and the present tenses.
- (e) Title of Office. The use of the title of any officer, employee, department, board or commission means that officer, employee, department, board or commission of the Town of Grand Lake, Colorado.

1-1-4 Section Titles

The title of any chapter, article or section of this code shall not be deemed to in any way restrict, qualify or limit the effect of the provisions set forth and contained in any provision.

1-1-5 Amendment To This Code

- (a) All ordinances adopted subsequent to this code which amend, repeal or in any way affect this code may be numbered in accordance with the numbering system of this code and printed for inclusion herein. When subsequent ordinances repeal any chapter, article, section, subsection or any portion thereof, such repealed portions may be excluded from this 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 such subsequent ordinances until such time that this code and subsequent ordinances amending it are readopted as a new code.
- (b) Amendments to any of the provisions of this code shall be made by amending such provisions by specific reference to this code in the following language:

“That _____ of the code of the Town of Grand Lake, Colorado, is hereby amended to read as follows . . . “

The new provisions shall then be set out in full. In the event of a new chapter, article or section not heretofore existing in the code is to be added, the following language shall be used:

“That the code of the Town of Grand Lake, Colorado, is hereby amended by adding _____, to be numbered _____, which shall read as follows . . . “

The new provisions shall then be set out in full as desired.

- (c) All sections, articles or chapters desired to be repealed must be specifically repealed by section, article or chapter number, as the case may be.

1-1-6 Severability

The provisions of this code are hereby declared to be severable, and if any chapter, article, section, provision or part thereof is held to be unconstitutional or invalid, the remainder of this code shall continue in full force and effect, it being the legislative intent that this code would have been adopted even if such unconstitutional matter had not been included therein. It is further declared that if any provision or part of this code, or the application thereof to any person or circumstance, is held invalid, then the remainder of this code and the application thereof to other persons shall not be affected thereby.

1-1-7 Savings Clause

The repeal of any ordinance or part thereof by the adoption of this code shall not affect, deny, abridge, or impair any right, action or cause of action accruing or arising under the ordinance or section so repealed, and such right, action, or cause of action may be prosecuted to a final determination notwithstanding such repeal. No offense committed and no fine, forfeiture or penalty incurred before any ordinance or part thereof is repealed by this code, shall be affected, released or in any way discharged by such repeal; but the trial, conviction and punishment for any such offense and the recovery of fines, forfeitures and penalties shall be had in all respects as if the repealed provisions had remained in force.

1-1-8 Altering Code

It shall be unlawful for any person to change or amend by additions or deletions, any part or portions thereof, or to alter or tamper with such code in any manner whatsoever which will cause the law of the Town of Grand Lake to be misrepresented thereby.

1-1-9 General Penalty

- (a) It shall be unlawful for any person to violate, disobey, omit, neglect, refuse or fail to comply with or resist the enforcement of any provision of this code, and where no specific penalty is provided therefore, the violation of any provision of this code shall be punished by a fine not exceeding three hundred dollars (\$300.00), or imprisonment for a term not exceeding ninety (90) days, or by both such fine and imprisonment.
- (b) Every day any violation of this code continues shall constitute a separate offense.

1-1-10 Repeal

All ordinances and parts of ordinances of a general and permanent nature adopted by the Town of Grand Lake, Colorado before the effective date of this code, are hereby repealed provided; HOWEVER, that any ordinances establishing salaries, establishing any contract right, authorizing the issuance of any bonds or evidence of indebtedness of the Town of Grand Lake, relating to the annual appropriation of the annual tax levy, granting any franchise, annexing territory to the Town of Grand Lake, naming streets or alleys, creating or assessing any local improvement district, or authorizing the sale, purchase, vacation or lease of property by the Town of Grand Lake, shall NOT be considered to be ordinances of a general and permanent nature and the same are not hereby repealed.