

TITLE 1

CODE AND ORDINANCES; GENERALLY

CHAPTER 110

DEFINITIONS; CONSTRUCTION

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110.010 Definitions

As used in the Linn County Code unless the context or a specially applicable definition requires otherwise:

(A) “**Board**” and “**County Court**” mean the Board of County Commissioners of Linn County, Oregon.

(B) “**Codify**” and “**Codification**”, when used as verbs, mean the process of changing an existing ordinance or drafting and naming a new ordinance into the format set out in this Code, and incorporating such ordinance into the Linn County Code.

(C) “**County**” means Linn County, Oregon.

(D) “**County Counsel**” means the Deputy District Attorney so designated by the Linn County District Attorney, except, if the Board has appointed a person as counsel pursuant to ORS 203.145, the term means that person.

(E) “**Linn County Code**,” “**LCC**” or “**Code**” means the collection of codified ordinances of Linn County more particularly described in LCC Chapter 120 (Ordinance Codification Code).

(F) “**Person**” includes individuals, corporations, associations, firms, partnerships, joint stock companies and any other legal entity.

(G) “**To**” means “to and including” when used in a reference to a series of Code sections, subsections, paragraphs or subparagraphs.

(H) “**Violate**” includes failure to observe the law whether by act of commission or omission.

[Adopted 85-140 §2 eff 4/24/85; amd 98-526 §1 eff 12/16/98]

110.100 Singular or plural number

As used in this Code, the singular number may include the plural and the plural number, the singular.

[Adopted 85-140 §2 eff 4/24/85]

110.110 Words indicating gender

As used in this Code, words used which indicate a gender may include the other gender.

[Adopted 85-140 §2 eff 4/24/85]

110.120 Use of “shall”

As used in this Code, the word “shall” is mandatory and not directory.

[Adopted 85-140 §2 eff 4/24/85]

110.130 Present tense includes future

As used in this Code, words in the present tense include the future.

[Adopted 85-140 §2 eff 4/24/85]

110.200 Subsequent amendments

Reference to any portion of this Code includes later amendments to that portion or any part contained in it.

[Adopted 85-140 §2 eff 4/24/85]

110.300 Code headings not part of law

Title heads, chapter heads, division heads, section and subsection heads, indexes or titles and explanatory notes in this Code do not constitute any part of the law; they are inserted for convenience only and do not define, describe, or limit the scope or intent of the text or any term therein.

[Adopted 85-140 §2 eff 4/24/85; amd 98-526 §1 eff 12/16/98]

110.400 Effect of repeal of Code sections and ordinances; saving clause

(A) Repeal of a Code section or ordinance shall not revive a Code section or ordinance in force before or at the time the repealed Code section or ordinance took effect.

(B) The repeal shall not affect a punishment or penalty incurred before the repeal took effect nor a suit, prosecution or proceeding pending at the time of the repeal for an offense committed under the repealed Code section or ordinance.

[Adopted 85-140 §2 eff 4/24/85]

110.500 Severability

It is the intent of the Board, in the adoption of this Code or of any subsequent ordinance, that if any part of the Code or ordinance is held unconstitutional, the remaining parts shall remain in force unless:

(A) The ordinance provides otherwise;

(B) The remaining parts are so essentially and inseparably connected with and dependent upon the unconstitutional part that it is apparent that the remaining parts would not have been enacted without the unconstitutional part; or

(C) The remaining parts, standing alone, are incomplete and incapable of being executed in accordance with the board's intent.

[Adopted 85-140 §2 eff 4/24/85]

Statutory References and Other Authorities:

ORS 174.100, 203.035; 203.145

Legislative History of Chapter 110 (formerly codified at Chapter 1.10):

Adopted 85-140 §2 eff 4/24/85 (and codifying)

Amendments to 85-140 §2:

#1 95-177 eff 5/10/95 (renumbering)

#2 98-526 eff 12/16/98
