

## **Chapter 101 - General Provisions**

### **Section 101.1 – Title of Code**

This Codification of Ordinances for the Township of Lenox, Macomb County, Michigan, shall be designated as the Lenox Township Code of Ordinances.

### **Section 101.2 – Interpretation**

Unless otherwise provided herein, or by law or implication required, the same rules of construction, definition, and application shall govern the interpretation of this Code as those governing the interpretation of state law.

### **Section 101.3 – Application to Future Ordinances**

All provisions of this Code, compatible with future legislation, shall apply to ordinances hereafter adopting, amending, or supplementing this Code unless otherwise expressly provided.

### **Section 101.4 – Definitions**

- A. General rule – Words and phrases shall be taken in their plain, or ordinary and usual sense. However, technical words and phrases having a peculiar and appropriate meaning in law shall be understood according to their technical import.
- B. For the purposes of this Code, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**Code, Code of Ordinances** – The Lenos Township Code of Ordinances, as modified by amendment, revisions, and adoption of new titles, chapters, or sections.

**County** – Macomb County, Michigan.

**May** – The act referred to as permissive

**Month** – A calendar month.

**Officer, Office, Employee, Commission, or Department** – An officer, office, employee, commission, or department of the Township unless the context clearly requires otherwise.

**Person** – Extends to and includes person, persons, firm, corporation, co-partnership, trustee, lessee, or receiver. Whenever used in any clause prescribing and imposing a penalty, the terms person or whoever as applied by any unincorporated entity shall mean the partners or members thereof, and as applied to corporations, the officers or agents thereof.

**Preceding or Following** – Next before or next after, respectively.

**Shall** – The act referred to is mandatory.

**State** – The State of Michigan.

**Township or Municipality** – The Township of Lenox, Macomb, Michigan.

**Township Board** – The legislative body of the Township of Lenox, Macomb County, MI.

**Written** – Any representation of words, letters, or figures, whether by printing or otherwise.

**Year** – A calendar year, unless otherwise expressed.

## **Section 101.5 – Rules of Interpretation**

The construction of all ordinances of Lenox Township shall be by the following rules unless such construction is plainly inconsistent with the intent of the Township Board or of the contest of the same ordinance.

**“And” or “Or”** – Either conjunction shall include the other as written “and/or” if the sense requires it.

**Acts by Assistants** – When a statute or ordinance requires an act to be done which, by law, an agent or deputy as well may do as the principal, such requisition shall be satisfied by the performance of such act by an authorized agent or deputy.

**Gender, Singular, and Plural, Tenses** – Words denoting the masculine gender shall be deemed to include the feminine and neuter genders, words in the singular shall include the plural, and words in the plural shall include the singular. The use of a verb in the present tense shall include the future, if applicable.

**General Term** – A general term following a specific enumeration of terms is not limited to the class enumerated unless expressly so limited.

#### **Section 101.6 – Severability**

If any provision of this Code, as now or later amended, or its application to any person or circumstance, is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

#### **Section 101.7 – Reference to Other Sections**

Whenever in one section reference is made to another section thereof, such reference shall extend and apply to the section referred to as subsequently amended, revised, re-codified, or renumbered unless the subject matter is changed or materially altered by the amendment or revision.

#### **Section 101.8 – Reference to Offices**

Reference to a public office or officer shall be deemed to apply to any office, officer, or employee of the Township exercising the powers, duties, or functions contemplated in the provision, irrespective of any transfer of functions or change in the official title of the functionary.

#### **Section 101.9 – Errors and Omissions**

If a manifest error is discovered, consisting of a misspelling of any words; the omission of any word or words necessary to express the intention of the provisions affected; the use of a word or words to which no meaning can be attached; or the use of a word or words when another word or words was clearly intended to express such intent, such spelling shall be corrected and such word or words supplied, omitted, or substituted as will conform with the manifest intention, and the provisions shall have the same effect as though the correct words were contained in the text as originally published. No alteration shall be made or permitted if any questions exist regarding the nature or extent of such error.

#### **Section 101.10 – Ordinances Repealed**

This Code, from and after its effective date, shall contain all of the provisions of a general nature pertaining to the subjects treated by the herein enumerated and embraced. All prior ordinances

pertaining to the subjects treated by this Code shall be deemed repealed from and after the effective date of this Code.

#### **Section 101.11 – Ordinances Unaffected**

All ordinances of a temporary or special nature, and all other ordinances pertaining to subjects not embraced in this Code, shall remain in full force and effect unless herein repealed expressly or by necessary implication.

#### **Section 101.12 – Effective Date of Ordinances**

All ordinances passed by the Township Board requiring publication shall take effect from and after the due publication thereof, unless otherwise expressly provided. Ordinances not requiring publication shall take effect from their passage, unless otherwise expressly provided.

#### **Section 101.13 – Repeal of Modification of Ordinance**

- A. Whenever any ordinance or part of an ordinance shall be repealed or modified by a subsequent ordinance, the ordinance or part of an ordinance thus repealed or modified shall continue in force until the due publication of the ordinance repealing or modifying it when publication is required, unless otherwise expressly provided.
- B. No suit, proceedings, right, fine, forfeiture, or penalty instituted, created, given, secured, or accrued under any ordinance previous to its repeal shall in any way be affected, released, or discharged, but may be prosecuted, enjoined, and recovered as fully as if the ordinance had continued in force unless it is otherwise expressly provided.
- C. When any ordinance repealing a former ordinance, clause, or provision shall by itself be repealed, the repeal shall not be construed to revive the former ordinance, clause, or provision unless it is expressly provided.

#### **Section 101.14 – Ordinances which Amend or Supplement Code**

- A. If the Township Board shall desire to amend any existing Chapter or Section of this Code, the chapter or section shall be specifically repealed, and a new chapter or section, containing the desired amendment, substitutes in its place.

- B. Any ordinance which is proposed to add to the existing Code a new Chapter or Section shall indicate, with reference to the arrangement of this Code, the proper number of such chapter or section.

