

Title 1 General Provisions

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- 1.01 CODIFICATION OF GENERAL AND PERMANENT ORDINANCES

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There is adopted the “Dover Municipal Code” of the town of , . (Ord. 97-40 § 1)

1.01.020 Title—Citation—Reference. This code shall be known as the “Dover Municipal Code” and it shall be sufficient to refer to the code as the Dover Municipal Code in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part or portion thereof as an addition to, amendment to, correction or repeal of the Dover Municipal Code and such references shall apply to those titles, chapters, sections or subsections as they appear in the code. (Ord. 97-40 § 2)

1.01.030 Reference applies to all amendments. Whenever a reference is made to this code as the “Dover Municipal Code” or to any portion thereof, or to any ordinance of the town of , codified in this code, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made. (Ord. 97-40 § 3)

1.01.040 Title, chapter and section headings. Title, chapter and section headings contained in this code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter or section hereof. (Ord. 97-40 § 4)

1.01.050 Reference to specific ordinances. The provisions of this code shall not in any manner affect matters of record which refer to, or are otherwise connected with ordinances which are

therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code. (Ord. 97-40 § 5)

1.01.060 Ordinances passed prior to adoption of the code. The last ordinance included in this code was Ordinance 97-36, passed August 13, 1997. The following ordinance, passed subsequent to Ordinance 97-36, but prior to adoption of this code is adopted and made a part of this code; Ordinance 97-41, Chapter 5.08. (Ord. 97-40 § 6)

1.01.070 Effect of code on past actions and obligations. The adoption of this code does not affect prosecutions for ordinance violations committed prior to the effective date of this code, does not waive any fee or penalty due and unpaid on the effective date of this code, and does not affect the validity of any bond or cash deposit posted, filed or deposited pursuant to the requirements of any ordinance. (Ord. 97-40 § 7)

1.01.080 Constitutionality. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. (Ord. 97-40 § 8)

Chapter 1.04 GENERAL PROVISIONS

Sections:

1.04.010 Definitions.

1.04.020 Interpretation of language.

1.04.030 Grammatical interpretation.

1.04.040 Acts by agents.

1.04.050 Prohibited acts include causing and permitting.

1.04.060 Computation of time.

1.04.070 Construction.

1.04.080 Repeal shall not revive any ordinances.

1.04.010 Definitions. The following words and phrases, whenever used in the ordinances of the town of , shall be construed as defined in this section unless from the context a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases: "County" means the . "Law" denotes applicable federal law, the Constitution and statutes of the state of . "May" is permissive. "Month" means a calendar month. "Must" and "shall" are each mandatory. "Oath" includes an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent of the words "affirm" and "affirmed." "Owner," applied to a building or land, includes any part owner, joint owner, tenant in common, joint tenant, tenant by the entirety, of the whole or a part of such building or land. "Person" includes a natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them. "Personal property" includes money, goods, chattels, things in action and evidences of debt. "Preceding" and "following" means next before and next after,

respectively. "Property" includes real and personal property. "Real property" includes lands, tenements and hereditaments. "Sidewalk" means that portion of a street between the curbline and the adjacent property line intended for the use of pedestrians. "State" means the state of . "Street" includes all streets, highways, avenues, lanes, alley, courts, places, squares, curbs, or other public ways in the town which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state. "Tenant" and "occupant," applied to a building or land, include any person who occupies the whole or a part of such building or land, whether alone or with others. "Town" means the town of , or the area within the territorial limits of the town. "Town board" means the town board of supervisors. "All of its members" or "all councilmembers" means the total number of councilmembers holding office. "Written" includes printed, typewritten, mimeographed, multigraphed or otherwise reproduced in permanent visible form. "Year" means a calendar year. (Ord. 97-33 § 1: prior code § 18.1)

1.04.020 Interpretation of language. All words and phrases shall be construed 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. (Ord. 97-33 § 2: prior code § 18.2)

1.04.030 Grammatical interpretation. The following grammatical rules shall apply in the ordinances of the town unless it is apparent from the context that a different construction is intended: A. Gender. Each gender includes the masculine, feminine and neuter genders. B. Singular and Plural. The singular number includes the plural and the plural includes the singular. C. Tenses. Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable. (Ord. 97-33 § 3: prior code § 18.3)

1.04.040 Acts by agents. When an act is required by an ordinance, the same being such that it may be done as well by an agent as by the principal, such requirement shall be construed to include all such acts performed by an authorized agent. (Ord. 97-33 § 4: prior code § 18.4)

1.04.050 Prohibited acts include causing and permitting. Whenever in the ordinances of the town any act or omission is made unlawful, it shall include causing, allowing, permitting, aiding, abetting, suffering or concealing the fact of such act or omission. (Ord. 97-33 § 5: prior code § 18.5)

1.04.060 Computation of time. Except when otherwise provided, the time within which an act is required to be done shall be computed by excluding the first day and including the last day, unless the last day is Sunday or a holiday, in which case it shall also be excluded. (Ord. 97-33 § 6: prior code § 18.6)

1.04.070 Construction. The provisions of the ordinances of the town, and all proceedings under them, are to be construed with a view to effect their objects and to promote justice. (Ord. 97-33 § 7: prior code § 18.7)

1.04.080 Repeal shall not revive any ordinances. The repeal of an ordinance shall not repeal the repealing clause of an ordinance or revive any ordinance which has been repealed thereby. (Ord. 97-33 § 8: prior code § 18.8)

Chapter 1.08 GENERAL PENALTY

Sections:

1.08.010 General penalty.

1.08.020 Additional remedies.

1.08.010 General penalty. Any person who shall violate any provision of this code for which no specific penalty is provided shall upon conviction thereof, forfeit not less than fifty dollars (\$50.00) nor more than five thousand dollars (\$5,000.00) together with the costs of prosecution and in default of payment of such forfeiture and costs of prosecution, shall be subject either to: (a) revocation of his or her driving privileges in the state until such forfeiture and costs are paid; or, in the alternative, (b) shall be imprisoned in the Racine County jail until such forfeiture and costs are paid, but not exceeding ninety (90) days. (Ord. 92-29 § 1: prior code § 14.01)

1.08.020 Additional remedies. As an alternative to, or in addition to, the provisions of Section 1.08.010, with respect to any person in violation of any provision of this code, including those provisions which include a specific penalty, the town may also pursue injunctive relief to require compliance with its ordinance(s), or pursue any other remedy available under the law, including, but not limited to, United States Code, Wisconsin Statute and Wisconsin Administrative Code. (Ord. 05-03)

Chapter 1.12 UNIFORM BOND DEPOSIT SCHEDULE

Sections: 1.12.010 Uniform Bond Deposit Schedule adopted. 1.12.010 Uniform Bond Deposit Schedule adopted. Effective May 13, 2002, the town of shall be as adopted by resolution of majority of the town board. Said resolution is kept on file for public viewing by the town clerk. (Ord. 2002-4: Ord. 90-12, Exh . A)

Chapter 1.16 REIMBURSEMENT FOR TOWN EXPENSES

Sections:

1.16.010 Purpose.

1.16.020 Reimbursement required.

1.16.010 Purpose. The purpose of this chapter is to ensure that the town is reimbursed for any out-of-pocket expenses incurred by any persons or entities utilizing the services or benefitting from the services of the town's independent contractors. (Ord. 2003-1)

1.16.020 Reimbursement required. Any persons or entities seeking the assistance of, or receiving the benefit of, the services of the town's independent contractors, including, but not limited to,

the services of the town engineer, town inspection services, the town attorney, or the town's accounting services, shall execute an agreement to reimburse, and shall reimburse, the town for any out-of-pocket expenses incurred in connection with the requested services and/or the services which benefit the particular persons or entities. The town clerk shall submit a statement for those costs incurred by the town, and the persons or entities shall reimburse the town within thirty (30) days of the date thereof, or such expenses shall then incur interest at the rate of twelve (12) percent per annum. (Ord. 2003-1)