

## CHAPTER 3

### DEFINITIONS

#### SECTION:

- 1-3-1: Construction of Words
- 1-3-2: Definitions, General
- 1-3-3: Catchlines

#### 1-3-1: **CONSTRUCTION OF WORDS:**

- A. Whenever any word in any section of this code importing the plural number is used in describing or referring to any matters, parties or persons, any single matter, party or person shall be deemed to be included, although distributive words may not have been used. When any subject matter, party or person is referred to in this code by words importing the singular number only, or a particular gender, several matters, parties or persons and the opposite gender and bodies corporate shall be deemed to be included; provided, that these rules of construction shall not be applied to any section of this code which contains any express provision excluding such construction or where the subject matter or context may be repugnant thereto.
- B. The word "ordinance" contained in the ordinances of the city has been changed in the context of this code to "title", "chapter", "section" and/or "subsection: or words of like import for organizational and clarification purposes only. Such change to the city's ordinances is not meant to amend passage and effective dates of such original ordinances. (1996 Code)

- 1-3-2: **DEFINITIONS, GENERAL:** Whenever the following words or terms are used in this code, they shall have such meanings herein ascribed to them, unless the context makes such meaning repugnant thereto:

- AGENT: A person acting on behalf of another with authority conferred, either expressly or by implication.
- CITY: The city of Victor, county of Teton, state of Idaho.
- CODE: The city code of the city of Victor.

COUNCIL:	Unless otherwise indicated, the city council of the city of Victor.
COUNTY:	The county of Teton, state of Idaho.
EMPLOYEES:	Whenever reference is made in this code to a city employee by title only, this shall be construed as though followed by the words “of the city of Victor”.
GENDER:	A word importing either the masculine or feminine gender only shall extend and be applied to the other gender and to persons.
INFRACTION:	A civil public offense, not constituting a crime, punishable by a penalty not exceeding one hundred dollars (\$100.00) and for which no incarceration may be imposed <sup>1</sup> .
LICENSE:	The permission granted for the carrying on of a business, profession or occupation.
MISDEMEANOR:	Any offense not defined as a felony or infraction under state law <sup>2</sup> .
NUDITY:	The showing of the human male or female genitals, pubic hair or buttocks with less than fully opaque covering; the showing of the female breast with less than opaque covering of any part of the nipple; the exposure of any device, costume, or covering which gives the appearance of or simulates the genitals, pubic hair, natal cleft, perineum anal region or pubic hair region; or the exposure of any device worn as a cover over the nipples and/or areola of the female breast, which device stimulates and gives the realistic appearance of nipples and/or areola.
NUISANCE:	Anything offensive to the sensibilities of reasonable persons, or any act or activity creating a hazard which threatens the health and welfare of inhabitants of the city, or any activity which by its perpetuation can reasonably be said to have a detrimental effect on the property of a person or persons within the community.
OCCUPANT:	As applied to a building or land, shall include any

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1. IC §§ 18-111 and 18-113A.

2. IC §§ 18-111 and 18-113.

	person who occupies the whole or any part of such building or land whether alone or with others.
OFFENSE:	Any act forbidden by any provision of this code or the omission of any act required by the provisions of this code.
OFFICERS:	Whenever reference is made in this code to a city officer by title only, this shall be construed as though followed by the words "of the city of Victor".
OPERATOR:	The person who is in charge of any operation, business or profession.
OWNER:	As applied to a building or land, shall include any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of a part of such building or land.
PERSON:	Any public or private corporation, firm, partnership, association, organization, government or any other group acting as a unit, as well as a natural person.
PERSONAL PROPERTY:	Shall include every description of money, goods, chattels, effects, evidence of rights in action and all written instruments by which any pecuniary obligation, right or title to property is created, acknowledged, transferred, increased, defeated, discharged or diminished and every right or interest therein.
PUBLIC PLACE:	Includes all outdoor place owned by or open to the general public, and all buildings and enclosed places owned by or open to the general public, including such places of entertainment, taverns, restaurants, clubs, theaters, dance halls, banquet halls, party rooms or halls limited to specific members, restricted to adults or to patrons invited to attend, whether or not an admission charge is levied.
RETAILER:	Unless otherwise specifically defined, shall be understood to relate to the sale of goods, merchandise, articles or things direct to the consumer.
STATE:	The state of Idaho.
STREET:	Shall include alleys, lanes, courts, boulevards, public ways, public squares, public places and sidewalks.

TENANT: As applied to a building or land, shall include any person who occupies the whole or any part of such building or land, whether alone or with others.

WHOLESALE: The terms “wholesaler” and wholesale dealer” as used in this code, unless otherwise specifically defined, shall be understood to relate to the sale of goods, merchandise, articles or things to persons who purchase for the purpose of resale.

WRITTEN, IN WRITING: May include printing and any other mode of representing words and letters, but when the written signature of any person is required by law to any official or public writing or bond, it shall be in the proper handwriting of such person, or in case such person is unable to write, by such person’s proper mark. (1996 Code)

1-3-3: **CATCHLINES:** The catchlines of the several sections of this code are intended as mere catchwords to indicate the content of the section and shall not be deemed or taken to be titles of such sections, nor be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any division or section hereof, nor, unless expressly so provided, shall they be so deemed when any of such sections, including the catchlines, are amended or reenacted. (1996 Code)