

TITLE I GENERAL PROVISIONS
CHAPTER 1 CODE OF ORDINANCES

1-1-1	Title	1-1-6	Amendments
1-1-2	Definitions	1-1-7	Right of Entry
1-1-3	Grammatical Interpretation	1-1-8	Violation-Penalty
1-1-4	Permitted Acts Include Causing, Permitting	1-1-9	Altering Code
1-1-5	Construction	1-1-10	Severability

1-1-1 TITLE. This code of ordinances shall be known and may be cited as the Coggon Municipal Code of 2011.

1-1-2 DEFINITIONS. The following words and phrases whenever used in the ordinances of the city 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:

1. “Contract Law Enforcement” means the Linn County Sheriff’s Department;
2. “City” means the City of Coggon, Iowa, or the area within the territorial limits of the city and such territory outside of the city which the city has jurisdiction or control by virtue of any constitutional or statutory provision;
3. “Clerk” means the city clerk of the city;
4. “Code of Ordinances” means the Coggon Municipal Code of 2011;
5. “Council” means the city council of the city. All its members or all council persons mean the total number of council persons provided by the city charter under the general laws of the state;
6. “County” means Linn County, Iowa;
7. “Fiscal Year” means July 1 to June 30;
8. “Law” denotes applicable federal law, the Constitution and statutes of the State of Iowa, the ordinances of the city and when appropriate any and all rules and regulations which may be promulgated thereunder;
9. “May” is permissive;
10. “Month” means a calendar month;
11. “Must” and “Shall” are defined as mandatory;

12. "Oath" shall be construed to include an affirmative or declaration in all cases in which by law an affirmation may be substituted for an oath and in such cases the words "affirm" and "affirmed" shall be equivalent to the words "swear" and "sworn";
13. "Or" may be read "and" and "and" may be read "or" if the sense requires it;
14. "Ordinance" means a law of the city; however, an administrative action, order or directive may be in the form of a resolution;
15. "Owner" applied to a building or land includes any part owner, joint owner, tenant in common, joint tenant by the entirety of the whole or part of such building or land;
16. "Person" means 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;
17. "Preceding" and "following" mean next before and next after, respectively;
18. "Property" includes real and personal property;
19. "Real property" includes lands, tenements and hereditaments;
20. "Sidewalk" means that portion of a street between the curb line and the adjacent property line intended for the use of pedestrians;
21. "State" means the State of Iowa;
22. "Street" includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in this city 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;
23. "Tenant" and "occupant" applied to a building or land, includes any person who occupies whole or a part of such building or land, whether alone or with others;
24. "Title of Office" – Use of the title of any officer, employee, board or commission means that officer, employee, department, board or commission of the city;
25. "Written" includes printed, typewritten, mimeographed or multigraphed;
26. "Year" means a calendar year;
27. All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases and such other as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning;

28. 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 as to include all such acts performed by an authorized agent.

1-1-3 GRAMMATICAL INTERPRETATION. The following grammatical rules shall apply in the ordinances of the city;

1. Gender. Any gender includes the other gender;
2. Singular and Plural. The singular number included the plural and the plural includes the singular;
3. Tenses. Words used in the present tense include the past and the future tenses and vice versa;
4. Use of Words and Phrases. Words and phrases not specifically defined shall be construed according to the content and approved usage of the language.

1-1-4 PROHIBITED ACTS INCLUDE CAUSING, PERMITTING. Whenever in this code any act or omission is made unlawful, it includes causing, allowing, permitting, aiding, abetting, suffering, or concealing the fact of such omission.

1-1-5 CONSTRUCTION. The provisions of this code and all proceeds under it are to be construed with a view to affect its objects and to promote justice.

1-1-6 AMENDMENTS. All ordinances which amend, repeal or in any manner affect the Code of Ordinances shall include proper reference to the title, chapter, section and subsection to maintain the orderly codification of the ordinances for the city.

1-1-7 RIGHT OF ENTRY. Whenever necessary to make an inspection to enforce any ordinance or whenever there is reasonable cause to believe that there exists an ordinance violation in any building or upon any premises within the jurisdiction of the city, any authorized official of the city may, upon presentation of proper credentials, enter such building or premises at all reasonable times to inspect the same and to perform any duty imposed upon such official by ordinance; provided that, except in emergency situations, such official shall first give the owner and/or occupant, if they can be located after reasonable effort, twenty-four hour written notice of the authorized official's intention to inspect. In the event the owner and/or occupant refuses entry, the official is empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

1-1-8 STANDARD PENALTY. Unless another penalty is expressly provided by the Code of Ordinances for any particular provision, section or chapter, any person failing to perform a duty or obtain a license required by, or violating any provision of the Code of Ordinances, or any rule or regulation adopted herein by reference shall upon conviction be subject to a fine and a term of imprisonment provided for a misdemeanor violation under Iowa Code Section 903.1 subsection 1, paragraph "a".

1-1-9 ALTERING CODE. It is unlawful for any unauthorized person to change or amend any part or portion of the Code of Ordinances in any manner which will cause the law of the city to be misrepresented from such alterations.

1-1-10 SEVERABILITY. If any section, provision or part of the city code is adjudged invalid or unconstitutional, such adjudication will not affect the validity of the city code as a whole or any section provision, or part thereof not adjudged invalid or unconstitutional.