

CHAPTER 25

GENERAL PROVISIONS

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25.01 - RULES OF CONSTRUCTION

In the construction of this code of general ordinances, the following rules shall be observed, unless such construction would be inconsistent with the manifest of the ordinance:

- (1) Wisconsin Statutes. The terms Wisconsin Statutes and Wis. Stats. wherever used in this code shall mean the 1983-84 Wisconsin Statutes, together with all subsequent changes, amendments, revisions, and modifications thereto.
- (2) Gender: Singular and Plural. Every work in this code and in any ordinance importing the masculine gender may extend and be applied to females as well as males, and every word importing the singular number only may extend and be applied to several persons or things as well as to one person or thing; provided that these rules of construction shall not be applied to any provisions which shall contain any express language excluding such construction or when the subject matter or context of such provisions may be repugnant thereto.
- (3) Person. The word "person" extends and applies to natural persons, firms, corporations, associations, partnerships or other **bodies politic** and all entities of any kind capable of being sued unless plainly unapplicable.
- (4) Acts by Agents. When a provision requires an act to be done which may by law as well be done by an agent as by the principal, such requisition shall be construed to include all such acts when done by an authorized agent.

25.02 - REPEAL OF GENERAL ORDINANCES

All ordinances adopted prior to the adoption of this Code by the Village Board of the Village of Cassville are hereby repealed, except all ordinances or parts of ordinances relating to the following subjects and not conflicting with any of the provisions of this code:

The issuance of corporate bonds and notes of the Village of Cassville of whatever name or description.

The establishment of grades, curb lines and widths of sidewalks in the public streets and alleys.

Rights, licenses or franchises or the creation of any contract with the Village of Cassville.

The lighting of streets and alleys.

The annexation of territory of the Village of Cassville, the naming and changing of names of streets, alleys, public grounds and parks.

The letting of contracts without bids.

The regulation of building and establishment of fire districts.

Tax and special assessment levies.

Release of persons, firms or corporations from liability. Construction of any public works.

Water rates, rules and regulations and sewer and water main construction.

Budget ordinances, resolutions, and actions.

25.03 - EFFECT OF REPEALS

The repeal or amendment of any section or provision of this code or of any other ordinance or resolution of the Village Board shall not:

- (1) By implication be deemed to revive any ordinance not in force or existing at the time at which such repeal or amendment takes effect.
- (2) Affect any vested right, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed or amended, unless the privilege or repealing such obligation or privilege has been reserved by the Village.
- (3) Affect any offense committed or penalty or forfeiture incurred, previous to the time when any ordinance shall be repealed or amended, except that when any forfeiture or penalty shall have been mitigated by the provisions of any ordinance such provisions shall apply and control any judgment to be pronounced after such ordinance takes effect for any offense committed before that time.
- (4) Affect any prosecution for any offense, or the levy of any penalty or forfeiture pending at the time when any ordinance aforesaid shall be repealed or amended, but the right of action shall continue and the offender shall be subject to the penalty as provided in such ordinances, and such prosecution shall proceed, in all respects, as if such ordinance or ordinances had not been repealed, except that all such proceedings had after the time this code shall take effect, shall be conducted according to the provisions of this code, and shall be, in all respects, subject to the provisions of this code.

25.04 - PENALTY PROVISIONS

- (1) General Penalty. Whenever so provided in this code, any person who shall violate any of the provisions of this code shall upon conviction of such violation, forfeit not less than One and 00/100 Dollar (\$1.00) nor more than Five Hundred and 00/100 Dollars (\$500.00), together with the costs of prosecution and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the County Jail until said forfeiture and costs are paid, but not exceeding ninety days.

- (2) Execution Against Defendant's Property. Whenever any person fails to pay any forfeiture and costs of prosecution upon the order of the court for violation of any ordinance of the Village, the court may, in lieu of ordering imprisonment of the defendant, or after the defendant has been released from custody issue an execution against the property of the defendant for said forfeiture and costs.
- (3) Uniform Village Citation. The Uniform Village Citation provided for in Section 12.29 (3) hereof shall be issued for violations of all ordinances other than non-moving traffic violations, specifically including ordinances for which a statutory counterpart exists.

25.05 - TITLE: CITATION

These ordinances shall be known as the "Municipal Code of the Village of Cassville." All references thereto shall be cited by section number (example: Section 15.05, Municipal code of the Village of Cassville).

25.06 - STYLE OF ORDINANCES: ADDITIONS, AMENDMENTS AND REPEALS

All general ordinances hereafter enacted by the Village Board of the Village of Cassville shall be numbered in chronological order, prefixed by the letter "A" and shall indicate by appropriate decimal number the section, subsection or paragraph of this code created, amended, repealed or revised.

25.07 - CLERK TO FILE ORDINANCES: SUPPLEMENTAL SHEETS

The Village Clerk shall certify one copy of this code as the original Municipal code of the Village of Cassville and shall file the same as part of the Village ordinance book. Such copy shall be retained in its original form. In addition, the Clerk shall retain in his/her office at least one copy of the Municipal Code of the Village of Cassville in current form in which shall be inserted all supplemental sheets as hereinafter provided.

Whenever any ordinance amending, repealing, revising or creating any section of this code is adopted by the Village Board, the Clerk, after recording such ordinance in the ordinance book, shall cause copies of such ordinance to be reproduced on supplemental sheets in proper form for insertion in the municipal code and shall insert such ordinances in all copies of this code in his/her possession except the aforementioned original copy. The Clerk shall make such supplemental sheets available to all person requesting the same.