

ORDINANCE NO. 20-1(1)

AN ORDINANCE TO AMEND ARTICLE 1, THE ALBEMARLE COUNTY CODE, OF CHAPTER 1, GENERAL PROVISIONS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Article 1, The Albemarle County Code, of Chapter 1, General Provisions, is hereby amended as follows:

By Amending:

Sec. 1-102 Rules of construction.

Chapter 1. General Provisions

Article I. The Albemarle County Code

Sec. 1-102 Rules of construction.

The following rules of construction apply to the construction of the Code, unless the application of a rule would be contrary to the purposes of the Code or the context clearly indicates otherwise:

- A. *Catchlines of subsections.* The italicized catchlines of subsections within sections of the Code are intended as mere catchwords to indicate the contents of the subsection and are not part of the substance of the subsection.
- B. *Chapters, articles, divisions, sections, or subsections.* Any references to a chapter, article, division, section, or subsection of the Code is construed to be followed by the words "of the Albemarle County Code of 1998" unless otherwise provided.
- C. *Computation of time.* The manner in which to compute time is as follows:
 - 1. *Providing notice before a public hearing or other proceeding.* When notice is required to be given before a public hearing or other proceeding, the day on which the public hearing or other proceeding will be held is not counted against the time allowed, and the day on which notice is given may be counted against the time allowed.
 - 2. *Act to be performed after a decision or event.* When an act must be performed within a prescribed period of time after a decision or event, the day on which the decision or event occurred is not counted against the time allowed.
 - 3. *Effect of Saturday, Sunday, or legal holiday on time in which to perform an act.* When the Code requires, either by specification of a date or by a prescribed period of time, that an act be performed on a Saturday, Sunday, or legal holiday or on any day or part of a day on which the County office where the act to be performed is closed, the act may be performed on the next business day of the County that is not a Saturday, Sunday, legal holiday, or day on which the County office is closed. Any day on which the governor authorizes the closing of the State government shall be considered a legal holiday.
- D. *Conflicting provisions.* If any chapter, article, division, or section conflicts with another, the provisions of each chapter, article, division, or section shall control on all matters pertaining to the subject matter of that chapter, article, division, or section. If clearly conflicting provisions exist in different sections of the same chapter, the provisions of the section last enacted shall apply unless the construction is inconsistent with the meaning of that chapter.

- E. *Definitions within other chapters.* Any definition within a chapter shall apply only to that chapter unless otherwise provided.
- F. *Gender pronouns.* ~~A word used in the masculine includes the feminine and the neuter~~ A word used in the masculine or the feminine, in particular "he," "she," "him," and "her," includes all gender identities.
- G. *Headlines of sections.* The bold-faced headlines of the sections of the Code are intended as mere catchwords to indicate the contents of the section and are not part of the substance of the section.
- H. *Including.* The word "including" is construed to be followed by the phrase "but not limited to."
- I. *Interpretation of words and phrases, generally.* Words and phrases that are not defined in the Code shall be given their plain and natural meaning which is most appropriate in the context in which they are used; provided that technical words and phrases are presumed to be given their technical meaning and words and phrases having legal significance are presumed to be given their legal meaning.
- J. *May.* Depending on the context in which it is used, the term "may" is permissive or it is the grant of authority to act.
- K. *Notes following sections or subsections.* The legislative history notes and the State law references appearing after sections are not intended to have any legal effect but are merely intended to indicate the sources of the matter contained in the sections.
- L. *Number.* A word used in the singular includes the plural, and a word in the plural includes the singular.
- M. *Officers; employees; departments; boards; commissions; agencies.* Any reference to an officer, employee, department, board, commission, or agency is construed to be followed by the words "of the County of Albemarle, Virginia."
- N. *Owner.* The term "owner," when it is used in reference to a building or land, includes any part owner, joint owner, tenant in common, tenant in partnership, joint tenant, or tenant by the entirety of the whole or a part of the building or land.
- O. *Shall.* The term "shall" is mandatory.
- P. *Signature.* A "signature" may be a mark when a person cannot write.
- Q. *Tense.* In the appropriate context, any word used in the past or present tense includes the future tense.
- R. *Written, writing, or in writing.* The terms "written," "writing," or "in writing" include any representation of words, letters, symbols, numbers, or figures, whether printed or inscribed on a tangible medium, or stored in an electronic or other medium and retrievable in a perceivable form.

(§ 1-101: Code 1967, § 1-2; Code 1975 § 1-2; Code 1988, § 1-2; § 1-101, Ord. No. 98-A(1), 8-5-98)(§ 1-103: Code 1967, § 1-4; Code 1975 § 1-4; Code 1988, § 1-4; § 1-103, Ord. No. 98-A(1), 8-5-98)(§ 1-104: § 1-104, Ord. No. 98-A(1), 8-5-98)(§ 1-105: § 1-105, Ord. No. 98-A(1), 8-5-98)(§ 1-106: § 1-106, Ord. No. 98-A(1), 8-5-98)(§ 1-110: § 1-110, Ord. No. 98-A(1), 8-5-98); § 1-102, Ord. 18-1(1) , 1-10-18)

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of ____ to ____, as recorded below, at a regular meeting held on _____.

Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Gallaway	_____	_____
Ms. LaPisto-Kirtley	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Ms. Price	_____	_____