

ORDINANCE NO. 322**AN ORDINANCE OF THE CITY OF COOS BAY, RELATING TO THE CODIFICATION AND INTERPRETATION OF ORDINANCES**

The City of Coos Bay ordains as follows:

Section 1. Powers and Duties of the City Recorder in Preparing Ordinances. In preparing ordinances for codification and distribution, the City Recorder may not alter the sense, meaning, effect or substance of any ordinance, but, within such limitations, may renumber sections and parts of sections, change reference numbers to agree with renumbered ordinances, sections or other parts, delete references to repealed sections, substitute the proper subsection, section or chapter or other division numbers, change capitalization and spelling for the purpose of uniformity, and correct manifest clerical, grammatical or typographical errors.

Section 2. Rules of Construction. As used in the ordinances of the City of Coos Bay, unless the context or a specially applicable definition requires otherwise:

- (a) "City" means the City of Coos Bay.
- (b) "May not" and "shall not" are equivalent expressions of an absolute prohibition.
- (c) "Person" includes individuals, corporations, associations, firms, partnerships, limited Liability companies, joint stock companies and any other entity in law or fact.
- (d) "To" means "to and including" when used in a reference to a series of ordinance sections, subsections or paragraphs.
- (e) "Shall" is mandatory, and "may" is permissive.
- (f) The singular number may include the plural and the plural number, the singular.
- (g) Words used in the masculine gender may include the feminine and the neuter.
- (h) A reference to a city official charged with a duty shall include that person=s designee.

Section 3. Gender Neutral Drafting. It shall be the policy of the City of Coos Bay that all ordinances, rules and resolutions enacted, adopted or amended after the effective date of this ordinance shall be written in gender-neutral terms, unless it is necessary for the purpose of the ordinance, rule or resolution order that it be expressed in terms of a particular gender.

Section 4. General and Particular Provisions. In the construction of an ordinance, when a general and particular provision are inconsistent, the particular controls the general provision that is inconsistent with it.

Section 5. Effect of Amendment of Ordinance Adopted by Reference. When one ordinance refers to another, either by a general or specific reference, the reference shall include, in addition to the ordinance to which reference was made, any amendments thereto and ordinances enacted specifically in lieu thereof, unless a contrary intent is expressly set forth in the ordinance containing the reference.

Section 6. Effect of Repeal. Whenever an ordinance which repealed a former ordinance, either expressly or by implication, is repealed, the former ordinance shall not be revived unless it is expressly so provided.

Section 7. Computation of Time. Except as may otherwise be specifically provided, the time within which an act is to be done under an ordinance is computed by excluding the first day and including the last unless the last day falls upon any legal holiday or on Saturday, in which case the last day is also excluded.

Section 8. Severability. In the enactment of any ordinance, if any part of the ordinance is determined invalid by a court of competent jurisdiction, the remaining parts shall remain in force unless

- (a) The ordinance provides otherwise;
- (b) The remaining parts are so essentially and inseparably connected with and dependent upon the invalid part that it is apparent that the remaining parts would not have been enacted without the invalid part; or
- (3) The remaining parts, standing alone, are incomplete and incapable of being executed in accordance with the intent of the ordinance.

Enacted by the City Council and approved by the Mayor July 2, 2002.