

PART II
CODE OF ORDINANCES
CHAPTER 1
GENERAL PROVISIONS

Sec. 1.1. How Code designated and cited.

The ordinances embraced in the following chapters and sections shall constitute and be designated as “The Code of the City of East Dublin, Georgia,” and may be so cited.

Sec. 1.2. Definitions and rules of construction.

In the construction of this Code and of all ordinances, the following definitions and rules of construction shall be observed, unless such construction would be inconsistent with the manifest intent of the mayor and council:

Generally. In the interpretation and application of any provision of this Code, it shall be held to be the minimum requirement adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any provision of this Code imposes greater restrictions upon the subject matter than any general provisions imposed by this Code, the provisions imposing the greater restriction or regulation shall be applicable.

Charter, City Charter. References to the “Charter” or “City Charter” shall refer to provisions of House Bill no. 893 of the 1981 session of the General Assembly, as amended.

County. The word “county” shall mean Laurens County, Georgia.

Computation of time. The time in which an act is to be done must be computed by excluding the first and including the last day; and if the last day is a Sunday or legal holiday, that shall be excluded.

Delegation of Authority. Whenever a provision appears requiring the head of a department or other officer of the city to do some act or perform some duty, it shall be construed to authorize such department head or officer to designate, delegate and authorize subordinates to do the required act or perform the required duty unless the terms of the provision designate otherwise.

Gender. A word importing the masculine gender only shall extend and be applied to females, and to firms, partnerships and corporations, as well as to males.

Joint Authority. All words giving joint authority to three (3) or more persons or officers, give such authority to a majority of such persons or officers, unless it is otherwise declared.

May. The word “may” is permissive.

Mayor and Council; Council; City Council. The words “the mayor and council”, “the council” or the “city council” shall mean the Mayor and Council of the City of East Dublin, Georgia.

Month. The word “month” shall mean a calendar month.

Number. Words used in the singular include the plural, and words used in the plural include the singular number.

Oath. The word “oath” shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words “swear” and “sworn” shall be equivalent to the words “affirm” and “affirmed”.

Or, And. The word “or” may be read as “and”, and the word “and” may be read as “or” where the sense requires it.

Owner. The word “owner” shall include not only the owner of the whole, but any part owner, joint owner, tenant in common or joint tenant of the whole or a part of property.

Person. The word “person” shall extend and be applied to firms, partnership, corporations, associations, organization, trustees, agents and bodies politic, or any combination thereof, as well as to natural persons.

Personal Property. The term “personal property” includes every species of property except real property, as defined herein.

Preceding, Following. The words “preceding” and “following” mean next before and next after, respectively.

Property. The word “property” includes real and personal property.

Real Property. The term “real property” includes land, tenements and hereditaments.

Shall. The word “shall” is mandatory.

Sidewalk. The word “sidewalk” means that portion of a street between the curblines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

Signature or Subscription. The word “signature” or “subscription” includes a mark when the person cannot write if his name is written near the mark and witnessed by a person who writes his own name as a witness.

State. The words “the state” or “this state” shall mean the State of Georgia.

Street. The word “street” shall be construed to embrace streets, avenues, boulevards, roads, alleys, lanes, viaducts and all other public ways in the city, and shall embrace all parts thereof

within the designated right-of-way. In those instances where the public records are silent, the term shall embrace all of the area between the off-street edge of the sidewalk or walkway on each side of the street, including the grassplots or other divisional areas lying between the sidewalk or walkway and the street.

City. The word “city” shall mean the City of East Dublin, Laurens County, Georgia.

City Officials, Officers and Employees. Whenever reference is made to officials, boards, commissions or departments by title only, i.e., “mayor”, “recorder”, “planning commission”, “chief of police” or any other such designation, such reference shall be deemed to be to officials, board, commissions or departments of the City of East Dublin, and powers and authority granted to them shall be deemed to be grants of such powers and authority to their respective duly designated subordinates.

Week. The word “week” shall mean seven (7) days.

Written or In Writing. The terms “written” or “in writing” shall be construed to include any representation of words, letters or figures, whether by printing or otherwise.

Year. The word “year” shall mean a calendar year.

Sec. 1-3. Catchlines of sections.

The catchlines of sections of this Code printed in boldface type, italics or otherwise are intended as mere catchwords to indicate the contents of the sections, and shall not be deemed or taken to be titles of such sections, nor as any part of the sections, nor, unless expressly so provided, shall they be so deemed when any of such sections, including the catchlines, are amended or re-enacted.

Sec. 1-4. Effect of repeal of ordinances.

(a) The repeal of an ordinance shall not revive any ordinance in force before or at the time the ordinance repealed took effect.

(b) The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect, nor any suit, prosecution or proceeding pending at the time of the repeal, for an offense committed under the ordinance repealed.

Sec. 1-5. Severability of parts of Code.

It is hereby declared to be the intention of the mayor and council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph, or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of any competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Code.

Sec. 1-6. Amendment to Code; effect of new ordinances; amendatory language.

- (a) All ordinances passed subsequent to this Code of Ordinances which amend, repeal or in any way affect this Code of Ordinances may be numbered in accordance with the numbering system of this Code and printed for inclusion therein. When subsequent ordinances repeal any chapter, section or subsection or any portion thereof, such repealed portions may be excluded from said Code by omission from reprinted pages.
- (b) Amendments to any of the provision of this Code should be made by amending such provision by specific reference to the section of this Code in substantially the following language: "That section _____ of the Code of Ordinances, City of East Dublin, Georgia, is hereby amended to read as follows: _____ (Set out new provisions in full) _____".
- (c) When the mayor and council desire to enact an ordinance of a general and permanent nature on a subject not heretofore existing in the Code which the mayor and council desire to incorporate into the Code, a section in substantially the following language should be made a part of the ordinance: "Section _____. It is the intention of the mayor and council, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of East Dublin, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention."
- (d) All sections, articles, chapters or provisions of this Code desired to be repealed should be specifically repealed by section or chapter number, as the case may be.

Sec. 1-7. Supplementation of Code.

- (a) By contract or by city personnel, supplements to this Code shall be prepared and printed whenever authorized or directed by the mayor and council. A supplement to the Code shall include all substantive permanent and general parts of ordinances passed by the mayor and council or adopted by initiative and referendum during the period covered by the supplement and all changes made thereby in the Code. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages which have become obsolete or partially obsolete, and the new pages shall be so prepared that when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement.
- (b) In preparing a supplement to this Code, all portions of the Code which have been repealed shall be excluded from the Code by the omission thereof from reprinted pages.
- (c) When preparing a supplement to this code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, non-substantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into a unified code. For example, the codifier may:
 - (1) Organize the ordinance material into appropriate subdivisions;

- (2) Provide appropriate catchlines, headings and titles for sections and other subdivisions of the Code printed in the supplement, and make changes in such catchlines, headings and titles;
- (3) Assign appropriate numbers to sections and other subdivisions to be inserted in the Code and, where necessary to accommodate new material, change existing section or other subdivision numbers;
- (4) Change the words “this ordinance” or words of the same meaning to “this chapter”, “this article”, “this division”, etc., as the case may be, or to “sections ___ to ___” (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated into the Code); and
- (5) Make other non-substantive changes necessary to preserve the original meanings of ordinance sections inserted into the Code; but in no case shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodied in the Code.

Sec. 1-8. Altering Code.

It shall be unlawful for any person in the city to change or amend, by additions or deletions, any part or portion of this Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of East Dublin, Georgia to be misrepresented thereby.

Sec. 1-9. General Penalty.

Any person violating or failing to comply with any provision of this Code or committing any act or omission to act declared to be an offense or unlawful or a misdemeanor, where no specific penalty is provided therefor, shall be punished by a fine not exceeding one thousand dollars (\$1,000.00), or imprisonment not exceeding twelve (12) months, or labor in a city work gang or on the public works of the city not exceeding twelve (12) months, in the discretion of the court.