

# ***THE CODE OF THE MUNICIPALITY OF ROUND HILL***

## **CHAPTER 1.**

### **GENERAL PROVISIONS.**

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Sec. 1-1.      How Code designated and cited.

The ordinances embraced in this and the following chapters and sections shall constitute and be designated "The Code of the Municipality of Round Hill, Virginia," and may be so cited. These ordinances may also be cited as "The Round Hill Municipal Code".

Sec. 1-1:1.      Virginia Code References.

In compiling this Code the editor has parenthetically cited similar Virginia Code Sections. These parenthetical references are not part of this Code, but are merely set forth as a cross reference.

Sec. 1-2.      Definitions and rules of construction.

In the interpretation and construction of this Code and of all ordinances of the municipality, the following definitions and rules of construction shall be observed, unless they are inconsistent with the manifest intent of the council or the context clearly requires otherwise:

Bond. When a bond is required, an undertaking in writing shall be sufficient, unless otherwise specifically provided.

Code; this Code. Whenever the words "Code" or "this Code" are referred to in this Code without further qualification, they shall mean "The Code of the Municipality of Round Hill, Virginia."

Computation of time. When a notice is required to be given or any other act to be done a certain time before any proceeding, there must be that time, exclusive of the day for such proceeding, but the day on which such notice is given, or such act is done, may be counted as part of the time; but when a notice is required to be given or any other act to be done within a certain time after any event, that time shall be allowed in addition to the day on which the event occurred. (Code of Va., § 1-13.3.)

Council. The words "council" or "the council" shall mean the council of the Municipality of Round Hill, Virginia.

County. The words "county" or "the county" shall mean the County of Loudoun in the Commonwealth of Virginia.

Following. The word "following", when used by way of reference to any section or sections in the Code, shall be construed to mean next following that in which such reference is made. (Code of Va., § 1-13.6.)

Gender. a word importing the masculine gender only may extend and be applied to females and to corporations as well as to males. (Code of Va., § 1-13.7.)

In the municipality; within the municipality. The words "in the municipality" or "within the municipality" shall mean any territory, jurisdiction of which for the exercise of its regulatory power has been conferred on the town by public or private law.

Month. Unless otherwise expressed, the word "month" shall be construed to mean a calendar month. (Code of Va., § 1-13.13.)

Municipal; municipality. The words "municipal" or "municipality" shall mean the corporation of Round Hill, in the County of Loudoun and Commonwealth of Virginia.

Number. A word importing the singular number only may extend and be applied to several persons or things, as well as to one person or thing; and a word importing the plural number only may extend and be applied to one person or thing, as well as to several persons or things. (Code of Va., § 1-13.15.)

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. (Code of Va., § 1-13.16.)

Occupant. The word "occupant", applied to a building or land, shall mean any person who holds a written or oral lease of or actually occupies the whole or a part of such building or land, either alone or with others.

Official time standard. Whenever particular hours are specified in this Code relating to the time within which any act shall not be performed by any person, the time applicable shall be official standard time or daylight saving time, whichever may be in current use in the municipality. (Code of Va. § 1.15.)

Owner. The word "owner", applied to a building or land, shall include any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or a part of such building or land.

Person. The word "person" shall include a firm, partnership, association of persons, corporation, organization or any other group acting as a unit. (Code of Va., § 1-13.19.)

Preceding. The word "preceding", when used by way of reference to any section or sections in this Code, shall be construed to mean next preceding that in which such reference is made. (Code of Va., § 1-13.23.)

Property. The word "property" shall mean real, personal or mixed property.

Public grounds. The words "public grounds" shall mean the parks and all public lands owned by the municipality and those parts of public places which do not form traveled parts of streets as defined in this section.

Shall. The word "shall" shall be mandatory.

Sidewalk. The word "sidewalk" shall mean any portion of a street between the curb line, or the lateral lines of a roadway where there is no curb, and the right of way line of said roadway intended for the use of pedestrians.

State. The words "state" or "the state" shall mean the Commonwealth of Virginia.

Street. The word "street" shall include avenues, boulevards, highways, roads, alleys, lanes, viaducts, bridges and the approaches thereto, and all other public thoroughfares in the municipality, and shall mean the entire width thereof between the designated right of way or the apparent lines of use. It shall also be construed to include a sidewalk or footpath, unless the contrary is expressed or unless such construction would be inconsistent with the manifest intent of the council.

Swear, sworn. The words "swear" or "sworn" shall be equivalent to the words "affirm" or "affirmed" in all cases in which by law an affirmation may be substituted for an oath. (Code of Va., § 1-13.28.)

Written; in writing. The words "written" and "in writing" shall include typewriting, printing on paper and any other mode of representing words and letters.

Year. The word "year" shall mean a calendar year.

Sec. 1-3.        Provisions considered as continuations of existing ordinances.

The provisions appearing in this Code, so far as they are the same as those of the ordinances of the municipality included herein, shall be considered as continuations thereof and not as new enactments.

Sec. 1-4.        Section Headings.

The headings for the sections of this Code are intended as mere catchwords to indicate the contents of the sections for reference purposes only, and shall not be deemed or taken to be titles of such sections, nor as any part of any section, nor, unless expressly so provided, shall they be so deemed when any section, including its heading is amended or re-enacted. (Code of Va., § 1-13.9.)

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

If any part, section, subsection, sentence, clause or phrase of this Code is for any reason declared to be unconstitutional or invalid, such decision shall not affect the validity of the remainder of this Code.

Sec. 1-6.        Liability of corporations, etc., and agents for violations.

Any violation of this Code by any officer, agent or other person acting for or employed by any corporation or unincorporated association or organization, while acting within the scope of his office or employment, shall in every case also be deemed to be a violation by such corporation, association or organization.

Any officer, agent or other person acting for or employed by any corporation or unincorporated association or organization shall be subject and liable to punishment as well as such corporation or unincorporated association or organization for the violation by it of any provision of this Code, where such violation was the act

or omission or the result of the act, omission or order of any such person.

Sec. 1-7.            Common law as to misdemeanors.

The common law of England with respect to misdemeanors insofar as it is not repugnant to the principles of the Bill of Rights, the Constitution of the state and the Charter and ordinances of the municipality, shall continue in full force within the municipality and be the rule of decision, except as altered by the General Assembly of the Commonwealth or by the Council. (Code of Va., § 1-10.)