

CHAPTER 1. GENERAL PROVISIONS
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1-1. What Constitutes "Code"; Designation.

The ordinances embraced in this and the following chapters constitute and shall be known as the "Code of the Town of Hackettstown, New Jersey, 2002, and may be so cited, or may be cited as the "Code of Hackettstown".

1-2. General Rules of Construction.

In the construction of the Code of Hackettstown and of all other ordinances of the Town, words and phrases shall be read and construed with their context, and shall, unless inconsistent with the manifest intent of the Common Council or unless another or different meaning is expressly indicated, be given their generally accepted meaning, according to the approved usage of the language. Technical words and phrases, and words and phrases having a special or accepted meaning in the law, shall be construed in accordance with such technical or special and accepted meaning.

1-3. Definitions.

Unless otherwise expressly provided, or unless there is something in the subject or context repugnant to such construction, or unless inconsistent with the manifest intent of the Common Council, the following words and phrases when used in the Code of Hackettstown, or in any other ordinances of the Town, shall have the meaning herewith given:

AND, OR. "And" may be construed as meaning "or", and "Or" as "and", if the sense requires it.

COMMON COUNCIL - See Town Council.

COUNTY means the County of Warren.

COUNTY JAIL means the County Jail of the County of Warren.

GENDER. Words importing the masculine gender shall apply to females as well as to males, and to firms, associations, bodies corporate, and other artificial persons.

GOVERNING BODY means the Town Council or Common Council of the Town of Hackettstown, or such other duly authorized legislative body as shall be charged with governing the Town.

MONTH means a calendar month.

MUNICIPALITY means the Town of Hackettstown.

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

OFFICER or OFFICIAL and the title of an officer or official or of an official body shall be construed as if the words "of the Town of Hackettstown" followed it.

OR. See "And".

OWNER includes sole owner and any part owner, joint owner, tenant in common, tenant in partnership, joint tenant, or tenant by the entirety, of the whole or of a part of a building or land and personal property.

PERSON includes corporations, companies, societies, firms, partnerships, associations, organizations and any other group or entity acting as a unit, as well as an individual.

PERSONAL PROPERTY includes goods and chattels, rights and credits, monies and effects, evidence of debt, choses in action and all written instruments by which any right to, interest in, lien or encumbrance upon, property or any debt or financial obligation is created, acknowledged, evidenced, transferred, discharged or defeated, in whole or in part, and every thing, except real property as herein-defined, which may be the subject of ownership.

PROPERTY includes real and personal property.

PUBLIC GROUND, PUBLIC SQUARE or PUBLIC PLACE severally means any and every public ground, public square and public park or other public place within the Town which is within the jurisdiction and control of the Town, is or may be in general use by all citizens and in which all have an equal right of passage and repassage at will.

REAL PROPERTY includes lands, tenements and hereditaments, all rights thereto and interests therein.

REVISED ORDINANCES means the Code of the Town of Hackettstown, 2002.

REVISED STATUTES means the Revised Statutes of New Jersey.

SIDEWALK means any portion of a street or highway between the curb line or the lateral line of a shoulder, or, if none, the lateral line of the roadway, and the adjacent property line, intended for the use of pedestrians.

STATE means the State of New Jersey.

STREET includes highways, roads, avenues, boulevards, court, public lanes, alleys, sidewalks, foot paths and all other public highways for vehicular or pedestrian travel.

TENANT or OCCUPANT applied to a building or land shall include any person who occupies the whole or part of such building or land, whether alone or with others.

TOWN means the Town of Hackettstown in the County of Warren.

TOWN COUNCIL means the Town Council or Common Council of the Town of Hackettstown.

WEEK means seven (7) days.

WRITING. Except as to signatures, "writing" and "written" include printing and any other mode of representing words, letters and figures.

YEAR means a calendar year.

1-4. "Code" Construed as Continuation of Heretofore Existing Ordinances.

The provisions of the Code not inconsistent with prior ordinances in effect at the adoption of the Code shall be construed as a continuation thereof, rather than as new enactments.

1-5. Reference to Chapters, Articles and Sections.

All references in the Code to chapters, articles or sections are to chapters, articles or sections of the Code. Such reference to chapters or articles shall be construed to refer to all the sections within the chapters or articles to which such references are made.

1-6. Indexes, Section Headings, Source References and Notes not Part of Code.

In the construction of the Code or any part thereof, no index of any chapter or part thereof, no indication of a source by parenthetical material after a section, no note, no footnote, and no section heading shall be deemed to be part of the Code.

1-7. Effect of Repeal of Certain Ordinances.

Whenever an ordinance that repeals an earlier ordinance or part thereof is itself repealed, such repeal shall not revive the former ordinance or part thereof, unless specific provision is made therefor.

1-8. Penalty.

Whenever no specific penalty is provided in the Code or in any other ordinance of the Town for the punishment of an act which is prohibited or which is declared to be unlawful or an offense or for the non-performance of an act which is required to be done, the violation of any such provision shall be punished by a fine not exceeding One Thousand (\$1,000.00) Dollars, or by imprisonment in the County Jail for a term not exceeding ninety (90) days, or both; provided, however, that when the maximum penalty fixed by the applicable state statute is less than any penalty fixed by the Code, then

the limitations of such state statute shall be applicable. Each day any violation of the Code or of any ordinance of the Town shall continue shall constitute a separate offense and be punishable as such.

1-9. Severability: Effect of Partial Invalidity.

If any section, article or chapter of the Code or of any other ordinance of the Town or any part thereof, or the application thereof to any person or circumstances shall be declared to be invalid or inoperative by any court of competent jurisdiction, such chapter, article or section, to the extent that it is not invalid or inoperative, shall not be affected hereby and shall be endorsed and effectuated. No such determination shall invalidate the remaining chapters, articles or sections.