

CODIFIED ORDINANCES

THE CITY OF HARRISBURG

TITLE ONE - LEGISLATIVE CODE

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CHAPTER 1-301

CODIFIED ORDINANCES

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CROSS REFERENCE

See also Statutory Construction Act of 1972, Act of December 6, 1972, P.L. 1339, as amended, 1 Pa.C.S.A. §§1901-1991 (1995 Supp.)

1-301.1 COMPONENT CODES; SHORT TITLE; CITATIONS

(a) The Codified Ordinances of Harrisburg, Pennsylvania, 1995, shall be comprised of the following component codes:

Title One	-	Legislative
Title Two	-	Administrative
Title Three	-	Public Safety
Title Four	-	Human Relations and Discrimination
Title Five	-	Licensing and Taxation
Title Six	-	Public Health
Title Seven	-	Planning and Zoning
Title Eight	-	Building and Housing Development
Title Nine	-	Public Works
Title Ten	-	Parks and Recreation

(b) Each Code shall be subdivided into parts; each part shall be subdivided into chapters; and each chapter shall be subdivided into sections which shall be numbered in accordance with the decimal numbering system. The numbering of all sections except the penalty sections shall be consecutive within each chapter, commencing with the first section of Title One, which shall be numbered 1-101.1, the first "1" signifying Title 1; the

next three figures, "101", before the decimal signifying the part and chapter within the title; and the figure after the decimal signifying the section of the chapter. Penalty sections shall be designated "99" after the decimal and shall be the last section of the chapter.

(c) Copies of the Codified Ordinances are on file for public examination during regular business hours in the offices of the City Clerk at City Hall, 10 North Market Square, Harrisburg. (Ord. 9-1996.)

1-301.2 AMENDMENTS AND SUPPLEMENTS; NUMBERING

(a) These Codified Ordinances may be amended or supplemented at any time and, when any amendment or supplement is adopted in such form as to indicate the intention of Council to make the same a part thereof, such amendment or supplement shall be incorporated in and deemed a part of the Codified Ordinances so that a reference to the Codified Ordinances shall be understood and construed as including the Codified Ordinances of the City of Harrisburg, Pennsylvania, 1996, and any and all such amendments and supplements.

(b) All amendments and supplements enacted as a part of the Codified Ordinances shall be integrated therewith by following the form of arrangement and plan set forth in subsection 1-301.1(b). (Ord. 9-1996.)

1-301.3 STATUTORY CONSTRUCTION

In the construction of the Codified Ordinances and any amendment thereto, the following rules shall control, except those inconsistent with the manifest intent of Council as disclosed in a particular title, chapter or section:

(1) Whenever in the Codified Ordinances authority is given to an officer or an act is required to be performed, such authority may be exercised and such act may be performed, at the instance of such officer, by a deputy or subordinate unless contrary to law or to the clear intent of any such provision.

(2) Words giving authority to a board, commission, authority, or to three or more officers or employees or other persons shall be construed as giving authority to a majority thereof unless otherwise specifically provided.

(3) The terms "month" and "year" shall be deemed the calendar month or year unless otherwise clearly stated. The time expressed in days within which an act is to be done, or a period to expire, shall be computed by excluding the first and including

the last day, unless the last day is Sunday or a legal holiday, in which event the next day shall be included. If time is expressed in hours, the whole of Sunday shall be excluded. (Ord. 10-1971.)

(4) "And" includes "or" and "or" includes "and", if the sense so requires.

(5) Words importing the masculine shall extend and be applied to the feminine and neuter genders.

(6) Except as otherwise provided, words and phrases shall be construed according to the common usage of language; provided, however, that technical words and phrases and others which may have acquired a special meaning shall be construed according to such technical or special meaning. Ordinance references denoting the legislative history will generally appear at the end of each section or more frequently, if amendments have been made to subsections. Wherever an ordinance reference appears at the end of a section or subsection, it may be presumed that all of the text since the last ordinance referenced was taken from the cited ordinance.

(7) Words in the plural shall include the singular and in the singular shall include the plural number.

(8) When an oath is required or authorized by law, an affirmation, in lieu thereof, may be taken by a person having conscientious scruples to taking an oath. An affirmation shall have the same force and effect as an oath.

(9) In all cases where provision is made for an act to be done or notice to be given within a reasonable time, it shall be deemed to mean such time only as may be necessary for the prompt performance of such act or giving of such notice.

(10) A resolution is an expression of opinion of Council. It does not have the force and effect of law, and violation of a resolution does not subject the violator to penalties.

(11) When used in an ordinance, "street" includes alleys, avenues, boulevards, lanes, roads, streets, and other public ways in the City.

(12) The use of any verb in the present tense shall include the future tense.

(13) The preamble to legislation, i.e., the "Whereas Clauses," shall not be considered part of the body of any bill, ordinance or resolution. (Ord. 80-1960.)