

Title 1

GENERAL PROVISIONS

Chapters:

- 1.01 Code Adoption (Reserved)
- 1.04 General Provisions
- 1.08 Right of Entry
- 1.12 Corporate Seal
- 1.16 Village Jail
- 1.20 General Penalty

Chapter 1.01

CODE ADOPTION

(Reserved)

Chapter 1.04

GENERAL PROVISIONS

Sections:

- 1.04.010 Definitions.
- 1.04.020 Grammatical interpretation.
- 1.04.030 Prohibited acts include causing and permitting, etc.
- 1.04.040 Construction.
- 1.04.050 Repeal shall not revive any ordinances.

1.04.010 Definitions.

The following words and phrases whenever used in the ordinances of the Village of Princeville shall be construed as defined in this section unless from the context a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

"Board" means the Board of Trustees of the Village of Princeville, Peoria County, Illinois. "All its members" or "all councilmembers" means the total number of Village Trustees provided by the general laws of the state of Illinois.

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

"County" means the county of Peoria, Illinois.

"Law" denotes applicable federal law, the Constitution and statutes of the state of Illinois, the ordinances of the Village of Princeville, and when appropriate, any and all rules and regulations which may be promulgated thereunder.

"May " is permissive.

"Month" means a calendar month.

"Must" and "shall." Each is mandatory.

"Oath" shall be construed to include an affirmation or declaration 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."

"Ordinance" means a law of the Village of Princeville; provided that, a temporary or special law, administrative action, order or directive, may be in the form of a resolution.

"Owner" applied to a building or land includes 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" means natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.

"Personal property" includes money, goods, chattels, things in action and evidences of debt.

"Preceding" and "following" mean next before and next after, respectively.

"Property" includes real and personal property.

"Real property" includes lands, tenements and hereditaments.

"Sidewalk" means that portion of a street between the curblines and the adjacent property line intended for the use of pedestrians.

"State" means the state of Illinois.

"Street" includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in this Village which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state.

"Tenant" and "occupant," applied to a building or land, include any person who occupies all or a part of such building or land, whether alone or with others.

"Title of Office." Use of the title of any officer, employee, department, board or commission means that officer, employee, department, board or commission of the Village of Princeville.

"Village" means the Village of Princeville, Peoria County, Illinois, or the area within the territorial limits of the Village of Princeville, Illinois, and such territory outside of the Village over which the Village has jurisdiction or control by virtue of any constitutional or statutory provision.

"Written" includes printed, typewritten, mimeographed or multigraphed.

"Year" means a calendar year.

All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

When an act is required by an ordinance the same being such that it may be done as well by an agent as by the principal, such requirement shall be construed as to include all such acts performed by an authorized agent. (Prior Code § 1.04.010)

1.04.020 Grammatical interpretation.

The following grammatical rules shall apply in the ordinances of the Village of Princeville:

A. Gender. Designation in the form of any gender includes the masculine, feminine and neuter genders.

B. Singular and Plural. The singular number includes the plural and the plural includes the singular.

C. Tenses. Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable.

D. Use of Words and Phrases. Words and phrases not specifically defined shall be construed according to the context and approved usage of the language. (Prior Code § 1.04.020)

1.04.030 Prohibited acts include causing and permitting, etc.

Whenever in the ordinances of the Village of Princeville, any act or omission is made unlawful, it shall include causing, allowing, permitting, aiding, abetting, suffering, or concealing the fact of such act or omission. (Prior Code § 1.04.030)

1.04.040 Construction.

The provisions of the ordinances of the Village of Princeville and all proceedings under them are to be construed with a view to effect their objects and to promote justice. (Prior Code § 1.04.040)

1.04.050 Repeal shall not revive any ordinances.

The repeal of an ordinance shall not repeal the repealing clause of such ordinance or revive any ordinance which has not been repealed thereby. (Prior Code § 1.04.050)

Chapter 1.08

RIGHT OF ENTRY

Sections:

1.08.010 Right of entry.

1.08.010 Right of entry.

Whenever necessary to make an inspection to enforce any ordinance or resolution, or whenever there is reasonable cause to believe there exists an ordinance or resolution violation in any building or upon any premises within the jurisdiction of the Village, any authorized official of the Village may upon presentation of proper credentials, enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon him/her by ordinance; provided, that except in emergency situations or when consent of the owner and/or occupant to the inspection has been otherwise obtained, he/she shall give the owner and/or occupant, if they can be located after reasonable effort, twenty-four (24) hours' written notice of the authorized official's intention to inspect. The notice transmitted to the owner and/or occupant shall state that the property owner has the right to refuse entry and that in the event such entry is refused, inspection may be made only upon issuance of a search warrant by a duly authorized magistrate. In the event the owner and/or occupant refuses entry after such request has been made, the official is empowered to seek assistance from any court of competent jurisdiction in obtaining such entry. (Prior Code § 1.16.010)

Chapter 1.12

CORPORATE SEAL

Sections:

1.12.010 Designated.

1.12.010 Designated.

The corporate seal of the Village shall be as follows:

A circular disc, with the words "Village of Princeville, Illinois," on the periphery thereof, and with the words "Incorporated 1877," and the further legend "Corporate Seal" enclosed therein. (Prior Code § 1.08.010)

Chapter 1.16

VILLAGE JAIL

Sections:

- 1.16.010 Establishment.
- 1.16.020 Keeper.
- 1.16.030 Prisoners.
- 1.16.040 Escape.
- 1.16.050 Communications with prisoners.

1.16.010 Establishment.

The place in the Village heretofore established and used as the jail, or any other place which may be hereafter established by the President and the Board of Trustees for that purpose, is declared to be the Village jail. (Prior code § 1.12.010)

1.16.020 Keeper.

The Police Chief shall be the keeper of the jail and shall have custody over all persons confined therein and of all property pertaining thereto. (Prior code § 1.12.020)

1.16.030 Prisoners.

The jail shall be used for the incarceration of all persons arrested for violating any laws of the state of Illinois, the United States, or for violating any Village ordinances until such person is lawfully brought before a magistrate for a hearing or until such person is lawfully transferred to some other place of incarceration or otherwise lawfully released. (Prior code § 1.12.030)

1.16.040 Escape.

It is unlawful for any person to escape, attempt to escape, or to assist any prisoner to escape or attempt to escape from the jail. (Prior code § 1.12.040)

1.16.050 Communications with prisoners.

It is unlawful for any person to communicate with any prisoner held in the jail without the permission of the Police Chief. The Police Chief shall grant interviews with prisoners at reasonable times, for reasonable lengths of time so long as good order is maintained. (Prior code § 1.12.050)

Chapter 1.20

GENERAL PENALTY

Sections:

1.20.010 Generally.

1.20.010 Generally.

Any person violating any of the provisions or failing to comply with any of the mandatory requirements of the ordinances of the Village is guilty of a misdemeanor, and except in cases where a different punishment is prescribed by any ordinance of the Village, any person convicted of a misdemeanor under the ordinances of the Village shall be punished by a fine of not more than seven hundred fifty dollars (\$750.00), or by imprisonment not to exceed six months, or by both such fine and imprisonment.

Each such person is guilty of a separate offense for each and every day during any portion of which any violation of any provision of the ordinances of the Village is committed, continued or permitted by any such person, and he/she shall be punished accordingly. (Ord. 2003-5 § 1; prior code § 1.20.010)