

GENERAL PROVISIONS

CHAPTER 1

TOWN OF GORHAM

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[History: Adopted by the Town Board of the Town of Gorham, LL#7, 12/92]

1. Legislative intent

In accordance with Subdivision 3 of #20 of the Municipal Home Rule Law, the local laws, ordinances and certain resolutions of the Town of Gorham shall be known collectively as the “Code of the Town of Gorham”, here after termed the “Code”, and the various parts of such local laws, ordinances and resolutions shall be distributed and designated as provided and set forth in the Code. Wherever reference is made in any of the local laws, ordinances and resolutions contained in the “Code of the Town of Gorham”, to any other local law, ordinance or resolution appearing in said Code, such reference shall be changed to the appropriate chapter title, chapter number, Article number or section number, as if such local law ordinance or resolution had been formally amended to so read.

1.2 Continuation of existing provisions

The provisions of the Code, insofar as they are substantively the same as those of local laws, ordinances and resolutions in force immediately prior to the enactment of the Code by this local law, are intended as a continuation of such local laws, ordinances and resolutions and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior local law, ordinance or resolution. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Town Board of the Town of Gorham, and it is the intention of said Board that each such provision contained within the Code is hereby reaffirmed as it appears in said Code.

1.3 Severability

If any clause, sentence, paragraph, section, Article4 or part of this local law or of any legislation included in this Code through supplementation, shall be adjudged by any court of

competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, Article or part thereof directly involved in the controversy in which such judgment shall have been rendered.

1.4 Copy of Code on file

A copy of the Code, in loose-leaf form, has been filed in the office of the Town Clerk of the Town of Gorham and shall remain there for use and examination by the public until final action is taken on this local law; and, if this local law shall be adopted, such copy shall be certified to by the Town Clerk of the Town of Gorham, and such certified copy shall remain on file to be made available to persons desiring to examine the same during all times while the said Code is in effect. The enactment and publication of this local law, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

1.5 Amendments to Code

Any and all additions, deletions, amendments or supplements to any of the local laws, ordinances and resolutions known collectively as the “Code of the Town of Gorham”, or any new local laws or resolutions, when enacted or adopted in such form as to indicate the intention of the Town Board to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Code shall be enacted or adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose leaf book containing said Code, as amendments and supplements thereto. Nothing contained in this local law shall affect the status of any local law, ordinance or resolution contained therein, and such local laws, ordinances or resolutions may be amended, deleted or changed from time to time as the Town Board deems desirable.

1.6 Code book to be kept up-to-date

It shall be the duty of the Town Clerk to keep up-to-date the certified copy of the book containing the Code of the Town of Gorham required to be filed in the office of the Town Clerk for use by the public. All changes in said code and all local laws and resolutions adopted by the Town Board subsequent to the enactment of this local law in such form as to indicate the intention of said Board to be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of copies of such changes, local laws or resolutions until such changes, local laws or resolutions are printed as supplements to said Code book, at this time such supplements shall be inserted therein.

1.7 Changes in previously adopted legislation

In compiling and preparing the local laws, ordinances and resolutions for publication as the Code of the Town of Gorham, no changes in the meaning or intent of such local laws, ordinances and resolutions have been made. However, certain grammatical changes and other

minor nonsubstantive changes were made in one (1) or more of said pieces of legislation. It is the intention of the Town Board that all such changes be adopted as part of the Code as if the local laws, ordinances and resolutions had been previously formally amended to read as such

1.8 Incorporation of provisions into Code

The provisions of this local law are hereby made Article I of Chapter 1 of the Code of the Town of Gorham, such local law to be entitled “General Provisions, Article I, Adoption of Code”, and the sections of this local law shall be numbered 1.1 to 1.9 inclusive.

1.9 When effective

This local law shall take effect immediately upon filing with the Secretary of State of the Sate of New York.