

## CHAPTER 3

### DEFINITIONS

#### SECTION:

1-3-1: Definitions, General

1-3-1: **DEFINITIONS, GENERAL:** Whenever the following words or terms are used in this Code they shall have the meanings herein ascribed to them, unless the content makes such meaning repugnant thereto;

**AGENT:** The word “agent” as used in this Code shall mean a person acting on behalf of another.

**CITY:** The word “City” as used in this Code shall mean the City of Farmington, Fulton County, State of Illinois.

**CODE:** The word “Code” unless otherwise specifically stated shall mean this City Code.

**EMPLOYEES:** The word “employees” shall mean the following: Whenever reference is made in this Code to a City employee by title only, this shall be construed as though followed by the words “of the City of Farmington”.

**FEE:** The word “fee” as used in this Code shall mean a sum of money charged by the City for the carrying on of a business, profession or occupation.

**KNOWINGLY:** The word “knowingly” imports only a knowledge that the fact exists which brings the act or omission within the provisions of the Code. It does not require any knowledge of the unlawfulness of such act or omission.

**LICENSE:** The word “license” as used in this Code shall mean the permission granted for the carrying on of a business, profession or occupation.

**MISDEMEANOR:** The word “misdemeanor” shall mean any offense deemed a violation of the provisions of this Code, which is a lesser offense than a felony as defined by State law.

**NEGLIGENT:** The word “negligent” as well as “neglect”, “negligence” and “negligently” imports a want of such attention to the nature of probable consequences of the act or omission as a prudent man ordinarily bestows in acting in his own concern.

**NUISANCE:** The word “nuisance” shall mean anything offensive or obnoxious to the health and welfare of the inhabitants of the City; or any act or thing repugnant to, or creating a hazard to, or having a detrimental effect on the property of another person or to the community.

**OCCUPANT:** The word “occupant” applied to a building or land shall include any person who occupies the whole or any part of such building or land whether alone or with others.

**OFFENSE:** The word “offense” shall mean any act forbidden by any provision of this Code or the omission of any act required by the provisions of this Code.

**OFFICERS:** Whenever reference is made in this Code to a City officer by title only, this shall be construed as though followed by the words “of the City of Farmington”.

**OPERATOR:** The word “operator” as used in this Code shall mean the person who is in charge of any operation, business or profession.

**OWNER:** The word “owner” applied to a building or land shall include any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of a part of such building or land.

**PERSON:** The word “person” shall mean any individual, partnership, corporation, joint stock association or the State of Illinois or any subdivision thereof, and including any trustee, receiver, assignee, or personal representative thereof. \*1

**PERSONAL PROPERTY:** The term “personal property” shall include every description of money, goods, chattels, effects, evidence of rights in action and all written instruments by which any pecuniary obligation, right or title to property is created, acknowledged, transferred, increased, defeated, discharged or diminished and every right or interest therein.

**RETAILER:** The word “retailer” as used in this Code, unless otherwise specifically defined shall be understood to relate to the sale of goods, merchandise, articles or things in small quantities direct to the consumer.

**STREET:** The word “street” shall include alleys, lanes, courts, boulevards, public square, public places and sidewalks.

**TENANT:** The word “tenant” applied to a building or land shall include any person who occupied the whole or any part of such building or land whether alone or with others.

**WHOLESALE:** The words “wholesaler” and “wholesale dealer” as used in this Code, unless otherwise specifically defined, shall be understood to relate to the sale of goods, merchandise, articles or things in quantity to person who purchase for the purpose of resale.

**WILLFULLY:** The word “willfully” when applied to the intent, with which an act is done or omitted, implies simply a purpose or willingness to commit the act or make the omission referred to. It does not require any intent to violate law, or to injure another, or to acquire an advantage.

\*1. S.H.A. Ch. 24, Sec. 1-1-2 (4)

**WRITTEN, IN WRITING:** The terms “written” or “in writing” may include printing and any other mode of representing words and letters, but when the written signature of any person is required by law to any official or public writing or bond required by law, it shall be in the proper handwriting of such person, or in case he is unable to write, by his proper mark. (1969 Code)

