

**CITY OF BALTIMORE
COUNCIL BILL 21-0124
(First Reader)**

Introduced by: The Council President

At the request of: The Administration (Department of Legislative Reference)

Introduced and read first time: September 13, 2021

Assigned to: Rules and Legislative Oversight

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of Planning, Department of Housing and Community Development, Department of Transportation, Minority and Women’s Business Opportunity Office, Board of Ethics, Health Department, Employees’ Retirement System, Fire and Police Employees Retirement System, Police Department, Parking Authority, Environmental Control Board, Department of Recreation and Parks, Department of Public Works

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Corrective Bill 2021 – Definitions; Rules of Interpretation; Time Computations**

3 FOR the purpose of repealing the many definitions and rules of statutory interpretation and time
4 computation that have been superseded by the enactment of Code-wide, standardized
5 definitions and rules; clarifying certain purposeful variations; and providing for a special
6 effective date.

7 BY repealing

8 Article 1 - Mayor, City Council, and Municipal Agencies
9 Sections 5-1(c), 6-6, 10-1(c), 10-2, 23-1(b), 26-1(b), 33-1(f), 34-1(c), 40-1(f),
10 and 41-1(d)
11 Baltimore City Code
12 (Edition 2000)

13 BY repealing and reordaining, with amendments

14 Article 2 - Consumer Protections
15 Sections 6-1(a), 16-1(k), and 17-1(f)
16 Baltimore City Code
17 (Edition 2000)

18 BY repealing

19 Article 2 - Consumer Protections
20 Sections 6-1(b), 7-1(b), 8-1(b), 12-1(e), 12A-1(c), 14-1(b) to (d), 16-1(g) to (i),
21 and 17-1(d)
22 Baltimore City Code
23 (Edition 2000)

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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- 1 BY repealing and reordaining, with amendments
2 Article 4 - Community Relations
3 Sections 1-1(p)
4 Baltimore City Code
5 (Edition 2000)
- 6 BY repealing
7 Article 4 - Community Relations
8 Sections 1-3
9 Baltimore City Code
10 (Edition 2000)
- 11 BY repealing
12 Article 5 - Finance, Property, and Procurement
13 Sections 14-1(c), 20A-1(c), 21-2(i), 25-22, 26-1(d), 27-1(e), 28-1(i),
14 29-2(j), 30-1(d), 31-1(b), 35-1(b), 37-1(g), and 40-1(h)
15 Baltimore City Code
16 (Edition 2000)
- 17 BY repealing and reordaining, with amendments
18 Article 5 - Finance, Property, and Procurement
19 Section 20A-1(d), 28-2, and 29-4
20 Baltimore City Code
21 (Edition 2000)
- 22 BY repealing
23 Article 6 - Historical and Architectural Preservation
24 Sections 1-1(g) and 1-2
25 Baltimore City Code
26 (Edition 2000)
- 27 BY repealing and reordaining, with amendments
28 Article 6 - Historical and Architectural Preservation
29 Section 1-1(j)
30 Baltimore City Code
31 (Edition 2000)
- 32 BY repealing and reordaining, with amendments
33 Article 7 - Natural Resources
34 Sections 1-5, 21-1(p), 21-2, 31-1(m), 31-2, 41-2(m), and 62-1(b)(1)
35 Baltimore City Code
36 (Edition 2000)
- 37 BY repealing
38 Article 7 - Natural Resources
39 Sections 21-1(k), 31-1(j), 53-1(a), 54-1(k), and 54-2
40 Baltimore City Code
41 (Edition 2000)

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- 1 BY repealing
2 Article 8 - Ethics
3 Sections 2-18, 2-32, 2-34, and 2-36 to 2-40
4 Baltimore City Code
5 (Edition 2000)
- 6 BY repealing and reordaining, with amendments
7 Article 8 - Ethics
8 Sections 2-22, 2-31, 2-33, and 2-35
9 Baltimore City Code
10 (Edition 2000)
- 11 BY repealing
12 Article 11 - Labor and Employment
13 Sections 1-3, 13-1(e), 14-1(e), 15-1(f) and (h), 15-3(c), 16-2, 17-1(d), 18-1(f),
14 18-9, 19-1(i), 19-15, 19A-1(j), and 19A-13
15 Baltimore City Code
16 (Edition 2000)
- 17 BY repealing and reordaining, with amendments
18 Article 11 - Labor and Employment
19 Section 15-3(caption) and 16-1(h)
20 Baltimore City Code
21 (Edition 2000)
- 22 BY repealing
23 Article 13 - Housing and Urban Renewal
24 Sections 2B-1(f), 2B-2, 6-10, 6A-1(h), 6A-6, 10-2(i), 13-1(e), 18-1(e), and
25 21-1(c)
26 Baltimore City Code
27 (Edition 2000)
- 28 BY repealing and reordaining, with amendments
29 Article 13 - Housing and Urban Renewal
30 Sections 4-1(f), 5-1(f), and 8C-1(d)
31 Baltimore City Code
32 (Edition 2000)
- 33 BY repealing
34 Article 14 - Special Benefits Districts
35 Section 11-1(f)
36 Baltimore City Code
37 (Edition 2000)

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1 BY repealing
2 Article 15 - Licensing and Regulation
3 Sections 1-1(e) and (f), 1-2, 2-11(d) and (e), 3-1(d), 9-1(f) and (h), 9-2, 10-1(e),
4 11-1(f), 11-16, 13-1(c), 13-2, 15-1(d) and (e), 15-2, 17-1(h), 7-2, 18-9, 21-2,
5 21-14, 41-1(g), 42-1(e) and (g), and 48-1
6 Baltimore City Code
7 (Edition 2000)

8 BY repealing and reordaining, with amendments
9 Article 15 - Licensing and Regulation
10 Sections 11-2, 12-1(c), 13-1(e), 21-10, 22-1(d),
11 Baltimore City Code
12 (Edition 2000)

13 BY repealing
14 Article 19 - Police Ordinances
15 Sections 1-1(c), 3-1(e), 6-1(d), 8-1(i), 11-1(e), 17-1(d), 18-1(d), 23-1(c), 27-1(c),
16 32-1(d), 35-1(a)(2) and (4), 35-2(h), 36-1(c), 36-4, 38-1(a), 41-1, 43-1(i),
17 43A-1(f), 43B-1(f) and (j), 43B-10, 45-1(c), 59-5(f), 59-11(e), 59-22(a),
18 59-23(a)(3), 59-24(a)(3), and 59-26(a)(4)
19 Baltimore City Code
20 (Edition 2000)

21 BY repealing and reordaining, with amendments
22 Article 19 - Police Ordinances
23 Sections 18-1(e), 33-1, 34-1(e), and 37-1(a)
24 Baltimore City Code
25 (Edition 2000)

26 BY repealing
27 Article 22 - Retirement Systems
28 Sections 13(b) and 40(b)
29 Baltimore City Code
30 (Edition 2000)

31 BY repealing
32 Article 22A - Retirement Savings Plan
33 Sections 1-1(j) and 1-2
34 Baltimore City Code
35 (Edition 2000)

36 BY repealing
37 Article 23 - Sanitation
38 Sections 1-2 and 11-11
39 Baltimore City Code
40 (Edition 2000)

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1 BY repealing and reordaining, with amendments
2 Article 23 - Sanitation
3 Sections 11-1(e)
4 Baltimore City Code
5 (Edition 2000)

6 BY repealing
7 Article 24 - Water
8 Section 1-11(i) and (j)
9 Baltimore City Code
10 (Edition 2000)

11 BY repealing and reordaining, with amendments
12 Article 25 - Sewers
13 Section 1-1(l)
14 Baltimore City Code
15 (Edition 2000)

16 BY repealing
17 Article 25 - Sewers
18 Section 1-8
19 Baltimore City Code
20 (Edition 2000)

21 BY repealing
22 Article 26 - Surveys, Streets, and Highways
23 Sections 8A-2, 15-1(f), and 40-1(d) and (e)
24 Baltimore City Code
25 (Edition 2000)

26 BY repealing and reordaining, with amendments
27 Article 26 - Surveys, Streets, and Highways
28 Sections 15-1(g) and 23-1(e)
29 Baltimore City Code
30 (Edition 2000)

31 BY repealing
32 Article 27 - Stormwater Remediation Fees
33 Sections 1-1(f) and 1-3
34 Baltimore City Code
35 (Edition 2000)

36 BY repealing and reordaining, with amendments
37 Article 27 - Stormwater Remediation Fees
38 Section 1-1(g)
39 Baltimore City Code
40 (Edition 2000)

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- 1 BY repealing
2 Article 28 - Taxes
3 Sections 8.1-1(d), 10-19(a)(2), 10-30(a)(5), 20-1(g), 24-1(e), 25-1(b), 25-11(d),
4 27-1(g), 28-1(g) and (j), 29-1(e), 29-12, 30-1(k) and (m), and 32-1(e)
5 Baltimore City Code
6 (Edition 2000)
- 7 BY repealing and reordaining, with amendments
8 Article 28 - Taxes
9 Section 22-1(h)
10 Baltimore City Code
11 (Edition 2000)
- 12 BY repealing
13 Article 31 - Transit and Traffic
14 Sections 1-2(g), 2-12, 10-1(g), 14-1(j) and (l), 14-2, 22-4, 31-111, 38-1(g), and 38-2
15 Baltimore City Code
16 (Edition 2000)
- 17 BY repealing and reordaining, with amendments
18 Article 31 - Transit and Traffic
19 Sections 1-3(f), 13-1(l), 22-1(e), and 31-1(d)
20 Baltimore City Code
21 (Edition 2000)
- 22 BY repealing
23 Article 32 - Zoning
24 Sections 1-202, 1-205 to 1-208, 1-210 to 1-211, 1-213, and 1-313(s)
25 Baltimore City Code
26 (Edition 2000)
- 27 BY repealing and reordaining, with amendments
28 Article 32 - Zoning
29 Sections 1-201 and 1-311(n)
30 Baltimore City Code
31 (Edition 2000)
- 32 BY repealing
33 Article - Building, Fire, and Related Codes
34 Section IBC 201.5
35 Baltimore City Revised Code
36 (Edition 2000)
- 37 BY repealing
38 Article - General Provisions
39 Sections 4-101(e) and 4-405
40 Baltimore City Revised Code
41 (Edition 2000)

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1 BY repealing
2 Article - Health
3 Sections 1-102 to 1-103, 1-106 to 1-108, 1-111 to 1-112, 1-202, 1-204, 1-206 to
4 1-211, 8-111(e), 8-126, and 10-101(g)
5 Baltimore City Revised Code
6 (Edition 2000)

7 BY repealing and reordaining, with amendments
8 Article - Health
9 Sections 1-201, 6-101(g), 7-401(c), 9-201(c), 11-301(b), and 12-901(c)
10 Baltimore City Revised Code
11 (Edition 2000)

12 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
13 Laws of Baltimore City read as follows:

14 **Baltimore City Code**

15 **Article 1. Mayor, City Council, and Municipal Agencies**

16 **Subtitle 5. Claims and Litigation**

17 **§ 5-1. Definitions.**

18 [(c) *Includes; Including.*]

19 [“Includes” or “including” means by way of illustration and not by way of limitation.]

20 **Comment:** *See* City General Provisions Article, § 1-105, for the Code-wide standard
21 definition of “includes” and “including”.

22 **Subtitle 6. Meetings of Boards and Commissions**

23 **[§ 6-6. Severability.]**

24 [If any part, section, paragraph, clause, sentence, or provision of this subtitle shall be held
25 invalid for any reason, the remainder of this subtitle or other applications thereof shall not be
26 affected, and to this end the provisions of this subtitle are declared severable.]

27 **Comment:** *See* City General Provisions Article, § 1-214, for the Code-wide standard for
28 severability.

29 **Subtitle 10. Records Management**

30 **§ 10-1. Definitions.**

31 [(c) *Includes; including.*]

32 [“Includes” or “including” means by way of illustration and not by way of limitation.]

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1 **Comment:** *See* City General Provisions Article, § 1-105, for the Code-wide standard
2 definition of “includes” or “including”.

3 **[§ 10-2. Mandatory, prohibitory, and permissive terms.]**

4 [(a) *Mandatory terms.*]

5 [“Must” and “shall” are each mandatory terms used to express a requirement or to impose
6 a duty.]

7 [(b) *Prohibitory terms.*]

8 [“May not” and “no ... may” are each mandatory negative terms used to establish a
9 prohibition.]

10 [(c) *Permissive terms.*]

11 [“May” is permissive.]

12 **Comment:** *See* City General Provisions Article, § 1-104, for the Code-wide standard
13 definitions of mandatory terms (“must” and “shall”), prohibitory terms (“may not”,
14 “must not”, and “no ... may”), and permissive terms (“may”).

15 **Subtitle 23. Mayor’s Commission on Disabilities**

16 **§ 23-1. Definitions.**

17 [(b) *Person.*]

18 [“Person” means an individual, receiver, trustee, guardian, personal representative,
19 fiduciary, or representative of any kind and any partnership, firm, association,
20 corporation, or other entity.]

21 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
22 definition of “person”.

23 **Subtitle 26. Mayor’s Task Force on Community Collaboration** 24 **to Overcome Violence**

25 **§ 26-1. Definitions.**

26 [(b) *Person.*]

27 [“Person” means an individual, receiver, trustee, guardian, personal representative,
28 fiduciary, or representative of any kind and any partnership, firm, association,
29 corporation, or other entity.]

30 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
31 definition of “person”.

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Subtitle 33. Nuclear-Free Zone

§ 33-1. Definitions.

[(f) *Person.*]

["Person" means a natural person, as well as a corporation, institution, or other entity, but does not include the federal government or any agency thereof.]

Comment: See City General Provisions Article, § 1-107, for the Code-wide standard definition of "person".

Subtitle 34. Baltimore City Office of Sustainability

§ 34-1. Definitions.

[(c) "*Includes*"; "*Including*".]

["Includes" or "including" means by way of illustration and not by way of limitation.]

Comment: See City General Provisions Article, § 1-105, for the Code-wide standard definition of "includes" or "including".

Subtitle 40. Environmental Control Board

§ 40-1. Definitions.

[(f) *Person.*]

["Person" means:]

[(1) an individual;]

[(2) a partnership, firm, association, corporation, governmental agency, or other entity of any kind; and]

[(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind.]

Comment: See City General Provisions Article, § 1-107, for the Code-wide standard definition of "person".

Subtitle 41. Civil Citations

§ 41-1. Definitions.

[(d) *Person.*]

["Person" means:]

[(1) an individual;]

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1 [(2) a partnership, firm, association, corporation, governmental agency,
2 or other entity of any kind; and]

3 [(3) a receiver, trustee, guardian, personal representative, fiduciary,
4 or representative of any kind.]

5 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
6 definition of “person”.

7 **Article 2. Consumer Protections**

8 **Subtitle 6. “Going Out of Business” Sales**

9 **§ 6-1. Definitions.**

10 (a) *In general.*

11 [(1)] The following words and terms, when used in this subtitle, [shall] have the
12 following meanings unless the context clearly requires a different meaning.

13 [(2) The meaning ascribed to the singular is applied also to the plural.]

14 **Comment:** See City General Provisions Article, § 1-206, for the Code-wide standard
15 interpretation of the singular to include the plural and vice versa..

16 [(b) *Persons.*]

17 [“Persons” shall include individuals, copartnerships, associations, trusts, firms,
18 corporations, or any agent or employee thereof.]

19 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
20 definition of “person”.

21 **Subtitle 7. Scrap Collectors and Scavengers**

22 **§ 7-1. Definitions.**

23 [(b) *Person.*]

24 [(1) “Person” means, except as specified in paragraph (2) of this subsection, any
25 individual, corporation, partnership, joint venture, firm, association, or other entity.]

26 [(2) “Person” does not include, unless otherwise expressly provided, a governmental
27 entity or an instrumentality or unit of a governmental entity.]

28 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
29 definition of “person”.

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Subtitle 8. Scrap Metal Dealers

§ 8-1. Definitions.

[(b) *Person.*]

[(1) “Person” means, except as specified in paragraph (2) of this subsection, any individual, corporation, partnership, joint venture, firm, association, or other entity.]

[(2) “Person” does not include, unless otherwise expressly provided, a governmental entity or an instrumentality or unit of a governmental entity.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of “person”.

**Subtitle 12. Second-Hand Property, Antiques,
and Consignment Goods**

§ 12-1. Definitions.

[(e) *Person.*]

[“Person” means any individual, corporation, partnership, joint venture, sole proprietorship, or any other business entity.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of “person”.

Subtitle 12A. Automated Purchasing Machines

§ 12A-1. Definitions.

[(c) *Person.*]

[(1) “Person” means:]

[(i) an individual; or]

[(ii) a partnership, firm, association, corporation, or other entity of any kind.]

[(2) “Person” does not include a governmental entity or an instrumentality or unit of a governmental entity.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of “person”.

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1 **Subtitle 14. Real Estate Practices – Disclosures**

2 **§ 14-1. Definitions.**

3 [(b) *Includes; including.*]

4 [“Includes” or “including” means by way of illustration and not by way of limitation.]

5 **Comment:** *See* City General Provisions Article, § 1-105, for the Code-wide standard
6 definition of “includes” or “including”.

7 [(c) *Must or shall.*]

8 [“Must” and “shall” are each mandatory terms used to express a requirement or to impose
9 a duty.]

10 **Comment:** *See* City General Provisions Article, § 1-104, for the Code-wide standard
11 definitions of mandatory terms (“must” and “shall”), prohibitory terms (“may not”,
12 “must not”, and “no ... may”), and permissive terms (“may”).

13 [(d) *Person.*]

14 [(1) *In general.*]

15 [“Person” means:]

16 [(i) an individual;]

17 [(ii) a partnership, firm, association, corporation, or other entity of any kind; or]

18 [(iii) a receiver, trustee, guardian, personal representative, fiduciary, or
19 representative of any kind.]

20 [(2) *Exclusions.*]

21 [“Person” does not include, unless otherwise expressly provided, a governmental
22 entity or an instrumentality or unit of a governmental entity.]

23 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
24 definition of “person”.

25 **Subtitle 16. Ticket Sales – Charges by Operators and Agents**

26 **§ 16-1. Definitions.**

27 [(g) *Includes; including.*]

28 [“Includes” or “including” means by way of illustration and not by way of limitation.]

29 **Comment:** *See* City General Provisions Article, § 1-105, for the Code-wide standard
30 definition of “includes” or “including”.

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1 [(h) *May not, etc.*]

2 ["May not", "must not", and "no ... may" are each mandatory negative terms used to
3 establish a prohibition.]

4 **Comment:** See City General Provisions Article, § 1-104, for the Code-wide standard
5 definitions of mandatory terms ("must" and "shall"), prohibitory terms ("may not",
6 "must not", and "no ... may"), and permissive terms ("may").

7 [(i) *Must; shall.*]

8 ["Must" and "shall" are each mandatory terms used to express a requirement or to impose
9 a duty.]

10 **Comment:** See City General Provisions Article, § 1-104, for the Code-wide standard
11 definitions of mandatory terms ("must" and "shall"), prohibitory terms ("may not",
12 "must not", and "no ... may"), and permissive terms ("may").

13 (k) *Person.*

14 ["Person" means:]

15 [(1) an individual;]

16 [(2) a partnership, firm, association, corporation, or other entity of any kind;]

17 [(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative
18 of any kind; and]

19 [(4) except for the application of § 16-11 {"Enforcement by prepayable citation"}
20 and § 16-12 {"Criminal penalties"} of this subtitle, a governmental entity or an
21 instrumentality or unit of a governmental entity.]

22 (1) *IN GENERAL.*

23 "PERSON" HAS THE MEANING STATED IN § 1-107(A) {"PERSON: IN GENERAL"} OF THE
24 CITY CODE'S GENERAL PROVISIONS ARTICLE.

25 (2) *QUALIFIED INCLUSION OF GOVERNMENTAL ENTITIES.*

26 NOTWITHSTANDING § 1-107(B) {"PERSON: EXCLUSION"} OF THE GENERAL
27 PROVISIONS ARTICLE, IN THIS SUBTITLE "PERSON" ALSO INCLUDES, EXCEPT AS USED
28 IN § 16-11 {"ENFORCEMENT BY PREPAYABLE CITATION"} AND § 16-12 {"CRIMINAL
29 PENALTIES"}, A GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR UNIT OF A
30 GOVERNMENTAL ENTITY.

31 **Comment:** New paragraph (1) incorporates by reference the "general" definition of
32 "person" found in § 1-107(a) of the City General Provisions Article. Paragraph (2),
33 however, necessarily departs from GP Art. § 1-107(b)'s unqualified exclusion of
34 governmental entities, instrumentals, or units given the express provision otherwise
35 in current Art. 2, § 16-1(k)(4).

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Subtitle 17. Ticket Sales – Ticket Purchasing Software

§ 17-1. Definitions.

[(d) *Includes; including.*]

[“Includes” or “including” means by way of illustration and not by way of limitation.]

Comment: See City General Provisions Article, § 1-105, for the Code-wide standard definition of “includes” or “including”.

(f) *Person.*

[“Person” means:]

[(1) an individual;]

[(2) a partnership, firm, association, corporation, or other entity of any kind;]

[(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; and]

[(4) except for the application of § 17-11 {“Enforcement by prepayable citation”} and § 17-12 {“Criminal penalties”} of this subtitle, a governmental entity or an instrumentality or unit of a governmental entity.]

(1) *IN GENERAL.*

“PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF THE CITY CODE’S GENERAL PROVISIONS ARTICLE.

(2) *QUALIFIED INCLUSION OF GOVERNMENTAL ENTITIES.*

NOTWITHSTANDING § 1-107(B) {“PERSON: EXCLUSION”} OF THE GENERAL PROVISIONS ARTICLE, IN THIS SUBTITLE “PERSON” ALSO INCLUDES, EXCEPT AS USED IN § 17-11 {“PREPAYABLE CITATION”} AND § 17-12 {“CRIMINAL PENALTIES”} OF THIS SUBTITLE, A GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

Comment: New paragraph (1) incorporates by reference the “general” definition of “person” found in § 1-107(a) of the City General Provisions Article. Paragraph (2), however, necessarily departs from GP Art. § 1-107(b)’s unqualified exclusion of governmental entities, instrumentals, or units given the express provision otherwise in the current Art. 2, § 17-1(f)(4).

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Article 4. Community Relations

§ 1-1. Definitions.

(p) Person.

(1) IN GENERAL.

["Person" means an association, partnership, or corporation, as well as a natural person, whether male or female.]

"PERSON" HAS THE MEANING STATED IN § 1-107 OF THE CITY CODE'S GENERAL PROVISIONS ARTICLE.

Comment: See City General Provisions Article, § 1-107, for the Code-wide standard definition of "person".

(2) INCLUSIONS.

The term "person":

(I) as applied to [any] A partnership or association [shall mean], INCLUDES the partners or members thereof[,]; and

(II) as applied to [any] A corporation, [shall include] INCLUDES the officers thereof.

[(3) The term "person" also means an agent of any person.]

Comment: Paragraph (2) is a revised version of inclusions specified in current Art. 4, § 1-1(p)(2). The proposed additional inclusion, in § 1-1(p)(3), of "an agent of any person" is omitted as redundant of the broad, standard inclusion in General Provisions Article, § 1-107(a)(2), of, among others, a "fiduciary ... or representative of any kind".

[§ 1-3. Severability.]

[(a) In general.]

[The provisions of this article are severable.]

[(b) Severability of provisions and applications.]

[(1) Should any section, subsection, paragraph, or clause, or the application of any of it to a particular state or case, be held unconstitutional, invalid, or illegal, the same shall not affect the remainder of the article or its application to other persons or circumstances.]

[(2) It is expressly declared that this article would have been adopted if such unconstitutional, invalid or illegal sections, subsections, paragraphs or clauses had never been included herein, and if the person or circumstances to which the article or any part hereof is held inapplicable had been specifically exempted therefrom.]

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1 [(c) *Severability of exceptions, etc.*]

2 [Furthermore, if any exclusion, exemption, or exception provided for in this article be
3 held unconstitutional, invalid, or illegal, the remaining provisions shall be retained as if
4 such exclusion, exemption, or exception had never been included in this ordinance.]

5 **Comment:** *See* City General Provisions Article, § 1-214, for the Code-wide standard for
6 severability.

7 **Article 5. Finance, Property, and Procurement**

8 **Subtitle 14. Private Security Camera System**
9 **Rebate and Voucher Program**

10 **§ 14-1. Definitions.**

11 [(c) *Person.*]

12 [“Person” means:]

13 [(1) an individual;]

14 [(2) a partnership, firm, association, corporation, or other entity of any kind; or]

15 [(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative
16 of any kind.]

17 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
18 definition of “person”.

19 **Subtitle 20A. Demolition of City Property**

20 **§ 20A-1. Definitions.**

21 [(c) *Includes; including.*]

22 [“Includes” or “including” means by way of illustration and not by way of limitation.]

23 **Comment:** *See* City General Provisions Article, § 1-105, for the Code-wide standard
24 definition of “includes” or “including”.

25 (d) *Person.*

26 [“Person” means:]

27 [(i) an individual;]

28 [(ii) a partnership, firm, association, corporation, or other entity of any kind;]

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1 [(iii) a receiver, trustee, guardian, personal representative, fiduciary, or
2 representative of any kind; or]

3 [(iv) a governmental entity or an instrumentality or unit of a governmental entity.]

4 (1) *IN GENERAL.*

5 “PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF THE
6 CITY CODE’S GENERAL PROVISIONS ARTICLE.

7 (2) *QUALIFIED INCLUSION OF GOVERNMENTAL ENTITIES.*

8 NOTWITHSTANDING § 1-107(B) {“PERSON: EXCLUSION”} OF THE GENERAL
9 PROVISIONS ARTICLE, IN THIS SUBTITLE “PERSON” ALSO INCLUDES A GOVERNMENTAL
10 ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

11 **Comment:** New paragraph (1) incorporates by reference the “general” definition of
12 “person” found in § 1-107(a) of the City General Provisions Article. Paragraph (2),
13 however, necessarily departs from GP Art. § 1-107(b)’s unqualified exclusion of
14 governmental entities, instrumentals, or units given the express provision otherwise
15 in the current Art. 5, § 20A-1(d)(iv).

16 **Subtitle 21. Public Art**

17 **§ 21-2. Definitions.**

18 [(i) *Includes; including.*]

19 [“Includes” or “including” means by way of illustration and not by way of limitation.]

20 **Comment:** *See* City General Provisions Article, § 1-105, for the Code-wide standard
21 definition of “includes” or “including”.

22 **Subtitle 25. Prevailing Wages ... Under Construction Contracts**

23 **[§ 25-22. Severability.]**

24 [In case it be judicially determined that any phrase, clause, sentence, paragraph, section or
25 part in or of this subtitle, or the application thereof to any person or circumstance, is invalid,
26 the remaining provisions and the application of such provisions to other persons or
27 circumstances shall not be affected thereby, the Mayor and City Council hereby declaring that
28 they would have ordained the remaining provisions of this subtitle without the phrase, clause,
29 sentence, paragraph, section or part, or the application thereof, so held invalid.]

30 **Comment:** *See* City General Provisions Article, § 1-214, for the Code-wide standard for
31 severability.

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Subtitle 26. Living Wages ... Under Service Contracts

§ 26-1. Definitions.

[(d) *Person.*]

[“Person” means any individual, business entity, corporation, partnership, or joint venture.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of “person”.

Subtitle 27. Local Hiring

§ 27-1. Definitions.

[(e) *Person.*]

[“Person” means:]

[(1) an individual;]

[(2) a partnership, firm, association, corporation, or other entity of any kind; or]

[(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of “person”.

**Subtitle 28. Minority and Women’s Business Enterprises;
Small Local Business Enterprises**

§ 28-1. Definitions.

[(i) *Includes; including.*]

[“Includes” or “including” means by way of illustration and not by way of limitation.]

Comment: *See* City General Provisions Article, § 1-105, for the Code-wide standard definition of “includes” or “including”.

§ 28-2. [Rules of] LIBERAL construction.

[(a) *Liberal construction.*]

The provisions of this subtitle are to be liberally construed to accomplish its policies and purposes.

[(b) *Mandatory, prohibitory, and permissive terms.*]

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1 [(1) *Mandatory terms.*]

2 ["Must" and "shall" are each mandatory terms used to express a requirement or to
3 impose a duty.]

4 [(2) *Prohibitory terms.*]

5 ["Must not", "may not", and "no ... may" are each mandatory negative terms used to
6 establish a prohibition.]

7 [(3) *Permissive terms.*]

8 ["May" is permissive.]

9 [(c) *Number.*]

10 [The singular includes the plural and vice versa.]

11 [(d) *Severability.*]

12 [(1) All provisions of this subtitle are severable.]

13 [(2) If a court determines that a word, phrase, clause, sentence, paragraph, subsection,
14 section, or other provision is invalid or that the application of any part of the
15 provision to any person or circumstances is invalid, the remaining provisions and the
16 application of those provisions to other persons or circumstances remain in full force
17 and effect to the maximum extent practicable.]

18 [(e) *Time computations.*]

19 [(1) *Computation of time after an act, event, or default.*]

20 [(i) In computing any period of time prescribed by this subtitle, the day of the act,
21 event, or default after which the designated period of time begins to run is not
22 included.]

23 [(ii) If the period of time allowed is more than 7 days, intermediate Saturdays,
24 Sundays, and legal holidays are counted.]

25 [(iii) If the period of time allowed is 7 days or less, intermediate Saturdays, Sundays,
26 and legal holidays are not counted.]

27 [(iv) The last day of the period so computed is included unless it is a Saturday,
28 Sunday, or legal holiday, in which event the period runs until the end of the
29 next day that is not a Saturday, Sunday, or legal holiday.]

30 [(2) *Computation of time before a day, act, or event.*]

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1 [(I) In determining the latest day for performing an act that is required by this subtitle
2 to be performed a prescribed number of days before a certain day, act, or event,
3 all days preceding that day, including intervening Saturdays, Sundays, and legal
4 holidays, are counted in the number of days so prescribed.]

5 [(ii) The latest day is included in the determination unless it is a Saturday, Sunday, or
6 legal holiday, in which event the latest day is the first preceding day that is not a
7 Saturday, Sunday, or legal holiday.]

8 **Comment:** *See* City General Provisions Article, Subtitles 2 and 3 for the Code-wide standard
9 rules of interpretation and time computations.

10 **Subtitle 29. Commercial Non-Discrimination Policy**

11 **§ 29-2. Definitions.**

12 [(j) *Includes; including.*]

13 [“Includes” or “including” means by way of illustration and not by way of limitation.]

14 **Comment:** *See* City General Provisions Article, § 1-105, for the Code-wide standard
15 definition of “includes” or “including”.

16 **[§ 29-4. [Rules of] LIBERAL construction.**

17 [(a) *Liberal construction.*]

18 The provisions of this subtitle are to be liberally construed to accomplish its policies and
19 purposes.

20 [(b) *Mandatory, prohibitory, and permissive terms.*]

21 [(1) *Mandatory terms.*]

22 [“Must” and “shall” are each mandatory terms used to express a requirement or to
23 impose a duty.]

24 [(2) *Prohibitory terms.*]

25 [“Must not”, “may not”, and “no...may” are each mandatory negative terms used to
26 establish a prohibition.]

27 [(3) *Permissive terms.*]

28 [“May” is permissive.]

29 [(c) *Number.*]

30 [The singular includes the plural and vice versa.]

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1 [(d) *Severability.*]

2 [(1) All provisions of this subtitle are severable.]

3 [(2) If a court determines that a word, phrase, clause, sentence, paragraph, subsection,
4 section, or other provision is invalid or that the application of any part of the
5 provision to any person or circumstances is invalid, the remaining provisions and
6 the application of those provisions to other persons or circumstances remain in full
7 force and effect to the maximum extent practicable.]

8 [(e) *Time computations.*]

9 [(1) *Computation of time after an act, event, or default.*]

10 [(i) In computing any period of time prescribed by this subtitle, the day of the act,
11 event, or default after which the designated period of time begins to run is not
12 included.]

13 [(ii) If the period of time allowed is more than 7 days, intermediate Saturdays,
14 Sundays, and legal holidays are counted.]

15 [(iii) If the period of time allowed is 7 days or less, intermediate Saturdays, Sundays,
16 and legal holidays are not counted.]

17 [(iv) The last day of the period so computed is included unless it is a Saturday,
18 Sunday, or legal holiday, in which event the period runs until the end of the next
19 day that is not a Saturday, Sunday, or legal holiday.]

20 [(2) *Computation of time before a day, act, or event.*]

21 [(i) In determining the latest day for performing an act that is required by this subtitle
22 to be performed a prescribed number of days before a certain day, act, or event,
23 all days preceding that day, including intervening Saturdays, Sundays, and legal
24 holidays, are counted in the number of days so prescribed.]

25 [(ii) The latest day is included in the determination unless it is a Saturday, Sunday, or
26 legal holiday, in which event the latest day is the first preceding day that is not a
27 Saturday, Sunday, or legal holiday.]

28 **Comment:** See City General Provisions Article, Subtitles 2 and 3 for the Code-wide standard
29 rules of interpretation and of time computations.

30 **Subtitle 30. Health Care Services Providers**

31 **§ 30-1. Definitions.**

32 [(d) *Person.*]

33 [“Person” means an individual, receiver, trustee, guardian, personal representative,
34 fiduciary, or representative of any kind and any partnership, firm, association,
35 corporation, or other entity.]

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Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of “person”.

Subtitle 31. Health Care Advisory Panel

§ 31-1. Definitions.

[(b) *Person.*]

[“Person” means an individual, receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind and any partnership, firm, association, corporation, or other entity.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of “person”.

Subtitle 35. American Preference for Vehicle Procurement

§ 35-1. Definitions.

[(b) *Person.*]

[“Person” means an individual, receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind and any partnership, firm, association, corporation, or other entity.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of “person”.

Subtitle 37. Payment of City Obligations

§ 37-1. Definitions.

[(g) *Person.*]

[“Person” means an individual, receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind and any partnership, firm, association, corporation, or other entity.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of “person”.

Subtitle 40. Debarment from City Contracts

§ 40-1. Definitions.

[(h) *Person.*]

[“Person” means:]

[(1) an individual;]

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1 [(2) a receiver, trustee, guardian, personal representative, fiduciary, or representative
2 of any kind; or]

3 [(3) a partnership, firm, association, corporation, or other entity of any kind.]

4 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
5 definition of “person”.

6 Article 6. Historical and Architectural Preservation

7 § 1-1. Definitions.

8 [(g) *Includes; including.*]

9 [“Includes” or “including” means by way of illustration and not by way of limitation.]

10 **Comment:** See City General Provisions Article, § 1-105, for the Code-wide standard
11 definition of “includes” or “including”.

12 (j) *Person.*

13 (1) *In general.*

14 [“Person” means:]

15 [(i) an individual;]

16 [(ii) a partnership, firm, association, corporation, or other entity of any kind; or]

17 [(iii) a receiver, trustee, guardian, personal representative, fiduciary, or
18 representative of any kind.]

19 “PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF THE
20 CITY CODE’S GENERAL PROVISIONS ARTICLE.

21 (2) [*Inclusions*] *QUALIFIED INCLUSION OF GOVERNMENTAL ENTITIES.*

22 [“Person” includes,] NOTWITHSTANDING § 1-107(B) {“PERSON: EXCLUSION”} OF THE
23 GENERAL PROVISIONS ARTICLE, IN THIS ARTICLE “PERSON” ALSO INCLUDES, except as
24 used in § 9-4 {“Criminal penalties”} of this article, a governmental entity or an
25 instrumentality or unit of a governmental entity.

26 **Comment:** Revised paragraph (1) incorporates by reference the “general” definition of
27 “person” found in § 1-107(a) of the City General Provisions Article. Paragraph (2),
28 however, necessarily departs from GP Art. § 1-107(b)’s unqualified exclusion of
29 governmental entities, instrumentals, or units given the express provision otherwise in
30 the current Art. 6, § 1-1(j)(2).

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1 **[§ 1-2. Rules of construction.]**

2 [(a) *In general.*]

3 [In interpreting and applying this article, the following rules of construction apply.]

4 [(b) *Captions or headings.*]

5 [The captions or headings of the various sections and subsections:]

6 [(1) are for convenience of reference only, intended to summarize the statutory
7 provisions that follow; and]

8 [(2) are not law and are not to be taken as affecting the meaning or effect of the law.]

9 [(c) *Gender.*]

10 [Words denoting one gender include and apply to the other genders as well.]

11 [(d) *Mandatory, prohibitory, and permissive terms.*]

12 [(1) *Mandatory terms.*]

13 ["Must" and "shall" are each mandatory terms used to express a requirement or to
14 impose a duty.]

15 [(2) *Prohibitory terms.*]

16 ["Must not", "may not", and "no ... may" are each mandatory negative terms used to
17 establish a prohibition.]

18 [(3) *Permissive terms.*]

19 ["May" is permissive.]

20 [(e) *Number.*]

21 [The singular includes the plural and vice versa.]

22 [(f) *References to other laws.*]

23 [Whenever a provision of this article refers to any part of the City Code or to any other
24 law, the reference applies to any subsequent amendment of the law referred to, unless the
25 referring provision expressly provides otherwise.]
26

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1 [g) *Severability.*]

2
3 [All provisions of this article are severable. If a court determines that a word, phrase,
4 clause, sentence, paragraph, subsection, section, or other provision is invalid or that the
5 application of any part of the provision to any person or circumstances is invalid, the
6 remaining provisions and the application of those provisions to other persons or
7 circumstances are not affected by that decision.]

8 [(h) *Time computations.*]

9 [(1) *Computation of time after an act, event, or default.*]

10 [(i) In computing any period of time prescribed by this article or by a rule or
11 regulation adopted under this article, the day of the act, event, or default after
12 which the designated period of time begins to run is not included.]

13 [(ii) If the period of time allowed is more than 7 days, intermediate Saturdays,
14 Sundays, and legal holidays are counted.]

15 [(iii) If the period of time allowed is 7 days or less, intermediate Saturdays, Sundays,
16 and legal holidays are not counted.]

17 [(iv) The last day of the period so computed is included unless it is a Saturday,
18 Sunday, or legal holiday, in which event the period runs until the end of the next
19 day that is not a Saturday, Sunday, or legal holiday.]

20 [(2) *Computation of time before a day, act, or event.*]

21 [(I) In determining the latest day for performing an act that this article or a rule or
22 regulation adopted under this article requires to be performed a prescribed
23 number of days before a certain day, act, or event, all days preceding that day,
24 including intervening Saturdays, Sundays, and legal holidays, are counted in the
25 number of days so prescribed.]

26 [(ii) The latest day is included in the determination unless it is a Saturday, Sunday, or
27 legal holiday, in which event the latest day is the first preceding day that is not a
28 Saturday, Sunday, or legal holiday.]

29 **Comment:** See City General Provisions Article, Subtitles 2 and 3 for the Code-wide standard
30 rules of interpretation and of time computations.

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Article 7. Natural Resources

Division I. Floodplain Management

§ 1-5. Rules of [construction] INTERPRETATION.

(a) *In general.*

In interpreting and applying this Division I, the following rules of [construction] INTERPRETATION apply:

(I) THOSE CONTAINED IN SUBTITLES 2 AND 3 OF THE CITY CODE’S GENERAL PROVISIONS ARTICLE; AND

(II) ANY ADDITIONAL RULES CONTAINED IN THIS SECTION.

[(b) *Captions or headings.*]

[The captions or headings of the various sections and subsections:]

[(1) are for convenience of reference only, intended to summarize the statutory provisions that follow; and]

[(2) are not law and are not to be taken as affecting the meaning or effect of the law.]

(B) [(c)] *Conflicting provisions.*

(1) *Division sets minimum requirements.*

In their interpretation and application, the provisions of this Division I must be taken to be the minimum requirements for the promotion of the public health, safety, and general welfare.

(2) *Most restrictive provision governs.*

If any condition imposed by a provision of this Division I is either more or less restrictive than a comparable condition imposed by any other provision of this Division or by any other law, rule, or regulation of any kind, the condition that is the more restrictive governs.

[(d) *Gender.*]

[Words denoting one gender include and apply to the other genders as well.]

[(e) *Includes; including.*]

[“Includes” or “including” means by way of illustration and not by way of limitation.]

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1 [(f) *Mandatory, prohibitory, and permissive terms.*]

2 [(1) *Mandatory terms.*]

3 ["Must" and "shall" are each mandatory terms used to express a requirement or to
4 impose a duty.]

5 [(2) *Prohibitory terms.*]

6 ["Must not", "may not", and "no ... may" are each mandatory negative terms used to
7 establish a prohibition.]

8 [(3) *Permissive terms.*]

9 ["May" is permissive.]

10 [(g) *Number.*]

11 [The singular includes the plural and vice versa.]

12 [(h) *References to other laws.*]

13 [Whenever a provision of this Division I refers to any part of the City Code or to any
14 other law, the reference applies to any subsequent amendment of the law referred to,
15 unless the referring provision expressly provides otherwise.]

16 [(i) *Severability.*]

17 [All provisions of this Division I are severable. If a court determines that a word, phrase,
18 clause, sentence, paragraph, subsection, section, or other provision is invalid or that the
19 application of any part of the provision to any person or circumstances is invalid, the
20 remaining provisions and the application of those provisions to other persons or
21 circumstances are not affected by that decision.]

22 [(j) *Time computations.*]

23 [(1) *Computation of time after an act, event, or default.*]

24 [(i) In computing any period of time prescribed by this Division I, the day of the act,
25 event, or default after which the designated period of time begins to run is not
26 included.]

27 [(ii) If the period of time allowed is more than 7 days, intermediate Saturdays,
28 Sundays, and legal holidays are counted.

29 [(iii) If the period of time allowed is 7 days or less, intermediate Saturdays, Sundays,
30 and legal holidays are not counted.]

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1 [(iv) The last day of the period so computed is included unless it is a Saturday,
2 Sunday, or legal holiday, in which event the period runs until the end of the next
3 day that is not a Saturday, Sunday, or legal holiday.]

4 [(2) *Computation of time before a day, act, or event.*]

5 [(i) In determining the latest day for performing an act that is required by this
6 Division I to be performed a prescribed number of days before a certain day, act,
7 or event, all days preceding that day, including intervening Saturdays, Sundays,
8 and legal holidays, are counted in the number of days so prescribed.]

9 [(ii) The latest day is included in the determination unless it is a Saturday, Sunday, or
10 legal holiday, in which event the latest day is the first preceding day that is not a
11 Saturday, Sunday, or legal holiday.]

12 **Comment:** *See* City General Provisions Article, Subtitles 2 and 3 for the Code-wide standard
13 rules of interpretation and of time computations.

14 **Division II. Stormwater Management**

15 **§ 21-1. Definitions.**

16 [(k) *Includes; including.*]

17 [“Includes” or “including” means by way of illustration and not by way of limitation.]

18 (p) *Person.*

19 (1) *In general.*

20 [“Person” means:]

21 [(i) an individual;]

22 [(ii) a partnership, firm, association, corporation, or other entity of any kind; or]

23 [(iii) a receiver, trustee, guardian, personal representative, fiduciary, or
24 representative of any kind.]

25 “PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF THE
26 CITY CODE’S GENERAL PROVISIONS ARTICLE.

27 (2) [*Inclusions*] *QUALIFIED INCLUSION OF GOVERNMENTAL ENTITIES.*

28 [“Person” includes, except as used in § 28-13 {“Criminal penalties”} of this Division
29 II:]

30 [(i) the Federal government;]

31 [(ii) the State government;]

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1 [(iii) any county, municipal corporation, or other political subdivision of the
2 State; or]

3 [(iv) any of the entities, instrumentalities, or other units of these governments.]

4 NOTWITHSTANDING § 1-107(B) {"PERSON: EXCLUSION"} OF THE GENERAL
5 PROVISIONS ARTICLE, IN THIS DIVISION II "PERSON" ALSO INCLUDES, EXCEPT AS
6 USED IN § 28-13 {"CRIMINAL PENALTIES"}, A GOVERNMENTAL ENTITY OR AN
7 INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

8 **Comment:** Revised paragraph (1) incorporates by reference the "general" definition of
9 "person" found in § 1-107(a) of the City General Provisions Article. Paragraph (2),
10 however, necessarily departs from GP Art. § 1-107(b)'s unqualified exclusion of
11 governmental entities, instrumentals, or units given the express provision otherwise in
12 current Art. 7, § 21-1(p)(2).

13 **§ 21-2. Rules of [construction] INTERPRETATION.**

14 (a) *In general.*

15 In interpreting and applying this Division II, the following rules of [construction]
16 INTERPRETATION apply:

17 (I) THOSE CONTAINED IN SUBTITLES 2 AND 3 OF THE CITY CODE'S GENERAL
18 PROVISIONS ARTICLE; AND

19 (II) ANY ADDITIONAL RULES CONTAINED IN THIS SECTION.

20 [(b) *Captions or headings.*]

21 [The captions or headings of the various sections and subsections:]

22 [(1) are for convenience of reference only, intended to summarize the statutory
23 provisions that follow;]

24 [(2) are not law and are not to be taken as affecting the meaning or effect of the law.]

25 (B) [(c)] *Conflicting provisions.*

26 (1) *Division sets minimum requirements.*

27 In their interpretation and application, the provisions of this Division II must be taken
28 to be the minimum requirements for the promotion of the public health, safety, and
29 general welfare.

30 (2) *Most restrictive provision governs.*

31 If any condition imposed by a provision of this Division II is either more or less
32 restrictive than a comparable condition imposed by any other provision of this
33 Division or by any other law, rule, or regulation of any kind, the condition that is the
34 more restrictive governs.

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1 [(d) *Gender.*]

2 [Words denoting one gender include and apply to the other genders as well.]

3 [(e) *Mandatory, prohibitory, and permissive terms.*]

4 [(1) *Mandatory terms.*]

5 ["Must" and "shall" are each mandatory terms used to express a requirement or to
6 impose a duty.]

7 [(2) *Prohibitory terms.*]

8 ["Must not", "may not", and "no ... may" are each mandatory negative terms used to
9 establish a prohibition.]

10 [(3) *Permissive terms.*]

11 ["May" is permissive.]

12 [(f) *Number.*]

13 [The singular includes the plural and vice versa.]

14 [(g) *References to other laws.*]

15 [Whenever a provision of this Division II refers to any part of the City Code or to any
16 other law, the reference applies to any subsequent amendment of the law referred to,
17 unless the referring provision expressly provides otherwise.]

18 [(h) *Severability.*]

19 [All provisions of this Division II are severable. If a court determines that a word, phrase,
20 clause, sentence, paragraph, subsection, section, or other provision is invalid or that the
21 application of any part of the provision to any person or circumstances is invalid, the
22 remaining provisions and the application of those provisions to other persons or
23 circumstances are not affected by that decision.]

24 [(i) *Time computations.*]

25 [(1) *Computation of time after an act, event, or default.*]

26 [(i) In computing any period of time prescribed by this Division II, the day of the act,
27 event, or default after which the designated period of time begins to run is not
28 included.]

29 [(ii) If the period of time allowed is more than 7 days, intermediate Saturdays,
30 Sundays, and legal holidays are counted.]

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1 [(iii) If the period of time allowed is 7 days or less, intermediate Saturdays, Sundays,
2 and legal holidays are not counted.]

3 [(iv) The last day of the period so computed is included unless it is a Saturday,
4 Sunday, or legal holiday, in which event the period runs until the end of the next
5 day that is not a Saturday, Sunday, or legal holiday.]

6 [(2) *Computation of time before a day, act, or event.*]

7 [(i) In determining the latest day for performing an act that is required by this
8 Division II to be performed a prescribed number of days before a certain day, act,
9 or event, all days preceding that day, including intervening Saturdays, Sundays,
10 and legal holidays, are counted in the number of days so prescribed.]

11 [(ii) The latest day is included in the determination unless it is a Saturday, Sunday, or
12 legal holiday, in which event the latest day is the first preceding day that is not a
13 Saturday, Sunday, or legal holiday.]

14 **Comment:** *See* City General Provisions Article, Subtitles 2 and 3 for the Code-wide standard
15 rules of interpretation and of time computations.

16 **Division III. Soil Erosion and Sediment Control**

17 **§ 31-1. Definitions.**

18 [(j) *Includes; including.*]

19 [“Includes” or “including” means by way of illustration and not by way of limitation.]

20 (m) *Person.*

21 (1) *In general.*

22 [“Person” means:]

23 [(i) an individual;]

24 [(ii) a partnership, firm, association, corporation or other entity of any kind; or]

25 [(iii) a receiver, trustee, guardian, personal representative, fiduciary, or
26 representative of any kind.]

27 “PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF THE
28 CITY CODE’S GENERAL PROVISIONS ARTICLE.

29 (2) [*Inclusions*] *QUALIFIED INCLUSION OF GOVERNMENTAL ENTITIES.*

30 [“Person” includes, except as used in § 35-13(b) {“Criminal penalties”} of this
31 Division III:]

32 [(i) the Federal government;]

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1 [(ii) the State government;]

2 [(iii) any county, municipal corporation, or other political subdivision of the
3 State; or]

4 [(iv) any of the entities, instrumentalities, or other units of these governments.]

5 NOTWITHSTANDING § 1-107(B) {"PERSON: EXCLUSION"} OF THE GENERAL
6 PROVISIONS ARTICLE, IN THIS DIVISION III "PERSON" ALSO INCLUDES, EXCEPT AS
7 USED IN § 35-13(B) {"CRIMINAL PENALTIES"}, A GOVERNMENTAL ENTITY OR AN
8 INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

9 **Comment:** Revised paragraph (1) incorporates by reference the "general" definition of
10 "person" found in § 1-107(a) of the City General Provisions Article. Paragraph (2),
11 however, necessarily departs from GP Art. § 1-107(b)'s unqualified exclusion of
12 governmental entities, instrumentals, or units given the express provision otherwise in
13 current § 31-1(m)(2).

14 **§ 31-2. Rules of [construction] INTERPRETATION.**

15 (a) *In general.*

16 In interpreting and applying this Division III, the following rules of [construction]
17 INTERPRETATION apply:

18 (I) THOSE CONTAINED IN SUBTITLES 2 AND 3 OF THE CITY CODE'S GENERAL
19 PROVISIONS ARTICLE; AND

20 (II) ANY ADDITIONAL RULES CONTAINED IN THIS SECTION.

21 [(b) *Captions or headings.*]

22 [The captions or headings of the various sections and subsections:]

23 [(1) are for convenience and reference only, intended to summarize the statutory
24 provisions that follow; and]

25 [(2) are not law and are not to be taken as affecting the meaning or effect of the law.]

26 (B) [(c)] *Conflicting provisions.*

27 (1) *Division sets minimum requirements.*

28 In their interpretation and application the provisions of this Division III must be taken
29 to be the minimum requirements for the promotion of the public health, safety, and
30 general welfare.

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1 (2) *Most restrictive provision governs.*

2 If any condition imposed by a provision of this Division III is either more or less
3 restrictive than a comparable condition imposed by any other provision of this
4 Division or by any other law, rule, or regulation of any kind, the condition that is the
5 more restrictive governs.

6 [(d) *Gender.*]

7 [Words denoting one gender include and apply to the other genders as well.]

8 [(e) *Mandatory, prohibitory, and permissive terms.*]

9 [(1) *Mandatory terms.*]

10 [“Must” and “shall” are each mandatory terms used to express a requirement or to
11 impose a duty.]

12 [(2) *Prohibitory terms.*]

13 [“Must not,” “may not,” and “no ... may” are each mandatory negative terms used to
14 establish a prohibition.]

15 [(3) *Permissive terms.*]

16 [“May” is permissive.]

17 [(f) *Number.*]

18 [The singular includes the plural and vice versa.]

19 [(g) *References to other laws.*]

20 [Whenever a provision of this Division III refers to any part of the City Code or to any
21 other law, the reference applies to any subsequent amendment of the law referred to,
22 unless the referring provision expressly provides otherwise.]

23 [(h) *Severability.*]

24 [All provisions of this Division III are severable. If a court determines that a word,
25 phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or
26 that the application of any part of the provision to any person or circumstances is invalid,
27 the remaining provisions and the application of these provisions to other persons or
28 circumstances is not affected by that decision.]

29 [(i) *Time computations.*]

30 [(1) *Computation of time after an act, event, or default.*]

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1 [(i) In computing any period of time prescribed by this Division III, the day of the
2 act, event, or default after which the designated period of time begins to run is
3 not included.]

4 [(ii) If the period of time allowed is more than 7 days, intermediate Saturdays,
5 Sundays, and legal holidays are counted.]

6 [(iii) If the period of time allowed is 7 days or less, intermediate Saturdays, Sundays,
7 and legal holidays are not counted.]

8 [(iv) The last day of the period so computed is included unless it is a Saturday,
9 Sunday, or legal holiday, in which event the period runs until the end of the next
10 day that is not a Saturday, Sunday, or legal holiday.]

11 [(2) *Computation of time before a day, act, or event.*]

12 [(i) In determining the latest day for performing an act that is required by this Division
13 III to be performed a prescribed number of days before a certain day, act, or event,
14 all days preceding that day, including intervening Saturdays, Sundays, and legal
15 holidays, are counted in the number of days so prescribed.]

16 [(ii) The latest day is included in the determination unless it is a Saturday, Sunday, or
17 legal holiday, in which event the latest day is the first preceding day that is not a
18 Saturday, Sunday or legal holiday.]

19 **Comment:** See City General Provisions Article, Subtitles 2 and 3 for the Code-wide standard
20 rules of interpretation and of time computations.

21 **Division IV. Forest and Tree Conservation**

22 **§ 41-2. Definitions.**

23 (m) *Person.*

24 [“Person” includes the federal government, the state, any county, municipal corporation,
25 or other political subdivision of the state, or any of their units, or an individual, receiver,
26 trustee, guardian, executor, administrator, fiduciary, or representative of any kind, or any
27 partnership, firm, association, public or private corporation, or any of their affiliates, or
28 any other entity.]

29 (1) *IN GENERAL.*

30 “PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF THE
31 CITY CODE’S GENERAL PROVISIONS ARTICLE.

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1 (2) *INCLUSION OF GOVERNMENTAL ENTITIES.*

2 NOTWITHSTANDING § 1-107(B) {"PERSON: EXCLUSION"} OF THE GENERAL
3 PROVISIONS ARTICLE, IN THIS DIVISION IV "PERSON" ALSO INCLUDES A
4 GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL
5 ENTITY.

6 **Comment:** Revised paragraph (1) incorporates by reference the "general" definition of
7 "person" found in § 1-107(a) of the City General Provisions Article. Paragraph (2),
8 however, necessarily departs from GP Art. § 1-107(b)'s exclusion of governmental
9 entities, instrumentals, or units given the express provision otherwise in current Art. 7,
10 § 41-2(m).

11 Division V. City Parks and Trees

12 § 53-1. Definitions.

13 [(a) *Person.*]

14 [The word "person", whenever used in this subtitle, shall be construed to include
15 individuals, firms, and corporations.]

16 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
17 definition of "person".

18 § 54-1. Definitions.

19 [(k) *Person.*]

20 ["Person" means:]

21 [(1) an individual;]

22 [(2) a receiver, trustee, guardian, personal representative, fiduciary, or representative
23 of any kind; or]

24 [(3) a partnership, firm, association, corporation, or other entity of any kind.]

25 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
26 definition of "person".

27 [§ 54-2. Mandatory, prohibitory, and permissive terms.]

28 [(a) *Mandatory terms.*]

29 ["Must" and "shall" are each mandatory terms used to express a requirement or to impose
30 a duty.]

31 [(b) *Prohibitory terms.*]

32 ["May not" and "no ... may" are each mandatory negative terms used to establish a
33 prohibition.]

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1 [(c) *Permissive terms.*]

2 [“May” is permissive.]

3 **Comment:** See City General Provisions Article, § 1-104, for the Code-wide standard
4 definitions of mandatory terms (“must” and “shall”), prohibitory terms (“may not”, “must
5 not”, and “no ... may”), and permissive terms (“may”).

6 **§ 62-1. Definitions.**

7 (b) *Dealer.*

8 (1) *“Person” defined.*

9 [In this subsection, “person” means:]

10 [(i) an individual;]

11 [(ii) a partnership, firm, association, limited liability company, corporation, or
12 other entity of any kind;]

13 [(iii) a receiver, trustee, guardian, personal representative, fiduciary,
14 or representative of any kind; or]

15 [(iv) a governmental entity or an instrumentality or unit of a
16 governmental entity.]

17 IN THIS SUBSECTION:

18 (i) “PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”}
19 OF THE CITY CODE’S GENERAL PROVISIONS ARTICLE; BUT

20 (ii) NOTWITHSTANDING § 1-107(B) {“PERSON: EXCLUSION”} OF THAT ARTICLE,
21 “PERSON” ALSO INCLUDES A GOVERNMENTAL ENTITY OR AN
22 INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

23 **Comment:** Revised item (i) incorporates by reference the “general” definition of
24 “person” found in § 1-107(a) of the City General Provisions Article. Item (ii),
25 however, necessarily departs from GP Art. § 1-107(b)’s exclusion of governmental
26 entities, instrumentals, or units given the express provision otherwise in current Art. 7,
27 § 62-1(b)(1)(iv).

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Article 8. Ethics

Subtitle 2. Definitions; General Provisions

Part I. Definitions

[§ 2-18. “Includes”; “including”.]

[“Includes” or “including” means by way of illustration and not by way of limitation.]

Comment: See City General Provisions Article, § 1-105, for the Code-wide standard definition of “includes” and “including”.

§ 2-22. “Person”.

[“Person” means:]

[(1) an individual;]

[(2) a partnership, firm, association, corporation, or other entity of any kind;]

[(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; or]

[(4) except as used in Subtitle 9 {“Enforcement”} of this article for the imposition of criminal penalties, a governmental entity or an instrumentality or unit of a governmental entity.]

(A) IN GENERAL.

“PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF THE CITY CODE’S GENERAL PROVISIONS ARTICLE.

(B) QUALIFIED INCLUSION OF GOVERNMENTAL ENTITIES.

NOTWITHSTANDING § 1-107(B) {“PERSON: EXCLUSION”} OF THE GENERAL PROVISIONS ARTICLE, IN THIS ARTICLE “PERSON” ALSO INCLUDES, EXCEPT AS USED IN SUBTITLE 9 {“ENFORCEMENT”} FOR THE IMPOSITION OF CRIMINAL PENALTIES, A GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

Comment: Subsection (a) incorporates by reference the “general” definition of “person” found in § 1-107(a) of the City General Provisions Article. Subsection (b), however, necessarily departs from GP Art. § 1-107(b)’s unqualified exclusion of governmental entities, instrumentalities, or units given the express provision otherwise in current Art. 8, §2-22(4).

Part II. Rules of [Construction] INTERPRETATION

§ 2-31. In general.

In interpreting and applying this article, the following rules of [construction] INTERPRETATION apply:

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1 (1) THOSE CONTAINED IN SUBTITLES 2 AND 3 OF THE CITY CODE’S GENERAL PROVISIONS
2 ARTICLE; AND

3 (2) ANY ADDITIONAL RULES CONTAINED IN THIS PART II.

4 **[§ 2-32. Captions or headings.]**

5 [The captions or headings of the various sections and subsections:]

6 [(1) are for convenience of reference only, intended to summarize the statutory
7 provisions that follow; and]

8 [(2) are not law and are not to be taken as affecting the meaning or effect of the law.]

9 **§ 2-32. [§ 2-33.] Conflicting provisions.**

10 (a) *Article sets minimum requirements.*

11 In their interpretation and application, the provisions of this article must be taken to be
12 the minimum requirements for the promotion of the public health, safety, and general
13 welfare.

14 (b) *Other laws.*

15 If another applicable law relating to conflicts of interest, financial disclosure, or lobbying
16 is more stringent than this article, that provision also applies.

17 (c) *Agency rules and regulations.*

18 If an agency adopts a rule or regulation relating to conflicts of interest that is more
19 stringent than this article, that provision also applies.

20 **[§ 2-34. Gender.]**

21 [Words denoting one gender include and apply to the other genders as well.]

22 **§ 2-33. [§ 2-35.] Liberal construction.**

23 The Mayor and City Council intends that the provisions of this article, except those imposing
24 criminal sanctions, be liberally construed to accomplish their purposes.

25 **[§ 2-36. Mandatory, prohibitory, and permissive terms.]**

26 [(a) *Mandatory terms.*]

27 [“Must” and “shall” are each mandatory terms used to express a requirement or to impose
28 a duty.]

29 [(b) *Prohibitory terms.*]

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1 ["Must not", "may not", and "no ... may" are each mandatory negative terms used to
2 establish a prohibition.]

3 [(c) Permissive terms]

4 ["May" is permissive.]

5 [§ 2-37. Number.]

6 [The singular includes the plural and vice versa.]

7 [§ 2-38. References to other laws.]

8 [Whenever a provision of this article refers to any part of the City Code or to any other law,
9 the reference applies to any subsequent amendment of the law referred to, unless the referring
10 provision expressly provides otherwise.]

11 [§ 2-39. Severability.]

12 [(a) *In general.*]

13 [Except as provided in subsection (b) of this section:]

14 [(1) all provisions of this article are severable; and]

15 [(2) if a court determines that a word, phrase, clause, sentence, paragraph, subsection,
16 section, or other provision is invalid or that the application of any part of the
17 provision to any person or circumstances is invalid, the remaining provisions and
18 the application of those provisions to other persons or circumstances are not
19 affected by that decision.]

20 [(b) *Exceptions.*]

21 [Subsection (a) of this section does not apply:]

22 [(1) to the extent that a statute specifically provides otherwise; or]

23 [(2) if the court finds that the remaining provisions alone are incomplete and
24 incapable of being executed in accordance with the legislative intent.]

25 [§ 2-40. Time computations.]

26 [(a) *Computation of time after an act, event, or default.*]

27 [(1) In computing any period of time prescribed by this article, the day of the act, event,
28 or default after which the designated period of time begins to run is not included.]

29 [(2) If the period of time allowed is more than 7 days, intermediate Saturdays, Sundays,
30 and legal holidays are counted.]

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1 [(3) If the period of time allowed is 7 days or less, intermediate Saturdays, Sundays, and
2 legal holidays are not counted.]

3 [(4) The last day of the period so computed is included unless it is a Saturday, Sunday,
4 or legal holiday, in which event the period runs until the end of the next day that is
5 not a Saturday, Sunday, or legal holiday.]

6 [(b) *Computation of time before a day, act, or event.*]

7 [(1) In determining the latest day for performing an act that is required by this article to
8 be performed a prescribed number of days before a certain day, act, or event, all
9 days preceding that day, including intervening Saturdays, Sundays, and legal
10 holidays, are counted in the number of days so prescribed.]

11 [(2) The latest day is included in the determination unless it is a Saturday, Sunday, or
12 legal holiday, in which event the latest day is the first preceding day that is not a
13 Saturday, Sunday, or legal holiday.]

14 **Comment:** See City General Provisions Article, Subtitles 2 and 3 for the Code-wide standard
15 rules of interpretation and of time computations.

16 **Article 11. Labor and Employment**

17 **Division I. Minimum Wage Law**

18 **[§ 1-3. Severability.]**

19 [If any provision of this Division I or the application thereof to any person or circumstances
20 is held invalid, the remainder of the Division I and the application thereof to other persons or
21 circumstances shall not be affected thereby.]

22 **Comment:** See City General Provisions Article, § 1-214, for the Code-wide standard for
23 severability.

24 **Division II. Miscellaneous Regulations**

25 **Subtitle 13. Labor Peace Agreements for Hotel Projects**

26 **§ 13-1. Definitions.**

27 [(e) *Person.*]

28 [“Person” includes:]

29 [(1) an individual;]

30 [(2) a partnership, firm, association, corporation, or other entity of any kind; and]

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1 [(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative
2 of any kind.]

3 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
4 definition of “person”.

5 **Subtitle 14. Mandatory Bicycle Parking**

6 **§ 14-1. Definitions.**

7 [(e) *Person.*]

8 [“Person” means:]

9 [(1) an individual;]

10 [(2) a partnership, firm, association, corporation, or other entity of any kind; and]

11 [(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative
12 of any kind.]

13 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
14 definition of “person”.

15 **Subtitle 15. Fair Criminal-Record Screening Practices**

16 **§ 15-1. Definitions.**

17 [(f) *Includes; including.*]

18 [“Includes” or “including” means by way of illustration and not by way of limitation.]

19 **Comment:** *See* City General Provisions Article, § 1-105, for the Code-wide standard
20 definition of “includes” and “including”.

21 [(h) *Person.*]

22 [(1) *In general.*]

23 [“Person” means:]

24 [(i) an individual;]

25 [(ii) a receiver, trustee, guardian, personal representative, fiduciary, or
26 representative of any kind; or]

27 [(iii) a partnership, firm, association, corporation, or other entity of any kind.]

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1 [(2) *Exclusions.*]

2 [“Person” does not include a governmental entity or an instrumentality or unit of a
3 governmental entity.]

4 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
5 definition of “person”.

6 **§ 15-3. [Construction] INTERPRETATION.**

7 [(c) *Severability.*]

8 [(1) All provisions of this subtitle are severable.]

9 [(2) If a court determines that a word, phrase, clause, sentence, paragraph, subsection,
10 section, or other provision is invalid or that the application of any part of the
11 provision to any person or circumstances is invalid, the remaining provisions and
12 the application of those provisions to other persons or circumstances are not affected
13 by that decision.]

14 **Comment:** *See* City General Provisions Article, § 1-214, for the Code-wide standard for
15 severability.

16 **Subtitle 16. Lactation Accommodations in the Workplace**

17 **§ 16-1. Definitions.**

18 (h) *Person.*

19 (1) *In general.*

20 [“Person” means:]

21 [(i) an individual;]

22 [(ii) a partnership, firm, association, corporation, or other entity of any kind; or]

23 [(iii) a receiver, trustee, guardian, personal representative, fiduciary, or
24 representative of any kind.]

25 “PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF THE
26 CITY CODE’S GENERAL PROVISIONS ARTICLE.

27
28 (2) [*Inclusions*] *QUALIFIED INCLUSION OF CITY GOVERNMENTAL UNITS.*

29 [“Person” includes,] NOTWITHSTANDING § 1-107(B) {“PERSON: EXCLUSION”} OF THE
30 GENERAL PROVISIONS ARTICLE, IN THIS SUBTITLE “PERSON” ALSO INCLUDES, *except*
31 as used in § 16-30 {“Criminal penalties”} of this subtitle, any department, board,
32 commission, council, authority, committee, office, or other unit of City government..

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Comment: Revised paragraph (1) incorporates by reference the “general” definition of “person” found in § 1-107(a) of the City General Provisions Article. Paragraph (2), however, necessarily departs from GP Art. § 1-107(b)’s unqualified exclusion of City and other government entities, instrumentals, or units given the express provision otherwise in current Art. 11, §16-1(h)(2).

[§ 16-2. Mandatory, prohibitory, and permissive terms.]

[(a) *Mandatory terms.*]

[“Must” and “shall” are each mandatory terms used to express a requirement or to impose a duty.]

[(b) *Prohibitory terms.*]

[“May not” and “no ... may” are each mandatory negative terms used to establish a prohibition.]

[(c) *Permissive terms.*]

[“May” is permissive.]

Comment: See City General Provisions Article, § 1-104, for the Code-wide standard definitions of mandatory terms (“must” and “shall”), prohibitory terms (“may not”, “must not”, and “no ... may”), and permissive terms (“may”).

Subtitle 17. Retaliation for Human Trafficking Reports

§ 17-1. Definitions.

[(d) *Person.*]

[(1) *In general.*]

[“Person” means:]

[(i) an individual;]

[(ii) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; or]

[(iii) a partnership, firm, association, corporation, or other entity of any kind.]

[(2) *Exclusions.*]

[“Person” does not include a governmental entity or an instrumentality or unit of a governmental entity.]

Comment: See City General Provisions Article, § 1-107, for the Code-wide standard definition of “person”.

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Subtitle 18. Displaced Service Workers Protection

§ 18-1. Definitions.

[(f) *Person.*]

["Person" means:]

[(1) an individual;]

[(2) a partnership, firm, association, corporation, LLC, or other entity of any kind; or]

[(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of "person".

[§ 18-9. Severability.]

[All provisions of this subtitle are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or that the application of any part of the provision to any person or circumstances is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.]

Comment: *See* City General Provisions Article, § 1-214, for the Code-wide standard for severability.

Subtitle 19. COVID-19 Employee Retention

§ 19-1. Definitions.

[(i) *Person.*]

["Person" means:]

[(1) an individual;]

[(2) a partnership, firm, association, corporation, LLC, or other entity of any kind; or]

[(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of "person".

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1 **[§ 19-15. Severability.]**

2 [All provisions of this subtitle are severable. If a court determines that a word, phrase,
3 clause, sentence, paragraph, subsection, section, or other provision is invalid or that the
4 application of any part of the provision to any person or circumstances is invalid, the
5 remaining provisions and the application of those provisions to other persons or
6 circumstances are not affected by that decision.]

7 **Comment:** *See* City General Provisions Article, § 1-214, for the Code-wide standard for
8 severability.

9 **Subtitle 19A. COVID-19 Laid-Off Employees Right of Recall**

10 **§ 19A-1. Definitions.**

11 [(j) *Person.*]

12 [“Person” means:]

13 [(1) an individual;]

14 [(2) a partnership, firm, association, corporation, LLC, or other entity of any kind;
15 or]

16 [(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative
17 of any kind.]

18 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
19 definition of “person”.

20 **[§ 19A-13. Severability.]**

21 [All provisions of this subtitle are severable. If a court determines that a word, phrase,
22 clause, sentence, paragraph, subsection, section, or other provision is invalid or that the
23 application of any part of the provision to any person or circumstances is invalid, the
24 remaining provisions and the application of those provisions to other persons or
25 circumstances are not affected by that decision.]

26 **Comment:** *See* City General Provisions Article, § 1-214, for the Code-wide standard for
27 severability.

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Article 13. Housing and Urban Renewal

Subtitle 2B. Inclusionary Housing Requirements

§ 2B-1. Definitions – General.

[(f) *Includes; including.*]

["Includes" or "including" means by way of illustration and not by way of limitation.]

Comment: See City General Provisions Article, § 1-105, for the Code-wide standard definition of "includes" and "including".

[§ 2B-2. Definitions – Mandatory, prohibitory, and permissive terms.]

[(a) *Mandatory terms.*]

["Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.]

[(b) *Prohibitory terms.*]

["Must not", "may not", and "no ... may" are each mandatory negative terms used to establish a prohibition.]

[(c) *Permissive terms.*]

["May" is permissive.]

Comment: See City General Provisions Article, § 1-104, for the Code-wide standard definitions of mandatory terms ("must" and "shall"), prohibitory terms ("may not", "must not", and "no ... may"), and permissive terms ("may").

**Subtitle 4. Registration of Non-Owner-Occupied Dwellings,
Rooming Houses, and Vacant Structures**

§ 4-1. Definitions.

(f) *Person.*

(1) *In general.*

["Person" means:]

[(i) an individual;]

[(ii) a partnership, firm, association, corporation, or other entity of any kind; and]

[(iii) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind.]

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1 “PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF THE
2 CITY CODE’S GENERAL PROVISIONS ARTICLE.

3 (2) [*Inclusions*] *QUALIFIED INCLUSION OF GOVERNMENTAL ENTITIES.*

4 [“Person” includes,] NOTWITHSTANDING § 1-107(B) {“PERSON: EXCLUSION”} OF THE
5 GENERAL PROVISIONS ARTICLE, IN THIS SUBTITLE “PERSON” ALSO INCLUDES, **except**
6 as used in § 4-17 {“Penalties”} of this subtitle, a governmental entity or an
7 instrumentality or unit of a governmental entity.

8 **Comment:** Revised paragraph (1) incorporates by reference the “general” definition of
9 “person” found in § 1-107(a) of the City General Provisions Article. Paragraph (2),
10 however, necessarily departs from GP Art. § 1-107(b)’s unqualified exclusion of
11 governmental entities, instrumentals, or units given the express provision otherwise in
12 current Art. 13, § 4-1(f)(2).

13 **Subtitle 5. Licensing of Rental Dwellings**

14 **§ 5-1. Definitions.**

15 (f) *Person.*

16 [(1) *In general.*]

17 [“Person” means:]

18 [(i) an individual;]

19 [(ii) a partnership, firm, association, corporation, or other entity of any kind; and]

20 [(iii) a receiver, trustee, guardian, personal representative, fiduciary, or
21 representative of any kind.]

22 “PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF THE
23 CITY CODE’S GENERAL PROVISIONS ARTICLE.

24 (2) [*Inclusions*] *QUALIFIED INCLUSION OF GOVERNMENTAL ENTITIES.*

25 [“Person” includes,] NOTWITHSTANDING § 1-107(B) {“PERSON: EXCLUSION”} OF THE
26 GENERAL PROVISIONS ARTICLE, IN THIS SUBTITLE “PERSON” ALSO INCLUDES, **except**
27 as used in § 5-21 {“Penalties”} of this subtitle, a governmental entity or an
28 instrumentality or unit of a governmental entity.

29 **Comment:** Revised paragraph (1) incorporates by reference the “general” definition of
30 “person” found in § 1-107(a) of the City General Provisions Article. Paragraph (2),
31 however, necessarily departs from GP Art. § 1-107(b)’s unqualified exclusion of
32 governmental entities, instrumentals, or units given the express provision otherwise in
33 current Art. 13, § 5-1(f)(2).

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Subtitle 6. Tenant's Right of First Refusal

[§ 6-10. Severability.]

[If any provision of this law or any section, sentence, clause, phrase, or word or the application thereof, shall in any circumstance be held invalid, the validity of the remainder of the law and the application of any such provision, section, sentence, clause, phrase, or word shall not be affected.]

Comment: *See* City General Provisions Article, § 1-214, for the Code-wide standard for severability.

Subtitle 6A. Licensing of Rental Dwellings

§ 6A-1. Definitions.

[(h) *Includes; including.*]

["Includes" or "including" means by way of illustration and not by way of limitation.]

Comment: *See* City General Provisions Article, § 1-105, for the Code-wide standard definition of "includes" and "including".

[§ 6A-6. Severability.]

[All provisions of this subtitle are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or that the application of any part of the provision to any person or circumstances is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.]

Comment: *See* City General Provisions Article, § 1-214, for the Code-wide standard for severability.

Subtitle 8C. Lease Renewals

§ 8C-1. Definitions.

(d) *Person.*

(1) *In general.*

["Person" means:]

[(i) an individual;]

[(ii) a partnership, firm, association, corporation, or other entity of any kind; or]

[(iii) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind.]

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1 “PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF THE
2 CITY CODE’S GENERAL PROVISIONS ARTICLE.

3 (2) *[Inclusions] QUALIFIED INCLUSION OF GOVERNMENTAL ENTITIES.*

4 [“Person” includes,] NOTWITHSTANDING § 1-107(B) {“PERSON: EXCLUSION”} OF THE
5 GENERAL PROVISIONS ARTICLE, IN THIS SUBTITLE “PERSON” ALSO INCLUDES, except
6 as used in § 8C-6 {“Penalties”} of this subtitle, a governmental entity or an
7 instrumentality or unit of a governmental entity.

8 **Comment:** Revised paragraph (1) incorporates by reference the “general” definition of “person”
9 found in § 1-107(a) of the City General Provisions Article. Paragraph (2), however, necessarily
10 departs from GP Art. § 1-107(b)’s unqualified exclusion of governmental entities, instrumentals,
11 or units given the express provision otherwise in current Art. 13, § 8C-1(d)(2).

12 **Subtitle 10. Condominiums**

13 **§ 10-2. Definitions.**

14 [(i) *Person.*]

15 [“Person” means an individual, corporation, partnership, association, organization, or any
16 other legal entity.]

17 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
18 definition of “person”.

19 **Subtitle 13. Licensing of Peep Show Establishments**

20 **§ 13-1. Definitions.**

21 [(e) *Person.*]

22 [(1) *In general.*]

23 [“Person” means:]

24 [(i) an individual;]

25 [(ii) a receiver, trustee, guardian, personal representative, fiduciary, or
26 representative of any kind; and]

27 [(iii) a partnership, firm, association, corporation, or other entity of any kind.]

28 [(2) *Exclusions.*]

29 [“Person” does not include a governmental entity or an instrumentality or unit of a
30 governmental entity.]

31 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
32 definition of “person”.
33

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Subtitle 18. On-Site Utility Contractors

§ 18-1. Definitions.

[(e) *Person.*]

[(1) *In general.*]

["Person" means:]

[(i) an individual;]

[(ii) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; and]

[(iii) a partnership, firm, association, corporation, or other entity of any kind.]

[(2) *Exclusions.*]

["Person" does not include a governmental entity or an instrumentality or unit of a governmental entity.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of "person".

Subtitle 21. Registration of Licensed Service Providers

§ 21-1. Definitions.

[(c) *Person.*]

[(1) *In general.*]

["Person" means:]

[(i) an individual;]

[(ii) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; and]

[(iii) a partnership, firm, association, corporation, or other entity of any kind.]

[(2) *Exclusions.*]

["Person" does not include a governmental entity or an instrumentality or unit of a governmental entity.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of "person".

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Article 14. Special Benefits Districts

Subtitle 11. Retail Business Districts

§ 11-1. Definitions.

[(f) *Person.*]

["Person" shall include an individual, firm, corporation, partnership, or joint venture.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of "person".

Article 15. Licensing and Regulation

Subtitle 1. Adult-Entertainment Businesses

§ 1-1. Definitions.

[(e) *Includes; including.*]

["Includes" or "including" means by way of illustration and not by way of limitation.]

Comment: *See* City General Provisions Article, § 1-105, for the Code-wide standard definition of "includes" and "including".

[(f) *Person.*]

[(1) *In general.*]

["Person" means:]

[(i) an individual;]

[(ii) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; or]

[(iii) a partnership, firm, association, corporation, or other entity of any kind.]

[(2) *Exclusions.*]

["Person" does not include, unless otherwise expressly provided, a governmental entity or an instrumentality or unit of a governmental entity.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of "person".

Council Bill 21-0124

1 **[§ 1-2. Mandatory, prohibitory, and permissive terms.]**

2 [(a) *Mandatory terms.*]

3 ["Must" and "shall" are each mandatory terms used to express a requirement or to impose
4 a duty.]

5 [(b) *Prohibitory terms.*]

6 ["Must not" and "may not" are each mandatory negative terms used to establish a
7 prohibition.]

8 [(c) *Permissive terms.*]

9 ["May" is permissive.]

10 **Comment:** See City General Provisions Article, § 1-104, for the Code-wide standard
11 definitions of mandatory terms ("must" and "shall"), prohibitory terms ("may not",
12 "must not", and "no ... may"), and permissive terms ("may").

13 **Subtitle 2. Amusements**

14 **Part 3. Amusement Devices**

15 **§ 2-11. Definitions.**

16 [(d) *Includes; including.*]

17 ["Includes" or "including" means by way of illustration and not by way of limitation.]

18 **Comment:** See City General Provisions Article, § 1-105, for the Code-wide standard
19 definition of "includes" and "including".

20 [(e) *Person.*]

21 [(1) *In general.*]

22 ["Person" means:]

23 [(i) an individual;]

24 [(ii) a receiver, trustee, guardian, personal representative, fiduciary, or
25 representative of any kind; or]

26 [(iii) a partnership, firm, association, corporation, or other entity of any kind.]

27 [(2) *Exclusions.*]

28 ["Person" does not include, unless otherwise expressly provided, a governmental
29 entity or an instrumentality or unit of a governmental entity.]

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1 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
2 definition of “person”.

3 **Subtitle 3. Amusement Device Location Permits**

4 **§ 3-1. Definitions.**

5 [(d) *Person.*]

6 [(1) *In general.*]

7 [“Person” means:]

8 [(i) an individual;]

9 [(ii) a receiver, trustee, guardian, personal representative, fiduciary, or
10 representative of any kind; or]

11 [(iii) a partnership, firm, association, corporation, or other entity of any kind.]

12 [(2) *Exclusions.*]

13 [“Person” does not include, unless otherwise expressly provided, a governmental
14 entity or an instrumentality or unit of a governmental entity.]

15 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
16 definition of “person”.

17 **Subtitle 9. Late-Night Commercial Operations**

18 **§ 9-1. Definitions.**

19 [(f) *Includes; including.*]

20 [“Includes” or “including” means by way of illustration and not by way of limitation.]

21 **Comment:** *See* City General Provisions Article, § 1-105, for the Code-wide standard
22 definition of “includes” and “including”.

23 [(h) *Person.*]

24 [(1) *In general.*]

25 [“Person” means:]

26 [(i) an individual;]

27 [(ii) a receiver, trustee, guardian, personal representative, fiduciary, or
28 representative of any kind; or]

29 [(iii) a partnership, firm, association, corporation, or other entity of any kind.]

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1 [(2) *Exclusions.*]

2 ["Person" does not include, unless otherwise expressly provided, a governmental
3 entity or an instrumentality or unit of a governmental entity.]

4 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
5 definition of "person".

6 [§ 9-2. **Mandatory, prohibitory, and permissive terms.**]

7 [(a) *Mandatory terms.*]

8 ["Must" and "shall" are each mandatory terms used to express a requirement or to impose
9 a duty.]

10 [(b) *Prohibitory terms.*]

11 ["Must not" and "may not" are each mandatory negative terms used to establish a
12 prohibition.]

13 [(c) *Permissive terms.*]

14 ["May" is permissive.]

15 **Comment:** See City General Provisions Article, § 1-104, for the Code-wide standard
16 definitions of mandatory terms ("must" and "shall"), prohibitory terms ("may not",
17 "must not", and "no ... may"), and permissive terms ("may").

18 **Subtitle 10. Hotels**

19 **§ 10-1. Definitions.**

20 [(e) *Person.*]

21 ["Person" means:]

22 [(1) an individual;]

23 [(2) a partnership, firm, association, corporation, or other entity of any kind; or]

24 [(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative
25 of any kind.]

26 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
27 definition of "person".

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Subtitle 11. Massage Establishments

§ 11-1. Definitions.

[(f) *Person.*]

["Person" includes individuals, firms, corporations, partnerships, associations, and all other organizations.]

Comment: See City General Provisions Article, § 1-107, for the Code-wide standard definition of "person".

§ 11-2. Rules of [construction] INTERPRETATION.

(a) *In general.*

[For the purposes of this subtitle, the following rules shall be observed and applied, except where the context indicates otherwise.] IN INTERPRETING AND APPLYING THIS SUBTITLE, THE FOLLOWING RULES OF INTERPRETATION APPLY:

(1) THOSE CONTAINED IN SUBTITLES 2 AND 3 OF THE CITY CODE'S GENERAL PROVISIONS ARTICLE; AND

(2) ANY ADDITIONAL RULES CONTAINED IN THIS SECTION.

(b) *Building.*

The word "building" shall be deemed to apply to any part or portion of such building.

[(c) *Number.*]

[Words used in the singular number shall include the plural, and the plural the singular.]

(C) [(d)] *Tense.*

Words used in the present tense shall include the future.

[(e) *Words of authority.*]

[(1) The word "shall" is always mandatory and not discretionary.]

[(2) The word "may" is permissive.]

Comment: See City General Provisions Article, Subtitles 2 and 3, for the Code-wide standard rules of interpretation and of time computations.

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1 **[§ 11-16. Severability.]**

2 [The provisions of this subtitle are hereby declared to be severable. If any clause, sentence,
3 paragraph, or part of this subtitle shall be adjudged by any court of competent jurisdiction to
4 be invalid, said judgment shall not affect, impair, or invalidate the remainder thereof, but
5 shall be confined in its operation to the clause, sentence, paragraph, or part of such section
6 directly involved in the controversy and in which such judgment shall have been rendered.]

7 **Comment:** See City General Provisions Article, § 1-214, for the Code-wide standard for
8 severability.

9 **Subtitle 12. Commercial Parking Facilities**

10 **§ 12-1. Definitions.**

11 (c) *Person.*

12 [“Person” means:]

13 [(1) an individual;]

14 [(2) a partnership, firm, association, limited liability company,
15 corporation, or other entity of any kind;]

16 [(3) a receiver, trustee, guardian, personal representative, fiduciary, or
17 representative of any kind; or]

18 [(4) a governmental entity or an instrumentality or unit of a governmental
19 entity.]

20 (1) *IN GENERAL.*

21 “PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF THE
22 CITY CODE’S GENERAL PROVISIONS ARTICLE.
23

24 (2) *INCLUSION OF GOVERNMENTAL ENTITIES.*

25 NOTWITHSTANDING § 1-107(B) {“PERSON: EXCLUSION”} OF THE GENERAL
26 PROVISIONS ARTICLE, IN THIS SUBTITLE “PERSON” ALSO INCLUDES A GOVERNMENTAL
27 ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

28 **Comment:** Revised paragraph (1) incorporates by reference the “general” definition of
29 “person” found in § 1-107(a) of the City General Provisions Article. Paragraph (2),
30 however, necessarily departs from GP Art. § 1-107(b)’s exclusion of governmental
31 entities, instrumentals, or units given the express provision otherwise in current Art. 15,
32 §12-1(c)(4).

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Subtitle 13. Special-Event Parking Lots

§ 13-1. Definitions.

[(c) *Includes; including.*]

["Includes" or "including" means by way of illustration and not by way of limitation.]

Comment: See City General Provisions Article, § 1-105, for the Code-wide standard definition of "includes" and "including".

(e) *Person.*

["Person" means:]

[(1) an individual;]

[(2) a partnership, firm, association, limited liability company, corporation, or other entity of any kind;]

[(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; or]

[(4) a governmental entity or an instrumentality or unit of a governmental entity.]

(1) *IN GENERAL.*

"PERSON" HAS THE MEANING STATED IN § 1-107(A) {"PERSON: IN GENERAL"} OF THE CITY CODE'S GENERAL PROVISIONS ARTICLE.

(2) *INCLUSION OF GOVERNMENTAL ENTITIES.*

NOTWITHSTANDING § 1-107(B) {"PERSON: EXCLUSION"} OF THE GENERAL PROVISIONS ARTICLE, IN THIS SUBTITLE "PERSON" ALSO INCLUDES A GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

Comment: Revised paragraph (1) incorporates by reference the "general" definition of "person" found in § 1-107(a) of the City General Provisions Article. Paragraph (2), however, necessarily departs from GP Art. § 1-107(b)'s exclusion of governmental entities, instrumentals, or units given the express provision otherwise in current Art. 15, §13-1(e)(4).

[§ 13-2. Mandatory, prohibitory, and permissive terms.]

[(a) *Mandatory terms.*]

["Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.]

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1 [(b) *Prohibitory terms.*]

2 ["Must not" and "may not" are each mandatory negative terms used to establish a
3 prohibition.]

4 [(c) *Permissive terms.*]

5 ["May" is permissive.]

6 **Comment:** See City General Provisions Article, § 1-104, for the Code-wide standard
7 definitions of mandatory terms ("must" and "shall"), prohibitory terms ("may not", "must
8 not", and "no ... may"), and permissive terms ("may").

9 **Subtitle 15. Street Entertainers**

10 **§ 15-1. Definitions.**

11 [(d) *Includes; including.*]

12 ["Includes" or "including" means by way of illustration and not by way of limitation.]

13 **Comment:** See City General Provisions Article, § 1-105, for the Code-wide standard
14 definition of "includes" and "including".

15 [(e) *Person.*]

16 [(1) *In general.*]

17 ["Person" means:]

18 [(i) an individual; or]

19 [(ii) a partnership, firm , association, corporation, or other entity of any kind.]

20 [(2) *Exclusions.*]

21 ["Person" does not include a governmental entity or and instrumentally or unit of a
22 governmental entity.]

23 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
24 definition of "person".

25 **[§ 15-2. Mandatory, prohibitory, and permissive terms.]**

26 [(a) *Mandatory terms.*]

27 ["Must" and "shall" are each mandatory terms used to express a requirement or to impose
28 a duty.]

29 [(b) *Prohibitory terms.*]

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1 ["Must not" and "may not" are each mandatory negative terms used to establish a
2 prohibition.]

3 [(c) *Permissive terms.*]

4 ["May" is permissive.]

5 **Comment:** See City General Provisions Article, § 1-104, for the Code-wide standard
6 definitions of mandatory terms ("must" and "shall"), prohibitory terms ("may not",
7 "must not", and "no ... may"), and permissive terms ("may").

8 Subtitle 17. Street Vendors

9 § 17-1. Definitions.

10 [(h) *Person.*]

11 [(1) *In general.*]

12 ["Person" means:]

13 [(i) an individual;]

14 [(ii) a partnership, firm, association, corporation, or other entity of any kind; or]

15 [(iii) a receiver, trustee, guardian, personal representative, fiduciary, or
16 representative of any kind.]

17 [(2) *Exclusions.*]

18 ["Person" does not include a governmental entity or an instrumentality or unit of a
19 governmental entity.]

20 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
21 definition of "person".

22 [§ 17-2. Mandatory, prohibitory, and permissive terms.]

23 [(a) *Mandatory terms.*]

24 ["Must" and "shall" are each mandatory terms used to express a requirement or to impose
25 a duty.]

26 [(b) *Prohibitory terms.*]

27 ["Must not" and "may not" are each mandatory negative terms used to establish a
28 prohibition.]

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1 [(c) *Permissive terms.*]

2 [“May” is permissive.]

3 **Comment:** See City General Provisions Article, § 1-104, for the Code-wide standard
4 definitions of mandatory terms (“must” and “shall”), prohibitory terms (“may not”,
5 “must not”, and “no ... may”), and permissive terms (“may”).

6 **Subtitle 18. Itinerent Wholesale Produce Dealers**

7 **[§ 18-9. Severability.]**

8 [In the event any provision or section of this subtitle shall be declared or adjudged by a court
9 or competent jurisdiction to be invalid or unconstitutional, such adjudication shall in no
10 manner affect the other provisions or sections of this subtitle, which shall be in full force and
11 effect as if the said provision or section so declared or adjudged invalid or unconstitutional
12 was not originally a part hereof.]

13 **Comment:** See City General Provisions Article, § 1-214, for the Code-wide standard for
14 severability.

15 **Subtitle 21. Third-Party Food Delivery Platforms**

16 **[§ 21-2. Mandatory, prohibitory, and permissive terms.]**

17 [(a) *Mandatory terms.*]

18 [“Must” and “shall” are each mandatory terms used to express a requirement or to impose
19 a duty.]

20 [(b) *Prohibitory terms.*]

21 [“Must not” and “may not” are each mandatory negative terms used to establish a
22 prohibition.]

23 [(c) *Permissive terms.*]

24 [“May” is permissive.]

25 **Comment:** See City General Provisions Article, § 1-104, for the Code-wide standard
26 definitions of mandatory terms (“must” and “shall”), prohibitory terms (“may not”,
27 “must not”, and “no ... may”), and permissive terms (“may”).

28 **§ 21-10. Criminal penalties.**

29 [(a) *“Person” defined.*]

30 [In this section, “person” means:]

31 [(1) an individual;]

32 [(2) a partnership, firm, association, corporation, or other entity of any kind; or]

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1 [(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative
2 of any kind.]

3 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
4 definition of “person”.

5 (A) [(b)] *In general.*

6 Any person who violates any provision of this subtitle or any provision of a rule or
7 regulation adopted under this subtitle is guilty of a misdemeanor and, on conviction, is
8 subject to a fine of not more than \$1,000 for each offense.

9 (B) [(c)] *Each instance a separate offense.*

10 Each instance in violation of § 21-6 {“Prohibited conduct”} of this subtitle is a separate
11 offense.

12 [§ 21-14. Severability.]

13 [All provisions of this subtitle are severable. If a court determines that a word, phrase,
14 clause, sentence, paragraph, subsection, section, or other provision is invalid or that the
15 application of any part of the provision to any person or circumstances is invalid, the
16 remaining provisions and the application of those provisions to other persons or
17 circumstances are not affected by that decision.]

18 **Comment:** See City General Provisions Article, § 1-214, for the Code-wide standard for
19 severability.

20 Subtitle 22. Towing Services – Trespass Towing

21 § 22-1. Definitions.

22 (d) *Person.*

23 (1) *IN GENERAL.*

24 [“Person” means every natural person, partnership, corporation, fiduciary, association,
25 or other entity.]

26 “PERSON” HAS THE MEANING STATED IN § 1-107 OF THE CITY CODE’S GENERAL
27 PROVISIONS ARTICLE.

28 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
29 definition of “person”.

30 (2) *INCLUSIONS.*

31 When used in any clause [prescribing and] imposing a penalty, the term “person”:

32 (1) as applied to [any] A partnership or association, [shall mean] INCLUDES the
33 partners or members thereof[,]; and

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1 (II) as applied to [any] A corporation, [shall include] INCLUDES the officers
2 thereof.

3 **Comment:** Paragraph (2) is a corrected version of inclusions provided in current Art. 15,
4 § 22-1(d)(2).

5 **Subtitle 41. Licensing of Convicted Drug Offenders**

6 **§ 41-1. Definitions.**

7 [(g) *Person.*]

8 [“Person” means an individual, corporation, partnership, joint venture, firm, association,
9 company, or any other public or private entity, or representative of any kind.]

10 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
11 definition of “person”.

12 **Subtitle 42. Human Trafficking Notice Requirements**

13 **§ 41-1. Definitions.**

14 [(e) *Must.*]

15 [“Must” is a mandatory term used to express a requirement or to impose a duty.]

16 **Comment:** See City General Provisions Article, § 1-104, for the Code-wide standard
17 definitions of mandatory terms (“must” and “shall”), prohibitory terms (“may not”,
18 “must not”, and “no ... may”), and permissive terms (“may”).

19 [(g) *Person.*]

20 [(1) *In general.*]

21 [“Person” means:]

22 [(i) an individual;]

23 [(ii) a partnership, firm, association, corporation, or other entity of any kind; or]

24 [(iii) a receiver, trustee, guardian, personal representative, fiduciary, or
25 representative of any kind.]

26 [(2) *Exclusions.*]

27 [“Person” does not include, unless otherwise expressly provided, a governmental
28 entity or an instrumentality or unit of a governmental entity.]

29 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
30 definition of “person”.

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Subtitle 48. Short-Term Residential Rentals

[§ 48-1. Mandatory, prohibitory, and permissive terms.]

[(a) *Mandatory terms.*]

["Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.]

[(b) *Prohibitory terms.*]

["Must not" and "may not" are each mandatory negative terms used to establish a prohibition.]

[(c) *Permissive terms.*]

["May" is permissive.]

Comment: See City General Provisions Article, § 1-104, for the Code-wide standard definitions of mandatory terms ("must" and "shall"), prohibitory terms ("may not", "must not", and "no ... may"), and permissive terms ("may").

Article 19. Police Ordinances

Subtitle 1. Advertising Circulars

§ 1-1. Definitions.

[(c) *Person.*]

[(1) *In general.*]

["Person" means, except as specified in paragraph (2) of this subsection:]

[(i) any individual; and]

[(ii) any partnership, firm, association, corporation, or other entity of any kind.]

[(2) *Exclusions.*]

["Person" does not include a governmental entity or an instrumentality or unit of a governmental entity.]

Comment: See City General Provisions Article, § 1-107, for the Code-wide standard definition of "person".

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Subtitle 3. Body Armor

§ 3-1. Definitions.

[(e) *Minor.*]

["Minor" means any person under the age of 18.]

Comment: *See* City General Provisions Article, § 1-106, for the Code-wide standard definition of "minor".

Subtitle 6. Burglar Alarms – Public Nuisance Alarms

§ 6-1. Definitions.

[(d) *Person.*]

["Person" includes an individual, receiver, trustee, guardian, executor, administrator, fiduciary, or representative of any kind, or any partnership, firm, association, public or private corporation, or any other entity.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of "person".

Subtitle 8. Burglar Alarms – Registration and Regulation

§ 8-1. Definitions.

[(i) *Person.*]

["Person" means:]

[(1) an individual;]

[(2) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; or]

[(3) a partnership, firm, association, corporation, or other entity of any kind.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of "person".

Subtitle 11. Criminal Tools

§ 11-1. Definitions.

[(e) *Person.*]

["Person" means every individual, firm, partnership, association, or corporation.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of "person".

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Subtitle 17. Drugs – Paraphernalia

§ 17-1. Definitions.

[(d) *Person.*]

[“Person” means an individual, sole proprietorship, partnership, firm, association, corporation, or other entity.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of “person”.

Subtitle 18. Surveillance

§ 18-1. Definitions.

[(d) *Includes; including.*]

[“Includes” or “including” means by way of illustration and not by way of limitation.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of “person”.

(e) *Person.*

(1) *In general.*

[“Person” means:]

[(i) an individual;]

[(ii) a partnership, firm, association, corporation, or other entity of any kind;]

[(iii) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; or]

[(iv) except as used in § 18-3 {“Penalties”} of this subtitle for the imposition of criminal penalties, the Mayor and City Council of Baltimore or an instrumentality or unit of the Mayor and City Council of Baltimore.]

“PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF THE CITY CODE’S GENERAL PROVISIONS ARTICLE.

(2) *QUALIFIED INCLUSION OF CITY GOVERNMENTAL UNITS.*

NOTWITHSTANDING § 1-107(B) {“PERSON: EXCLUSION”} OF THE GENERAL PROVISIONS ARTICLE, IN THIS SUBTITLE “PERSON” ALSO INCLUDES, EXCEPT AS USED IN § 18-3 {“PENALTIES”} OF THIS SUBTITLE, ANY DEPARTMENT, BOARD, COMMISSION, COUNCIL, AUTHORITY, COMMITTEE, OFFICE, OR OTHER UNIT OF BALTIMORE CITY GOVERNMENT.

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1 (3) [(2)] *Exclusions.*

2 “Person” does not include:

3 (i) the United States government or its contractors; or

4 (ii) the MARYLAND State government or its contractors.

5 **Comment:** Revised paragraph (1) of this subsection incorporates by reference the
6 “general” definition of “person” found in § 1-107(a) of the City General Provisions
7 Article. Paragraph (2), however, necessarily departs from GP Art. § 1-107(b)’s
8 unqualified exclusion of City and other government entities, instrumentals, or units given
9 the express provision otherwise in current Art.19, §18-1(e)(1)(iv). Paragraph (3) is a
10 clarified version of current Art.19, §18-1(e)(2)
11 .

12 **Subtitle 23. Hate Crimes**

13 **§ 23-1. Definitions.**

14 [(c) *Person.*]

15 [“Person” means an individual, corporation, partnership, personal representative, agent,
16 joint venture, or any other public or private entity.]

17 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
18 definition of “person”.

19 **Subtitle 27. Loitering – Prostitution**

20 **§ 27-1. Definitions.**

21 [(c) *Person.*]

22 [“Person” shall be construed to include both males and females.]

23 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
24 definition of “person”.

25 **Subtitle 32. Minors – Sales in Proximity to Liquor Store**

26 **§ 32-1. Definitions.**

27 [(d) *Minor.*]

28 [“Minor” means a person under the age of 18.]

29 **Comment:** See City General Provisions Article, § 1-106, for the Code-wide standard
30 definition of “minor”.

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Subtitle 33. Minors – Alcoholic Beverages

§ 33-1. “Minor” defined.

[The word] IN THIS SUBTITLE, “minor” [shall apply] APPLIES to every [person] INDIVIDUAL under 21 years of age, except to bona fide employees in the course of their employment and whose employment is not prohibited by [Article 2B of the Maryland Code] THE STATE ALCOHOLIC BEVERAGES ARTICLE.

Comment: This is an updated revision of current Art. 19, § 33-1, a purposeful, albeit limited, exception to the standard definition of “minor”. (*Cf.* City General Provisions Article, § 1-106, for the otherwise Code-wide standard definition of “minor”.)

Subtitle 34. Minors – Daytime and Nighttime Curfews

§ 34-1. Definitions.

(e) *Operator.*

(1) *IN GENERAL.*

“Operator” means any [individual, firm, association, partnership, or corporation] PERSON operating, managing, or conducting any establishment.

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of “person”.

(2) *INCLUSIONS.*

[Whenever] WHEN used in any clause [prescribing] IMPOSING a penalty, the term “operator”:

(i) as applied to [associations or partnerships,] A PARTNERSHIP OR ASSOCIATION, [shall include] INCLUDES the PARTNERS OR members [or partners] thereof; and

(ii) as applied to [corporations] A CORPORATION, [shall include] INCLUDES the officers thereof.

Comment: Paragraph (2) is a revised version of inclusions provided in current Art. 19, § 34-1(e)(2).

Subtitle 35. Minors – Harmful Substances

§ 35-1. Controlled dangerous substances.

(a) *Definitions.*

[(2) *Adult.*]

[“Adult” means any person 18 years old or older.]

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1 **Comment:** See City General Provisions Article, § 1-102, for the Code-wide standard
2 definition of “adult”.

3 [(4) *Minor.*]

4 [“Minor” means any person 17 years old or younger.]

5 **Comment:** See City General Provisions Article, § 1-106, for the Code-wide standard
6 definition of “minor”.

7 **§ 35-2. Glue, carbon tetrachloride, paints, etc.**

8 [(h) *Severability.*]

9 [If any provisions of this section or the application thereof to any person or circumstance
10 is held invalid for any reason, such invalidity shall not affect the other provisions or any
11 other application of this section which can be given effect without the invalid provision or
12 application, and to this end, all the provisions of this section are hereby declared to be
13 severable.]

14 **Comment:** See City General Provisions Article, § 1-214, for the Code-wide standard for
15 severability.

16 **Subtitle 36. Minors – Indecent Materials**

17 **§ 36-1. Definitions.**

18 [(c) *Minor.*]

19 [“Minor” means any person under the age of 18 years.]

20 **Comment:** See City General Provisions Article, § 1-106, for the Code-wide standard
21 definition of “minor”.

22 **[§ 36-4. Severability.]**

23 [If any provision of this subtitle or the application thereof to any person or circumstance is
24 held invalid for any reason, such invalidity shall not affect the other provisions or any other
25 application of this subtitle which can be given effect without the invalid provision or
26 application, and to this end, all the provisions of this subtitle are hereby declared to be
27 severable.]

28 **Comment:** See City General Provisions Article, § 1-214, for the Code-wide standard for
29 severability.

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Subtitle 37. Minors – Misappropriations and Neglect

§ 37-1. Scope of subtitle.

(a) *Corporations, [and voluntary] associations, ETC., included.*

(1) *“PERSON” DEFINED.*

[The word “person” as used in the subtitle shall include corporations and voluntary associations.] “PERSON” HAS THE MEANING STATED IN § 1-107 OF THE CITY CODE’S GENERAL PROVISIONS ARTICLE.

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of “person”.

(2) *INCLUSIONS.*

[And every] EVERY officer, trustee, director, agent, PARTNER, MEMBER, or employee of [any] A corporation, PARTNERSHIP, or [voluntary] association who directly or indirectly engages in any of the acts [therein] prohibited BY THIS SUBTITLE or assists [any] THE corporation, PARTNERSHIP, or [voluntary] association [to do such] IN ANY OF THOSE prohibited acts shall be subject to the [provisions of] PENALTIES IMPOSED BY this subtitle.

Comment: Paragraph (2) is a corrected version of inclusions provided in current Art. 19, § 37-1(a)(2).

Subtitle 38. Minors – Miscellaneous

§ 38-1. Enticing [child] MINOR into vehicle.

[(a) *“Minor” defined.*]

[“Minor” means any person under the age of 18 years.]

Comment: *See* City General Provisions Article, § 1-106, for the Code-wide standard definition of “minor”.

Subtitle 41. Outdoor Telephones

[§ 41-1. “Person” defined.]

[(a) *In general.*]

[“Person“ means:]

[(1) an individual;]

[(2) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; or]

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1 [(3) a partnership, firm, association, corporation, or other entity of any kind.]

2 [(b) *Exclusions.*]

3 [“Person” does not include a governmental entity or an instrumentality or unit of a
4 governmental entity.]

5 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
6 definition of “person”.

7 **Subtitle 43. Public Nuisances**

8 **§ 43-1. Definitions.**

9 [(i) *Person.*]

10 [“Person” means:]

11 [(1) an individual;]

12 [(2) a partnership, firm, association, corporation, or other entity of any kind; and]

13 [(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative
14 of any kind.]

15 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
16 definition of “person”.

17 **Subtitle 43A. Neighborhood Nuisances – Abatement**

18 **§ 43A-1. Definitions.**

19 [(f) *Person.*]

20 [“Person” means:]

21 [(1) an individual;]

22 [(2) a partnership, firm, association, corporation, or other entity of any kind; and]

23 [(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative
24 of any kind.]

25 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
26 definition of “person”.

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Subtitle 43B. Neighborhood Nuisances and Unruly Special Events

§ 43B-1. Definitions.

[(f) *Includes; Including.*]

["Includes" or "including" means by way of illustration and not by way of limitation.]

Comment: *See* City General Provisions Article, § 1-105, for the Code-wide standard definition of "includes" and "including".

[(j) *Person.*]

["Person" means:]

[(1) an individual;]

[(2) a partnership, firm, association, corporation, or other entity of any kind; and]

[(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of "person".

[§ 43B-10. Severability.]

[All provisions of this subtitle are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or that the application of any part of the provision to any person or circumstances is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.]

Comment: *See* City General Provisions Article, § 1-214, for the Code-wide standard for severability.

Subtitle 45. Signs – On or Affecting Public Property

§ 45-1. Definitions.

[(c) *Person.*]

["Person" means any individual, political candidate, political committee, person, firm, partnership, association, corporation, company, organization, or other entity of any kind.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of "person".

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Subtitle 59. Weapons

§ 59-5. Illegal carrying, etc., of handguns.

[(f) *Severability.*]

[All provisions of this section are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, or other provision is invalid or that the application of any part of the provision to any person or circumstances is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.]

Comment: *See* City General Provisions Article, § 1-214, for the Code-wide standard for severability.

§ 59-11. Definitions.

[(e) *Minor.*]

[“Minor” means any person under the age of 18.]

Comment: *See* City General Provisions Article, § 1-106, for the Code-wide standard definition of “minor”.

§ 59-22. Switchblade knives – Possession or sale, etc.

[(a) *“Person” defined.*]

[In this section, “person” means any individual, partnership, firm, association, corporation, limited liability company, or other entity of any kind.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of “person”.

§ 59-23. Dangerous knives – Transfer, etc.; Commercial displays.

(a) *Definitions.*

[(3) *Person.*]

[“Person” means any individual, partnership, firm, association, corporation, limited liability company, or other entity of any kind.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of “person”.

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1 **§ 59-24. Mini- and pistol-crossbows.**

2 (a) *Definitions.*

3 [(3) *Person.*]

4 ["Person" means an individual, corporation, partnership, business entity, sole
5 proprietorship, or any other public or private entity.]

6 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
7 definition of "person".

8 **§ 59-26. Gas- or air-pellet guns.**

9 (a) *Definitions.*

10 [(4) "Person".]

11 ["Person" means any individual, partnership, firm, association, corporation, limited
12 liability company, or other entity of any kind.]

13 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
14 definition of "person".

15 **Article 22. Retirement Systems**

16 **Employees' Retirement System**

17 **§ 13. Limitation of other statutes.**

18 [(b) *Severability provisions.*]

19 [If any section or part of any section of this subtitle is declared to be unconstitutional, the
20 remainder of the subtitle shall not thereby be invalidated.]

21 **Comment:** *See* City General Provisions Article, § 1-214, for the Code-wide standard for
22 severability.

23 **Fire and Police Employees' Retirement System**

24 **§ 40. Limitation of other statutes.**

25 [(b) *Severability.*]

26 [If any section or part of any section of this subtitle is declared to be unconstitutional, the
27 remainder of this subtitle shall not thereby be invalidated.]

28 **Comment:** *See* City General Provisions Article, § 1-214, for the Code-wide standard for
29 severability.

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Article 22A. Retirement Savings Plan

§ 1-1. Definitions.

[(j) *Includes; including.*]

["Includes" or "including" means by way of illustration and not by way of limitation.]

Comment: *See* City General Provisions Article, § 1-105, for the Code-wide standard definition of "includes" and "including".

[§ 1-2. Rules of construction.]

[(a) *In general.*]

[In interpreting and applying this article, the following rules of construction apply.]

[(b) *Captions or headings.*]

[The captions or headings of the various sections and subsections:]

[(1) are for convenience of reference only, intended to summarize the statutory provisions that follow; and]

[(2) are not law and are not to be taken as affecting the meaning or effect of the law.]

[(c) *Gender.*]

[Words denoting one gender include and apply to the other genders as well.]

[(d) *Mandatory, prohibitory, and permissive terms.*]

[(1) *Mandatory terms.*]

["Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.]

[(2) *Prohibitory terms.*]

["Must not", "may not", and "no ... may" are each mandatory negative terms used to establish a prohibition.]

[(3) *Permissive terms.*]

["May" is permissive.]

[(e) *Number.*]

[The singular includes the plural and vice versa.]

[(f) *References to other laws.*]

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1 [Whenever a provision of this article refers to any part of the City Code or to any other
2 law, the reference applies to any subsequent amendment of the law referred to, unless the
3 referring provision expressly provides otherwise.]

4 [(g) *Severability.*]

5 [All provisions of this article are severable. If a court determines that a word, phrase,
6 clause, sentence, paragraph, subsection, section, or other provision is invalid or that the
7 application of any part of the provision to any person or circumstances is invalid, the
8 remaining provisions and the application of those provisions to other persons or
9 circumstances are not affected by that decision.]

10 [(h) *Time computations.*]

11 (1) *Computation of time after an act, event, or default.*

12 [(i) In computing any period of time prescribed by this article or by a rule or
13 regulation adopted under this article, the day of the act, event, or default after
14 which the designated period of time begins to run is not included.]

15 [(ii) If the period of time allowed is more than 7 days, intermediate Saturdays,
16 Sundays, and legal holidays are counted.]

17 [(iii) If the period of time allowed is 7 days or less, intermediate Saturdays, Sundays,
18 and legal holidays are not counted.]

19 [(iv) The last day of the period so computed is included unless it is a Saturday,
20 Sunday, or legal holiday, in which event the period runs until the end of the next
21 day that is not a Saturday, Sunday, or legal holiday.]

22 [(2) *Computation of time before a day, act, or event.*]

23 [(i) In determining the latest day for performing an act that this article or a rule or
24 regulation adopted under this article requires to be performed a prescribed number
25 of days before a certain day, act, or event, all days preceding that day, including
26 intervening Saturdays, Sundays, and legal holidays, are counted in the number of
27 days so prescribed.]

28 [(ii) The latest day is included in the determination unless it is a Saturday, Sunday, or
29 legal holiday, in which event the latest day is the first preceding day that is not a
30 Saturday, Sunday, or legal holiday.]

31 **Comment:** See City General Provisions Article, Subtitles 2 and 3, for the Code-wide standard
32 rules of interpretation and of time computations.

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Article 23. Sanitation

Subtitle 1. Definitions; General Provisions

[§ 1-2. Mandatory, prohibitory, and permissive terms.]

[(a) Mandatory terms.]

["Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.]

[(b) Prohibitory terms.]

["Must not", "may not", and "no ... may" are each mandatory negative terms used to establish a prohibition.]

[(c) Permissive terms.]

["May" is permissive.]

Comment: See City General Provisions Article, § 1-104, for the Code-wide standard definitions of mandatory terms ("must" and "shall"), prohibitory terms ("may not", "must not", and "no ... may"), and permissive terms ("may").

Subtitle 11. Solid Waste Surcharges

§ 11-1. Definitions.

(e) Person.

["Person" means:]

[(1) an individual;]

[(2) a partnership, firm, association, corporation, or other entity of any kind;]

[(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; or]

[(4) except as otherwise provided, a governmental entity or an instrumentality or unit of a governmental entity.]

(1) IN GENERAL.

"PERSON" HAS THE MEANING STATED IN § 1-107(A) {"PERSON: IN GENERAL"} OF THE CITY CODE'S GENERAL PROVISIONS ARTICLE.

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1 (2) *INCLUSION OF GOVERNMENTAL ENTITIES.*

2 NOTWITHSTANDING § 1-107(B) {"PERSON: EXCLUSION"} OF THE GENERAL
3 PROVISIONS ARTICLE, IN THIS SUBTITLE "PERSON" ALSO INCLUDES A GOVERNMENTAL
4 ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

5 **Comment:** Revised paragraph (1) incorporates by reference the "general" definition of
6 "person" found in § 1-107(a) of the City General Provisions Article. Paragraph (2),
7 however, necessarily departs from GP Art. § 1-107(b)'s exclusion of governmental
8 entities, instrumentals, or units given the express provision otherwise in current Art. 23,
9 §11-1(e)(4).

10 [§ 11-11. Severability.]

11 [In the event that it is judicially determined that a word, phrase, clause (including
12 exemptions), sentence, paragraph, section, or part in or of this subtitle or any application
13 thereof to any person or circumstances is invalid, the remaining provisions and the
14 application of such provisions to other persons or circumstances shall not be affected thereby,
15 the Mayor and City Council hereby declaring that they would have ordained the remaining
16 provisions of this subtitle without the word, phrase, clause (including exemptions), sentence,
17 paragraph, section, or part of the application thereof so held invalid.]

18 **Comment:** See City General Provisions Article, § 1-214, for the Code-wide standard for
19 severability.

20 Article 24. Water

21 § 1-11. Definitions.

22 [(i) *Includes; Including.*]

23 ["Includes" or "including" means by way of illustration and not by way of limitation.]

24 **Comment:** See City General Provisions Article, § 1-105, for the Code-wide standard
25 definition of "includes" and "including".

26 [(j) *Person.*]

27 ["Person" means:]

28 [(1) an individual;]

29 [(2) a partnership, firm, association, corporation, limited liability company, or other
30 entity of any kind; or]

31 [(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative
32 of any kind.]

33 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
34 definition of "person".

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Article 25. Sewers

§ 1-1. Definitions.

(l) *Person, etc.*

(1) *IN GENERAL.*

“Person”, “establishment”, “user”, “industrial user” (“IU”), “commercial user”, “discharger”, or “owner” means [individual, partnership, corporation, fiduciary, association, or other entity who or which] ANY “PERSON”, AS DEFINED IN § 1-107 OF THE CITY CODE’S GENERAL PROVISIONS ARTICLE, THAT discharges wastewaters to the municipal sanitary sewerage system.

Comment: See City General Provisions Article, § 1-107, for the Code-wide standard definition of “person”.

(2) *INCLUSIONS.*

[Whenever] WHEN used in any clause [prescribing and] imposing a penalty, the term “person”:

(I) as applied to [any] A partnership or association, [shall mean] INCLUDES the partners or members thereof[.]; and

(II) as applied to [any] A corporation, [shall include] INCLUDES the officers thereof.

Comment: Paragraph (2) is a corrected version of inclusions provided in current Art. 25, § 1-1(l)(2).

[§ 1-8. Severability.]

[The invalidity of any section, clause, sentence, or provision of this article shall not affect the validity of any other part of this article which can be given effect without such invalid part or parts.]

Comment: See City General Provisions Article, § 1-214, for the Code-wide standard for severability.

Article 26. Surveys, Streets, and Highways

Subtitle 8A. Gating and Greening Alleys

[§ 8A-2. Rules of construction.]

[(a) *In general.*]

[In interpreting and applying this subtitle, the following rules of construction apply.]

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1 [(b) *Captions or headings.*]

2 [The captions or headings of the various sections and subsections:]

3 [(1) are for convenience of reference only, intended to summarize the statutory
4 provisions that follow; and]

5 [(2) are not law and are not to be taken as affecting the meaning or effect of the law.]

6 [(c) *Gender.*]

7 [Words denoting one gender include and apply to the other genders as well.]

8 [(d) *Includes; including.*]

9 [“Includes” or “including” means by way of illustration and not by way of limitation.]

10 [(e) *Mandatory, prohibitory, and permissive terms.*]

11 [(1) *Mandatory terms.*]

12 [“Must” and “shall” are each mandatory terms used to express a requirement or to
13 impose a duty.]

14 [(2) *Prohibitory terms.*]

15 [“Must not”, “may not”, and “no ... may” are each mandatory negative terms used to
16 establish a prohibition.]

17 [(3) *Permissive terms.*]

18 [“May” is permissive.]

19 [(f) *Number.*]

20 [The singular includes the plural and vice versa.]

21 [(g) *Time computations.*]

22 [(1) *Computation of time after an act, event, or default.*]

23 [(i) In computing any period of time prescribed by this subtitle, the day of the act,
24 event, or default after which the designated period of time begins to run is not
25 included.]

26 [(ii) If the period of time allowed is more than 7 days, intermediate Saturdays,
27 Sundays, and legal holidays are counted.]

28 [(iii) If the period of time allowed is 7 days or less, intermediate Saturdays, Sundays,
29 and legal holidays are not counted.]

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1 [(iv) The last day of the period so computed is included unless it is a Saturday,
2 Sunday, or legal holiday, in which event the period runs until the end of the
3 next day that is not a Saturday, Sunday, or legal holiday.]

4 [(2) *Computation of time before a day, act, or event.*]

5 [(i) In determining the latest day for performing an act that is required by this subtitle
6 to be performed a prescribed number of days before a certain day, act, or event,
7 all days preceding that day, including intervening Saturdays, Sundays, and legal
8 holidays, are counted in the number of days so prescribed.]

9 [(ii) The latest day is included in the determination unless it is a Saturday, Sunday, or
10 legal holiday, in which event the latest day is the first preceding day that is not a
11 Saturday, Sunday, or legal holiday.]

12 **Comment:** See City General Provisions Article, Subtitles 2 and 3, for the Code-wide standard
13 rules of interpretation and of time computations.

14 **Subtitle 15. Street Cuts**

15 **§ 15-1. Definitions.**

16 [(f) *Includes; including.*]

17 [“Includes” or “including” means by way of illustration and not by way of limitation.]

18 **Comment:** See City General Provisions Article, § 1-105, for the Code-wide standard
19 definition of “includes” and “including”.

20 (g) *Person.*

21 [(1) “Person” means:]

22 [(i) an individual;]

23 [(ii) a receiver, trustee, guardian, personal representative, fiduciary, or
24 representative of any kind; and]

25 [(iii) a partnership, firm, association, corporation, or other entity of any kind.]

26 [(2) “Person” includes, except as otherwise specifically provided, a governmental entity
27 or an instrumentality or unit of a governmental entity.]

28 (1) *IN GENERAL.*

29
30 “PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF THE
31 CITY CODE’S GENERAL PROVISIONS ARTICLE.

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1 (2) *INCLUSION OF GOVERNMENTAL ENTITIES.*

2 NOTWITHSTANDING § 1-107(B) {"PERSON: EXCLUSION"} OF THE GENERAL
3 PROVISIONS ARTICLE, IN THIS SUBTITLE "PERSON" ALSO INCLUDES A GOVERNMENTAL
4 ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

5 **Comment:** Revised paragraph (1) incorporates by reference the "general" definition of
6 "person" found in § 1-107(a) of the City General Provisions Article. Paragraph (2),
7 however, necessarily departs from GP Art. § 1-107(b)'s exclusion of governmental
8 entities, instrumentals, or units given the express provision otherwise in current Art. 26,
9 §15-1(g)(2).

10 **Subtitle 23. Underground Conduit System . . .**

11 **§ 23-1. Definitions.**

12 (e) *Person.*

13 [(1) *In general.*]

14 ["Person" means:]

15 [(i) an individual;]

16 [(ii) a partnership, firm, association, corporation, or other entity of any kind; or]

17 [(iii) a receiver, trustee, guardian, personal representative, fiduciary, or
18 representative of any kind.]

19 [(2) *Inclusions.*]

20
21 ["Person" includes, except as used in this subtitle for the imposition of civil or
22 criminal penalties, a governmental entity or an instrumentality or unit of a
23 governmental entity.]

24 (1) *IN GENERAL.*

25 "PERSON" HAS THE MEANING STATED IN § 1-107(A) {"PERSON: IN GENERAL"} OF THE
26 CITY CODE'S GENERAL PROVISIONS ARTICLE.

27 (2) *INCLUSION OF GOVERNMENTAL ENTITIES.*

28 NOTWITHSTANDING § 1-107(B) {"PERSON: EXCLUSION"} OF THE GENERAL
29 PROVISIONS ARTICLE, IN THIS SUBTITLE "PERSON" ALSO INCLUDES, EXCEPT AS USED
30 FOR THE IMPOSITION OF A CIVIL OR CRIMINAL PENALTY, A GOVERNMENTAL ENTITY OR
31 AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

32 **Comment:** Revised paragraph (1) incorporates by reference the "general" definition of
33 "person" found in § 1-107(a) of the City General Provisions Article. Paragraph (2),
34 however, necessarily departs from GP Art. § 1-107(b)'s exclusion of governmental
35 entities, instrumentals, or units given the express provision otherwise in current Art. 26,
36 §23-1(e)(2).

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Subtitle 40. Complete Streets

§ 40-1. Definitions.

[(d) *Includes; Including.*]

["Includes" or "including" means by way of illustration and not by way of limitation.]

Comment: See City General Provisions Article, § 1-105, for the Code-wide standard definition of "includes" and "including".

[(e) *Mandatory, prohibitory, and permissive terms.*]

[(1) *Mandatory terms.*]

["Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.]

[(2) *Prohibitory terms.*]

["May not" and "no ... may" are each mandatory negative terms used to establish a prohibition.]

[(3) *Permissive terms.*]

["May" is permissive.]

Comment: See City General Provisions Article, § 1-104, for the Code-wide standard definitions of mandatory terms ("must" and "shall"), prohibitory terms ("may not", "must not", and "no ... may"), and permissive terms ("may").

Article 27. Stormwater Remediation Fees

§ 1-1. Definitions.

[(f) *Includes; including.*]

["Includes" or "including" means by way of illustration and not by way of limitation.]

Comment: See City General Provisions Article, § 1-105, for the Code-wide standard definition of "includes" and "including".

[(g) *Person.*]

["Person" means:]

[(1) an individual;]

[(2) a partnership, firm, association, corporation, or other entity of any kind;]

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1 [(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative
2 of any kind; and]

3 [(4) except as otherwise provided in this article or by other applicable law, a
4 governmental entity or an instrumentality or unit of a governmental entity.]

5 (1) *IN GENERAL.*

6 “PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF THE
7 CITY CODE’S GENERAL PROVISIONS ARTICLE.

8 (2) *INCLUSION OF GOVERNMENTAL ENTITIES.*

9 NOTWITHSTANDING § 1-107(B) {“PERSON: EXCLUSION”} OF THE GENERAL
10 PROVISIONS ARTICLE, IN THIS ARTICLE “PERSON” ALSO INCLUDES, EXCEPT AS
11 OTHERWISE PROVIDED IN THIS ARTICLE OR BY OTHER APPLICABLE LAW, A
12 GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL
13 ENTITY.

14 **Comment:** Revised paragraph (1) incorporates by reference the “general” definition of
15 “person” found in § 1-107(a) of the City General Provisions Article. Paragraph (2),
16 however, necessarily departs from GP Art. § 1-107(b)’s exclusion of governmental
17 entities, instrumentals, or units given the express provision otherwise in current Art. 17,
18 § 1-1(g)(4).

19 **[§ 1-3. Severability.]**

20 [The invalidity of any section, clause, sentence, or provision of this article does not affect the
21 validity of any other part of this article that can be given effect without the invalid part.]

22 **Comment:** See City General Provisions Article, § 1-214, for the Code-wide standard for
23 severability.

24 **Article 28. Taxes**

25 **Subtitle 8.1. In Rem Foreclosure – Vacant and Abandoned Property**

26 **§ 8.1-1. Definitions.**

27 [(d) *Person.*]

28 [“Person” means:]

29 [(1) an individual;]

30 [(2) a receiver, trustee, guardian, personal representative, fiduciary, or representative
31 of any kind; or]

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1 [(3) a partnership, firm, association, corporation, or other entity of any kind.]

2 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
3 definition of “person”.

4 Subtitle 10. Credits

5 § 10-19. Urban agricultural property.

6 (a) *Definitions.*

7 [(2) *Includes; including.*]

8 [“Includes” or “including” means by way of illustration and not by way of limitation.]

9 **Comment:** See City General Provisions Article, § 1-105, for the Code-wide standard
10 definition of “includes” and “including”.

11 § 10-30. Food Desert Incentive Areas (Personal Property Tax Credit)

12 (a) *Definitions.*

13 [(5) *Includes; Including.*]

14 [“Includes” or “including” means by way of illustration and not by way of limitation.]

15 **Comment:** See City General Provisions Article, § 1-105, for the Code-wide standard
16 definition of “includes” and “including”.

17 Subtitle 20. Beverage Container Tax

18 § 20-1. Definitions.

19 [(g) *Person.*]

20 [(1) “Person” means:]

21 [(i) an individual;]

22 [(ii) a partnership, firm, association, corporation, or other entity of any kind; or]

23 [(iii) a receiver, trustee, guardian, personal representative, fiduciary, or
24 representative of any kind.]

25 [(2) “Person” does not include a governmental entity or an instrumentality or unit of a
26 governmental entity.]

27 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
28 definition of “person”.

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Subtitle 22. Parking Tax

§ 22-1. Definitions.

(h) *Person.*

["Person" means:]

[(1) an individual;]

[(2) a partnership, firm, association, limited liability company, corporation, or other entity of any kind;]

[(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; and]

[(4) a governmental entity or an instrumentality or unit of a governmental entity.]

(1) *IN GENERAL.*

"PERSON" HAS THE MEANING STATED IN § 1-107(A) {"PERSON: IN GENERAL"} OF THE CITY CODE'S GENERAL PROVISIONS ARTICLE.

(2) *INCLUSION OF GOVERNMENTAL ENTITIES.*

NOTWITHSTANDING § 1-107(B) {"PERSON: EXCLUSION"} OF THE GENERAL PROVISIONS ARTICLE, IN THIS SUBTITLE "PERSON" ALSO INCLUDES A GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

Comment: Revised paragraph (1) incorporates by reference the "general" definition of "person" found in § 1-107(a) of the City General Provisions Article. Paragraph (2), however, necessarily departs from GP Art. § 1-107(b)'s exclusion of governmental entities, instrumentals, or units given the express provision otherwise in this current Art. 28, § 22-1(h)(4).

Subtitle 24. Passenger-for-Hire Services

§ 24-1. Definitions.

[(e) *Person.*]

[(1) *In general.*]

["Person" means:]

[(i) an individual;]

[(ii) a partnership, firm, association, limited liability company, corporation, or other entity of any kind; and]

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1 [(iii) a receiver, trustee, guardian, personal representative, fiduciary, or
2 representative of any kind.]

3 [(2) *Exclusions.*]

4 [“Person” does not include a governmental entity or an instrumentality or unit of a
5 governmental entity.]

6 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
7 definition of “person”.

8 **Subtitle 25. Public Utilities Taxes**

9 ***Part 1. Telecommunications Tax***

10 **§ 25-1. Definitions.**

11 [(b) *Person.*]

12 [(1) “Person” means:]

13 [(i) an individual;]

14 [(ii) a receiver, trustee, guardian, personal representative, fiduciary, or
15 representative of any kind; or]

16 [(iii) a partnership, firm, association, corporation, or other entity of any kind.]

17 [(2) “Person” does not include a governmental entity or an instrumentality or unit of a
18 governmental entity.]

19 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
20 definition of “person”.

21 ***Part 2. Energy Tax***

22 **§ 25-11. Definitions.**

23 [(d) *Person.*]

24 [(1) “Person” means:]

25 [(i) an individual;]

26 [(ii) a receiver, trustee, guardian, personal representative, fiduciary, or
27 representative of any kind; or]

28 [(iii) a partnership, firm, association, corporation, or other entity of any kind.]

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1 [(2) “Person” does not include a governmental entity or an instrumentality or unit of a
2 governmental entity.]

3 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
4 definition of “person”.

5 **Subtitle 27. Tobacco Tax**

6 **§ 27-1. Definitions.**

7 [(g) *Person.*]

8 [(1) “Person” means:]

9 [(i) an individual;]

10 [(ii) a receiver, trustee, guardian, personal representative, fiduciary, or
11 representative of any kind; or]

12 [(iii) a partnership, firm, association, corporation, or other entity of any kind.]

13 [(2) “Person” does not include a governmental entity or an instrumentality or unit of a
14 governmental entity.]

15 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
16 definition of “person”.

17 **Subtitle 28. Sales or Use Tax on Controlled Dangerous Substances**

18 **§ 28-1. Definitions.**

19 [(g) *Includes; including.*]

20 [“Include(s)” or “including” means include(s) or including by way of illustration and does
21 not limit the matter to the specific examples illustrated.]

22 **Comment:** See City General Provisions Article, § 1-105, for the Code-wide standard
23 definition of “includes” and “including”.

24 [(j) *Person.*]

25 [“Person” means a natural person, whether an individual, receiver, trustee, guardian,
26 personal representative, fiduciary, or representative of any kind, partnership, firm, and a
27 corporation, association, or other legal entry.]

28 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
29 definition of “person”.

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Subtitle 29. Outdoor Advertising

§ 29-1. Definitions.

[(e) *Person.*]

[(1) *In general.*]

["Person" means:]

[(i) an individual;]

[(ii) a partnership, firm, association, corporation, or other entity of any kind; and]

[(iii) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind.]

[(2) *Exclusions.*]

["Person" does not include, unless otherwise expressly provided, a governmental entity or an instrumentality or unit of a governmental entity.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of "person".

[§ 29-12. Severability.]

[If any part, section, paragraph, clause, sentence, or provision of this subtitle is held invalid for any reason, or inapplicable to any person or entity, the remainder of this subtitle, or other applications of any portion held inapplicable in certain circumstances, will not be affected, and to this end the provisions of this subtitle are declared severable.]

Comment: *See* City General Provisions Article, § 1-214, for the Code-wide standard for severability.

Subtitle 30. Property Assessed Clean Energy (PACE) Loan Program

§ 30-1. Definitions.

[(k) *Includes; Including.*]

["Includes" or "including" means by way of illustration and not by way of limitation.]

Comment: *See* City General Provisions Article, § 1-105, for the Code-wide standard definition of "includes" and "including".

[(m) *Person.*]

["Person" means:]

[(1) an individual;]

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1 [(2) a partnership, firm, association, corporation, governmental agency, or
2 other entity of any kind; and]

3 [(3) a receiver, trustee, guardian, personal representative, fiduciary, or
4 representative of any kind.]

5 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
6 definition of “person”.

7 **Subtitle 32. Checkout Bag Surcharge**

8 **§ 32-1. Definitions.**

9 [(e) *Person.*]

10 [“Person” means:]

11 [(1) an individual;]

12 [(2) a partnership, firm, association, corporation, or other entity of any kind; or]

13 [(3) a receiver, trustee, guardian, personal representative, fiduciary, or
14 representative of any kind.]

15 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
16 definition of “person”.

17 **Article 31. Transit and Traffic**

18 **Subtitle 1. Definitions; General Provisions**

19 **§ 1-2. Definitions — M to R.**

20 [(g) *Person.*]

21 [“Person” means:]

22 [(1) an individual;]

23 [(2) a partnership, firm, association, corporation, or other entity of any kind; or]

24 [(3) a receiver, trustee, guardian, personal representative, fiduciary, or
25 representative of any kind.]

26 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
27 definition of “person”.

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1 **§ 1-3. Definitions — S to Z.**

2 (f) *Street.*

3 “Street” means a highway, AS DEFINED IN § 1-1(N) {“DEFINITIONS: HIGHWAY”} OF THIS
4 SUBTITLE.

5 **Comment:** Amended to avoid confusion with the otherwise standard definition of “street” in
6 City General Provisions Article § 1-109.

7 **Subtitle 2. General Administration**

8 **[§ 2-12. Severability.]**

9 [In case it is judicially determined that any word, phrase, clause, item, sentence, paragraph,
10 section, or part in or of this subtitle, or the application thereof to any person or circumstances,
11 is invalid, the remaining provisions and the application of such provisions to other persons or
12 circumstances shall not be affected thereby, the Mayor and City Council hereby declaring that
13 they would have ordained the remaining provisions of this subtitle without the word, phrase,
14 clause, item, sentence, paragraph, section, or part, or the application thereof, so held invalid.]

15 **Comment:** See City General Provisions Article, § 1-214, for the Code-wide standard for
16 severability.

17 **Subtitle 10. Residential Permit Parking Program**

18 **§ 10-1. Definitions.**

19 [(g) *Includes; including.*]

20 [“Includes” or “including” means by way of illustration and not by way of limitation.]

21 **Comment:** See City General Provisions Article, § 1-105, for the Code-wide standard
22 definition of “includes” and “including”.

23 **Subtitle 13. Baltimore City Parking Authority**

24 **§ 13-1. Definitions.**

25 (l) *Person.*

26 [“Person” includes:]

27 [(1) an individual;]

28 [(2) a receiver, trustee, guardian, personal representative, fiduciary, or
29 representative of any kind;]

30 [(3) a partnership, firm, association, corporation, or other entity of any kind; and]

31 [(4) a governmental entity or an instrumentality or unit of a governmental entity.]

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1 (1) *IN GENERAL.*

2 “PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF THE
3 CITY CODE’S GENERAL PROVISIONS ARTICLE.

4 (2) *INCLUSION OF GOVERNMENTAL ENTITIES.*

5 NOTWITHSTANDING § 1-107(B) {“PERSON: EXCLUSION”} OF THE GENERAL
6 PROVISIONS ARTICLE, IN THIS SUBTITLE “PERSON” ALSO INCLUDES A GOVERNMENTAL
7 ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

8 **Comment:** Revised paragraph (1) incorporates by reference the “general” definition of
9 “person” found in § 1-107(a) of the City General Provisions Article. Paragraph (2),
10 however, necessarily departs from GP Art. § 1-107(b)’s exclusion of governmental
11 entities, instrumentals, or units given the express provision otherwise in current Art. 31,
12 § 13-1(1)(4).

13 Subtitle 14. Valet Parking

14 § 14-1. Definitions.

15 [(j) *Includes; including.*]

16 [“Includes” or “including” means by way of illustration and not by way of limitation.]

17 **Comment:** See City General Provisions Article, § 1-105, for the Code-wide standard
18 definition of “includes” and “including”.

19 [(1) *Person.*]

20 [(1) *In general.*]

21 [“Person” means:]

22 [(i) an individual;]

23 [(ii) a partnership, firm, association, corporation, or other entity of any kind; or]

24 [(iii) a receiver, trustee, guardian, personal representative, fiduciary, or
25 representative of any kind.]

26 [(2) *Exclusions.*]

27 [“Person” does not include, unless otherwise expressly provided, a governmental
28 entity or an instrumentality or unit of a governmental entity.]

29 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
30 definition of “person”.

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1 **[§ 14-2. Mandatory, prohibitory, and permissive terms.]**

2 [(a) *Mandatory terms.*]

3 ["Must" and "shall" are each mandatory terms used to express a requirement or to impose
4 a duty.]

5 [(b) *Prohibitory terms.*]

6 ["Must not" and "may not" are each mandatory negative terms used to establish a
7 prohibition.]

8 [(c) *Permissive terms.*]

9 ["May" is permissive.]

10 **Comment:** See City General Provisions Article, § 1-104, for the Code-wide, standard
11 definitions of mandatory terms ("must" and "shall"), prohibitory terms ("may not",
12 "must not", and "no ... may"), and permissive terms ("may").

13 **Subtitle 22. Towing Services – Accident Towing**

14 **§ 22-1. Definitions.**

15 (e) *Person.*

16 [(1) "Person" means any individual, partnership, firm, association, corporation, or
17 fiduciary, or any other entity of any kind.]

18
19 [(2) "Person" does not include a governmental entity or an instrumentality or unit of a
20 governmental entity.]

21 (1) *IN GENERAL.*

22 "PERSON" HAS THE MEANING STATED IN § 1-107 OF THE CITY CODE'S GENERAL
23 PROVISIONS ARTICLE.

24 **Comment:** See City General Provisions Article, § 1-107, for the Code-wide standard
25 definition of "person".

26 (2) *INCLUSIONS.*

27 [(3) Whenever] WHEN used in ANY CLAUSE imposing a penalty, the term "person":

28 (i) as applied to [any] A partnership or association, includes its partners or
29 members; and

30 (ii) as applied to [any] A corporation, limited liability company, or similar entity,
31 includes its officers.

32 **Comment:** Paragraph (2) is a revised version of inclusions provided in current Art. 31,
33 § 22--1(e)(3).

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[§ 22-4. Severability.]

[All provisions of this subtitle are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or that the application of any part of the provision to any person or circumstances is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.]

Comment: *See* City General Provisions Article, § 1-214, for the Code-wide standard for severability.

Subtitle 31. Clear Streets and Impoundment

§ 31-1. Definitions.

(d) *Street.*

(1) *IN GENERAL.*

["Street" includes all public ways, streets, lanes, alleys, footways, and public places in the City.]

"STREET" HAS THE MEANING STATED IN § 1-109 {"STREET"} OF THE CITY CODE'S GENERAL PROVISIONS ARTICLE.

Comment: *See* City General Provisions Article, § 1-109, for the Code-wide standard definition of "street".

(2) *INCLUSIONS.*

[Specifically, it] "STREET" ALSO includes:

(I) publicly-owned vacant lots; or

(II) public property part of which is vacant.

Comment: Paragraph (2) is a revised version of inclusions provided in current Art. 31, § 31--1(d)(2).

[§ 31-111. Severability.]

[If any sentence, clause, section, or part of this subtitle is for any reason found to be unconstitutional, illegal, or invalid, such finding shall not affect or impair any of the remaining provisions of this subtitle. It is hereby declared to be the intent of the Mayor and City Council of Baltimore that this subtitle would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included therein.]

Comment: *See* City General Provisions Article, § 1-214, for the Code-wide standard for severability.

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Subtitle 38. Dockless Vehicles

§ 38-1. Definitions.

[(g) *Person.*]

[(1) *In general.*]

["Person" means:]

[(i) an individual;]

[(ii) a partnership, firm, association, corporation, or other entity of any kind; or]

[(iii) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind.]

[(2) *Exclusions.*]

["Person" does not include, unless otherwise expressly provided, a governmental entity or an instrumentality or unit of a governmental entity.]

Comment: *See* City General Provisions Article, § 1-107, for the Code-wide standard definition of "person".

[§ 38-2. Mandatory, prohibitory, and permissive terms.]

[(a) *Mandatory terms.*]

["Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.]

[(b) *Prohibitory terms.*]

["May not" and "no ... may" are each mandatory negative terms used to establish a prohibition.]

[(c) *Permissive terms.*]

["May" is permissive.]

Comment: *See* City General Provisions Article, § 1-104, for the Code-wide, standard definitions of mandatory terms ("must" and "shall"), prohibitory terms ("may not", "must not", and "no ... may"), and permissive terms ("may").

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Article 32. Zoning

Title 1. General Provisions

Subtitle 2. Rules of Interpretation

§ 1-201. In general.

In interpreting and applying this Code, the following rules of interpretation apply[.]:

- (1) THOSE CONTAINED IN SUBTITLES 2 AND 3 OF THE CITY CODE’S GENERAL PROVISIONS ARTICLE; AND
- (2) ANY ADDITIONAL RULES CONTAINED IN THIS SUBTITLE

[§ 1-202. Captions or headings.]

[The captions or headings of the various sections and subsections:]

- [(1) are for convenience of reference only, intended to summarize the statutory provisions that follow; and]
- [(2) are not law and are not to be taken as affecting the meaning or effect of the law.]

Comment: *See* City General Provisions Article, § 1-208, for the Code-wide application of this standard..

[§ 1-205. Gender.]

[Words denoting one gender apply to the other genders as well.]

Comment: *See* City General Provisions Article, § 1-203, for the Code-wide application of this standard.

[§ 1-206. “Includes” or “including”.]

[“Includes” or “including” means by way of illustration and not by way of limitation.]

Comment: *See* City General Provisions Article, § 1-105, for the Code-wide application of this definition.

[§ 1-207. Mandatory, prohibitory, and permissive terms.]

[(a) *Mandatory terms.*]

[“Must” and “shall” are each mandatory terms used to express a requirement or to impose a duty.]

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1 [(b) *Prohibitory terms.*]

2 ["Must not," "may not", and "no... may" are each mandatory negative terms used to
3 establish a prohibition.]

4 [(c) *Permissive terms.*]

5 ["May" is permissive.]

6 **Comment:** *See* City General Provisions Article, § 1-105, for the Code-wide iteration of
7 these standard usages.

8 [**§ 1-208. Number.**]

9
10 [The singular includes the plural and vice versa.]

11 **Comment:** *See* City General Provisions Article, § 1-206, for the Code-wide iteration of
12 this standard.

13 [**§ 1-210. References to other laws.**]

14 [Whenever a provision of this Code refers to any part of the City Code or to any other law,
15 the reference applies to any subsequent amendment of the law referred to, unless the referring
16 provision expressly provides otherwise.]

17 **Comment:** *See* City General Provisions Article, § 1-212, for the Code-wide iteration of
18 this standard.

19 [**§ 1-211. Severability.**]

20 [(a) *In general.*]

21 [Except as specified in subsection (b) of this section:]

22 [(1) all provisions of this Code are severable; and]

23 [(2) if a court determines that a word, phrase, clause, sentence, paragraph,
24 subsection, section, or other provision is invalid or that the application of any
25 part of the provision to any person or circumstances is invalid, the remaining
26 provisions and the application of those provisions to other persons or
27 circumstances are not affected by that decision.]

28 [(b) *Exceptions.*]

29 [Subsection (a) of this section does not apply:]

30 [(1) to the extent that a statute specifically provides otherwise; or]

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1 [(2) if the court finds that the remaining provisions alone are incomplete
2 and incapable of being executed in accordance with the legislative intent.]

3 **Comment:** *See* City General Provisions Article, § 1-214, for the Code-wide iteration of
4 this standard.

5 [§ 1-213. Time computations.]

6 [(a) *Computation of time after an act, event, or default.*]

7 [(1) In computing any period of time prescribed by this Code, the day of the act, event,
8 or default after which the designated period of time begins to run is not included.]

9 [(2) If the period of time allowed is more than 7 days, intermediate Saturdays, Sundays,
10 and legal holidays are counted.]

11 [(3) If the period of time allowed is 7 days or less, intermediate Saturdays, Sundays,
12 and legal holidays are not counted.]

13 [(4) The last day of the period so computed is included unless it is a Saturday, Sunday,
14 or legal holiday, in which event the period runs until the end of the next day that is
15 not a Saturday, Sunday, or legal holiday.]

16 [(b) *Computation of time before a day, act, or event.*]

17 [(1) In determining the latest day for performing an act that is required by this Code to
18 be performed a prescribed number of days before a certain day, act, or event, all days
19 preceding that day, including intervening Saturdays, Sundays, and legal holidays, are
20 counted in the number of days so prescribed.]

21 [(2) The latest day is included in the determination unless it is a Saturday, Sunday, or
22 legal holiday, in which event the latest day is the first preceding day that is not a
23 Saturday, Sunday, or legal holiday.]

24 **Comment:** *See* City General Provisions Article, Subtitle 3, for the Code-wide iteration of
25 these standards.

26 *Subtitle 3. Definitions*

27 § 1-311. “Parapet” to “Processed metal”.

28 (n) *Person.*

29 [“Person” means:]

30 [(1) an individual;]

31 [(2) a partnership, firm, association, corporation, or other entity of any kind;]

32 [(3) a receiver, trustee, guardian, personal representative, fiduciary, or representative
33 of any kind; and]

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1 [(4) except as used in Title 19, Subtitle 2 {"Enforcement"} of this Code for the
2 imposition of civil or criminal penalties, a governmental entity or an
3 instrumentality or unit of a governmental entity.]

4 (1) *IN GENERAL.*

5 "PERSON" HAS THE MEANING STATED IN § 1-107(A) {"PERSON: IN GENERAL"} OF THE
6 CITY CODE'S GENERAL PROVISIONS ARTICLE.

7 (2) *QUALIFIED INCLUSION OF GOVERNMENTAL ENTITIES.*

8 NOTWITHSTANDING § 1-107(B) {"PERSON: EXCLUSION"} OF THE GENERAL
9 PROVISIONS ARTICLE, IN THIS SUBTITLE "PERSON" ALSO INCLUDES, EXCEPT AS USED IN
10 TITLE 19, SUBTITLE 2 {"ENFORCEMENT"} OF THIS CODE FOR THE IMPOSITION OF CIVIL
11 OR CRIMINAL PENALTIES, A GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR
12 UNIT OF A GOVERNMENTAL ENTITY.

13 **Comment:** Revised paragraph (1) incorporates by reference the "general" definition of
14 "person" found in § 1-107(a) of the City General Provisions Article. Paragraph (2),
15 however, necessarily departs from GP Art. § 1-107(b)'s exclusion of governmental
16 entities, instrumentals, or units given the express provision otherwise in current Art. 32,
17 § 1-311(n)(4).

18 **§ 1-313. "Roofline" to "Substantial construction".**

19 [(s) *Street.*]

20 ["Street" means any street, boulevard, road, highway, alley, lane, sidewalk, footway, or
21 other way that is owned by the city or habitually used by the public.]

22 **Comment:** See City General Provisions Article, § 1-109, for the Code-wide standard
23 definition of "street".

24 **Baltimore City Revised Codes**

25 **Article – Building, Fire, and Related Codes**

26 **Part II. International Building Code**

27 **Chapter 2. Definitions; Rules of [Construction] INTERPRETAION**

28 **Section 201 General**

29 **[201.5 Time computations.** Except as otherwise expressly provided in this Code, periods of
30 time prescribed by this Code are computed as follows.]

31 **[201.5.1 Computation of time after an act, event, or default.** In computing a period of
32 time that begins to run after an act, event, or default:]

33 [1. the day of the act, event, or default after which the designated period of
34 time begins to run is not included,]

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1 [2. if the period of time allowed is more than 7 days, intermediate Saturdays,
2 Sundays, and legal holidays are counted,]

3 [3. if the period of time allowed is 7 days or less, intermediate Saturdays,
4 Sundays, and legal holidays are not counted, and]

5 [4. the last day of the period so computed is included unless it is a Saturday,
6 Sunday, or legal holiday, in which event the period runs until the end of the
7 next day that is not a Saturday, Sunday, or legal holiday.]

8 **[201.5.2 Computation of time before a day, act, or event.** In determining the latest
9 day for performing an act that is required by this Code to be performed a prescribed
10 number of days before a certain day, act, or event:]

11 [1. all days preceding that day, act, or event, including intervening Saturdays,
12 Sundays, and legal holidays, are counted in the number of days so prescribed, and]

13 [2. the latest day is included in the determination unless it is a Saturday, Sunday,
14 or legal holiday, in which event the latest day is the first preceding day that is
15 not a Saturday, Sunday, or legal holiday.]

16 **Comment:** See City General Provisions Article, Subtitle 3, for the Code-wide standard for
17 computations of time after or before an act, event or default.

18 **Article – General Provisions**

19 **Title 4. Administration Procedure Act – Regulations**

20 **Subtitle 1. Definitions; General Provisions**

21 **§ 4-101. Definitions.**

22 [(e) “Includes”; “including”.]

23 [“Includes” or “including” means by way of illustration and not by way of limitation.]

24 **Comment:** See City General Provisions Article, § 1-105, for the Code-wide standard
25 definition of “includes” and “including”.

26 **Subtitle 4. Codification**

27 **[§ 4-405. Severability.]**

28 [If a section, paragraph, sentence, clause, phrase, or word of a regulation is declared
29 unconstitutional or invalid by a court of competent jurisdiction, the unconstitutionality or
30 invalidity may not affect any of any remaining sections, paragraphs, sentences, clauses,
31 phrases, or words unless:]

32 [(1) the regulation is subject to a provision that prohibits severability; or]

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1 [(2) the court finds that the remaining valid provisions alone are incomplete and
2 incapable of being carried out in accordance with the regulation’s purpose.]

3 **Comment:** *See* City General Provisions Article, § 1-214, for the Code-wide standard for
4 severability.

5 **Article – Health**

6 **Title 1. Definitions; General Provisions**

7 ***Subtitle 1. Definitions***

8 **[§ 1-102. Adult.]**

9 [“Adult” means an individual who is 18 years old or older.]

10 **Comment:** *See* City General Provisions Article, § 1-102, for the Code-wide standard
11 definition of “adult”.

12 **[§ 1-103. City Code.]**

13 [“City Code” means:]

14 [(1) the 1976/83 Edition of the Baltimore City Code; and]

15 [(2) the Revised Code of Baltimore City.]

16 **Comment:** *See* City General Provisions Article, § 1-104, for the Code-wide standard
17 definition of “City Code”.

18 **[§ 1-106. Includes; including.]**

19 [“Includes” or “including” means by way of illustration and not by way of limitation.]

20 **Comment:** *See* City General Provisions Article, § 1-105, for the Code-wide standard
21 definition of “includes” and “including”.

22 **[§ 1-107. Minor.]**

23 [“Minor” means an individual under the age of 18.]

24 **Comment:** *See* City General Provisions Article, § 1-106, for the Code-wide standard
25 definition of “minor”.

26 **[§ 1-108. Person.]**

27 [(a) *In general.*]

28 [“Person” means:]

29 [(1) an individual;]

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1 [(2) a receiver, trustee, guardian, personal representative, fiduciary, or
2 representative of any kind; or]

3 [(3) a partnership, firm, association, corporation, or other entity of any kind.]

4 [(b) *Exclusions.*]

5 [“Person” does not include, unless otherwise expressly provided, a governmental entity or
6 an instrumentality or unit of a governmental entity.]

7 **Comment:** *See* City General Provisions Article, § 1-107, for the Code-wide standard
8 definition of “person”.

9 **[§ 1-111. Revised Code.]**

10 [“Revised Code” means the unnumbered revised articles of the City Code.]

11 **Comment:** *Cf.* City General Provisions Article, § 1-104, for the definition of “City
12 Code”.

13 **[§ 1-112. Street.]**

14 [“Street” means any street, boulevard, road, highway, alley, lane, sidewalk, footway, or other
15 way that is owned by the City or habitually used by the public.]

16 **Comment:** *See* City General Provisions Article, § 1-109, for the Code-wide standard
17 definition of “street”.

18 ***Subtitle 2. Rules of [Construction] INTERPRETATION***

19 **§ 1-201. In general.**

20 In interpreting and applying this article, the following rules of [construction]
21 INTERPRETATION apply[.]:

22 (1) THOSE CONTAINED IN SUBTITLES 2 AND 3 OF THE CITY CODE’S GENERAL PROVISIONS
23 ARTICLE; AND

24 (2) ANY ADDITIONAL RULES CONTAINED IN THIS SUBTITLE.

25 **[§ 1-202. Captions or headings.]**

26 [The captions or headings of the various sections and subsections:]

27 [(1) are for convenience of reference only, intended to summarize the statutory
28 provisions that follow; and]

29 [(2) are not law and are not to be taken as affecting the meaning or effect of the law.]

30 **Comment:** *See* City General Provisions Article, § 1-208, for the Code-wide application
31 of this standard.

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1 [§ 1-204. Gender.]

2 [Words denoting one gender include and apply to the other genders as well.]

3 **Comment:** *See* City General Provisions Article, § 1-203, for the Code-wide application
4 of this standard..

5 [§ 1-206. Mandatory, prohibitory, and permissive terms.]

6 [(a) *Mandatory terms.*]

7 [“Must” and “shall” are each mandatory terms used to express a requirement or to impose
8 a duty.]

9 [(b) *Prohibitory terms.*]

10 [“Must not”, “may not”, and “no ... may” are each mandatory negative terms used to
11 establish a prohibition.]

12 [(c) *Permissive terms.*]

13 [“May” is permissive.]

14 **Comment:** *See* City General Provisions Article, § 1-105, for the Code-wide iteration of
15 these standard usages.

16 [§ 1-207. Number.]

17 [The singular includes the plural and vice versa.]

18 **Comment:** *See* City General Provisions Article, § 1-206, for the Code-wide iteration of
19 this standard.

20 [§ 1-208. References to other laws.]

21 [Whenever a provision of this article refers to any part of the City Code or to any other law,
22 the reference applies to any subsequent amendment of the law referred to, unless the referring
23 provision expressly provides otherwise.]

24 **Comment:** *See* City General Provisions Article, § 1-212, for the Code-wide iteration of
25 this standard.

26 [§ 1-209. Revisor’s Notes.]

27 [The Revisor’s Notes following the various sections and subsections, including the
28 accompanying lists of defined terms:]

29 [(1) are for convenience of reference only, intended to identify the sources of these
30 provisions and highlight changes made to those sources; and]

31 [(2) are not law and are not to be taken as affecting the meaning or effect of the law.]

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1 **Comment:** *See* City General Provisions Article, § 1-209, for the Code-wide iteration of
2 this standard definition of “Editor’s Notes” or “Revisor Notes”.

3 **[§ 1-210. Severability.]**

4 [(a) *In general.*]

5 [Except as provided in subsection (b) of this section:]

6 [(1) all provisions of this article are severable; and]

7 [(2) if a court determines that a word, phrase, clause, sentence, paragraph,
8 subsection, section, or other provision is invalid or that the application of any
9 part of the provision to any person or circumstances is invalid, the remaining
10 provisions and the application of those provisions to other persons or
11 circumstances are not affected by that decision.]

12 [(b) *Exceptions.*]

13 [Subsection (a) of this section does not apply:]

14 [(1) to the extent that a statute specifically provides otherwise; or]

15 [(2) if the court finds that the remaining provisions alone are incomplete and
16 incapable of being executed in accordance with the legislative intent.]

17 **Comment:** *See* City General Provisions Article, § 1-214, for the Code-wide iteration of
18 this standard.

19 **[§ 1-211. Time computations.]**

20 [(a) *Computation of time after an act, event, or default.*]

21 [(1) In computing any period of time prescribed by this article, the day of the act, event,
22 or default after which the designated period of time begins to run is not included.]

23 [(2) If the period of time allowed is more than 7 days, intermediate Saturdays, Sundays,
24 and legal holidays are counted.]

25 [(3) If the period of time allowed is 7 days or less, intermediate Saturdays, Sundays, and
26 legal holidays are not counted.]

27 [(4) The last day of the period so computed is included unless it is a Saturday, Sunday,
28 or legal holiday, in which event the period runs until the end of the next day that is
29 not a Saturday, Sunday, or legal holiday.]

30 [(b) *Computation of time before a day, act, or event.*]

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1 [(1) In determining the latest day for performing an act that is required by this article to
2 be performed a prescribed number of days before a certain day, act, or event, all
3 days preceding that day, including intervening Saturdays, Sundays, and legal
4 holidays, are counted in the number of days so prescribed.]

5 [(2) The latest day is included in the determination unless it is a Saturday, Sunday, or
6 legal holiday, in which event the latest day is the first preceding day that is not a
7 Saturday, Sunday, or legal holiday.]

8 **Comment:** *See* City General Provisions Article, Subtitle 3, for the Code-wide iteration of
9 these standards.

Title 6. Food Service Facilities

§ 6-101. Definitions.

12 (g) *Person.*

13 (1) *IN GENERAL.*

14 “PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF
15 THE CITY CODE’S GENERAL PROVISIONS ARTICLE.

16 (2) *QUALIFIED INCLUSION OF GOVERNMENTAL ENTITIES.*

17 [“Person”] NOTWITHSTANDING § 1-107(B) {“PERSON: EXCLUSION”} OF THE
18 GENERAL PROVISIONS ARTICLE, IN THIS TITLE “PERSON” ALSO includes, except
19 as used in § 6-802 {“Penalties”} of this title, a governmental entity or an
20 instrumentality or unit of a governmental entity.

21 **Comment:** New paragraph (1) incorporates by reference the “general” definition of
22 “person” found in § 1-107(a) of the City General Provisions Article. Paragraph (2),
23 however, necessarily departs from GP Art. § 1-107(b)’s unqualified exclusion of
24 governmental entities, instrumentals, or units given the express provision otherwise
25 in current Health Article, § 6-101(g).

Title 7. Waste Control

Subtitle 4. Landfills

§ 7-401. Definitions.

29 (c) *Person.*

30 (1) *IN GENERAL.*

31 “PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF
32 THE CITY CODE’S GENERAL PROVISIONS ARTICLE.

33 (2) *QUALIFIED INCLUSION OF GOVERNMENTAL ENTITIES.*

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1 ["Person"] NOTWITHSTANDING § 1-107(B) {"PERSON: EXCLUSION"} OF THE
2 GENERAL PROVISIONS ARTICLE, IN THIS SUBTITLE "PERSON" ALSO includes,
3 except as used in § 7-419 {"Penalties"} of this subtitle, a governmental entity
4 or an instrumentality or unit of a governmental entity.

5 **Comment:** New paragraph (1) incorporates by reference the "general" definition of
6 "person" found in § 1-107(a) of the City General Provisions Article. Paragraph (2),
7 however, necessarily departs from GP Art. § 1-107(b)'s unqualified exclusion of
8 governmental entities, instrumentals, or units given the express provision otherwise
9 in current Health Article, § 7-401(c).

10 **Title 8. Air Pollution**

11 **Subtitle 1. Permitted Emissions**

12 ***Part II. Commercial Solid Waste Incinerator***

13 **§ 8-111. Definitions.**

14 [(e) "Person".]

15 ["Person" means:]

16 [(1) an individual;]

17 [(2) a partnership, firm, association, corporation, or other entity of any kind;]

18 [(3) a receiver, trustee, guardian, personal representative, fiduciary, or
19 representative of any kind.]

20 **Comment:** See City General Provisions Article, § 1-107, for the standard definition of
21 "person".

22 **[§ 8-126. Severability.]**

23 [All provisions of this Part II are severable. If a court determines that a word, phrase, clause,
24 sentence, paragraph, subsection, section, or other provision is invalid or that the application
25 of any part of the provision to any person or circumstances is invalid, the remaining
26 provisions and the application of those provisions to other persons or circumstances are not
27 affected by that decision.]

28 **Comment:** See City General Provisions Article, § 1-214, for the Code-wide iteration of
29 this standard.

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Title 9. Noise Regulation

Subtitle 2. Basic Sound Level Standards

§ 9-201. Definitions.

(c) *Person.*

(1) *IN GENERAL.*

“PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF THE CITY CODE’S GENERAL PROVISIONS ARTICLE.

(2) *QUALIFIED INCLUSION OF GOVERNMENTAL ENTITIES.*

[“Person”] NOTWITHSTANDING § 1-107(B) {“PERSON: EXCLUSION”} OF THE GENERAL PROVISIONS ARTICLE, IN THIS SUBTITLE “PERSON” ALSO includes, except as used in § 9-218 {“Penalties”} of this subtitle, a governmental entity or an instrumentality or unit of a governmental entity.

Comment: New paragraph (1) incorporates by reference the “general” definition of “person” found in § 1-107(a) of the City General Provisions Article. Paragraph (2), however, necessarily departs from GP Art. § 1-107(b)’s unqualified exclusion of governmental entities, instrumentals, or units given the express provision otherwise in current Health Article, § 9-201(c).

Title 11. Swimming Pools

Subtitle 3. Public Swimming Pools

§ 11-301. Definitions.

(b) *Person.*

(1) *IN GENERAL.*

“PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF THE CITY CODE’S GENERAL PROVISIONS ARTICLE.

(2) *QUALIFIED INCLUSION OF GOVERNMENTAL ENTITIES.*

[“Person”] NOTWITHSTANDING § 1-107(B) {“PERSON: EXCLUSION”} OF THE GENERAL PROVISIONS ARTICLE, IN THIS SUBTITLE “PERSON” ALSO includes, except as used in § 11-318 {“Penalties”} of this [title] SUBTITLE, a governmental entity or an instrumentality or unit of a governmental entity.

Comment: New paragraph (1) incorporates by reference the “general” definition of “person” found in § 1-107(a) of the City General Provisions Article. Paragraph (2), however, necessarily departs from GP Art. § 1-107(b)’s unqualified exclusion of governmental entities, instrumentals, or units given the express provision otherwise in current Health Article, § 11-301(b).

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Title 12. Tobacco Products and Smoking Devices

Subtitle 9. Nicotine Replacement Therapy Products

§ 12-901. Definitions.

(c) *Person.*

[(1) *In general.*]

["Person" means:]

[(i) an individual;]

[(ii) a partnership, firm, association, corporation, or other entity of any kind; and]

[(iii) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind.]

(1) *IN GENERAL.*

"PERSON" HAS THE MEANING STATED IN § 1-107(A) {"PERSON: IN GENERAL"} OF THE CITY CODE'S GENERAL PROVISIONS ARTICLE.

(2) *QUALIFIED INCLUSION OF GOVERNMENTAL ENTITIES.*

["Person"] NOTWITHSTANDING § 1-107(B) {"PERSON: EXCLUSION"} OF THE GENERAL PROVISIONS ARTICLE, IN THIS SUBTITLE "PERSON" ALSO includes, except as used in § 12-908 {"Civil Penalties: \$100"} of this subtitle, a governmental entity or an instrumentality or unit of a governmental entity.

Comment: New paragraph (1) incorporates by reference the "general" definition of "person" found in § 1-107(a) of the City General Provisions Article. Paragraph (2), however, necessarily departs from GP Art. § 1-107(b)'s unqualified exclusion of governmental entities, instrumentals, or units given the express provision otherwise in current Health Article, § 12-901(c).

Title 19. Pesticides

Subtitle 1. DEFINITIONS; General Provisions

§ 19-101. Definitions.

(g) *Person.*

["Person" means:]

[(1) an individual;]

[(2) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind;]

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1 [(3) a partnership, firm, association, corporation, or other entity of any kind; or]

2 [(4) a governmental entity or an instrumentality or unit of a governmental entity.]

3 (1) *IN GENERAL.*

4 “PERSON” HAS THE MEANING STATED IN § 1-107(A) {“PERSON: IN GENERAL”} OF
5 THE CITY CODE’S GENERAL PROVISIONS ARTICLE.

6 (2) *INCLUSION OF GOVERNMENTAL ENTITIES.*

7 NOTWITHSTANDING § 1-107(B) {“PERSON: EXCLUSION”} OF THE GENERAL
8 PROVISIONS ARTICLE, IN THIS SUBTITLE “PERSON” ALSO INCLUDES A
9 GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL
10 ENTITY.

11 **Comment:** Revised paragraph (1) incorporates by reference the “general” definition of
12 “person” found in § 1-107(a) of the City General Provisions Article. Paragraph (2),
13 however, necessarily departs from GP Art. § 1-107(b)’s exclusion of governmental
14 entities, instrumentals, or units given the express provision otherwise in current Art. 31,
15 § 13-1(g)(4).

16 **SECTION 2. AND BE IT FURTHER ORDAINED,** That, if a section, subsection, paragraph,
17 subparagraph, tabulated item or subitem, or other statutory unit is added to or repealed from the
18 City Code by this Ordinance, the Department of Legislative Reference, in codifying this
19 Ordinance, is authorized to renumber or reletter related statutory units as appropriate to reflect
20 the added or repealed unit and is further authorized to conform cross-references to the
21 renumbered or relettered statutory units.

22 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it
23 is enacted.