

Chapter 1

GENERAL PROVISIONS

[HISTORY: Adopted by the Town Council of the Town of Grottoes as indicated in article histories. Amendments noted where applicable.]

ARTICLE I Adoption of Code [Adopted 7-8-1996]

§ 1-1. Adoption of Code.

There is hereby adopted by the Council that certain Code entitled the "Code of the Town of Grottoes, Virginia," containing certain ordinances of a general and permanent nature as revised, compiled, consolidated and recodified in Chapters 1 to 166, both inclusive.

§ 1-2. Effective date; repealer.

The provisions of such Code shall be in force on and after the effective date of this ordinance, and all ordinances of a general and permanent nature enacted on or prior to the effective date of this ordinance, including the former 1970 Code, and not contained in such Code are hereby repealed from and after the effective date of this ordinance, except as hereinafter provided.

§ 1-3. Legislation saved from repeal.

The repeal provided for in the preceding section of this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or occurring before the effective date of this ordinance; nor shall such repeal affect any ordinance or resolution promising or guaranteeing the payment of money by or for the Town or authorizing the issue of any bonds of the Town or any evidence of indebtedness or any contract or obligation assumed by the Town; nor shall it affect any right or franchise conferred by ordinance or resolution of the Town on any person or corporation; nor shall it affect any ordinance adopted for purposes which have been consummated or any ordinance which is temporary, although general in effect, or special, although permanent in effect; nor shall it effect any provisions appearing in this Code so far as they are the same as those of the former 1970 Code and all ordinances adopted subsequent to the 1970 Code and included herein, an such provisions shall be considered as continuations thereof and not as new enactments; nor shall it affect any of the following ordinances or any amendment thereto:

- A. Any appropriation ordinance.
- B. Any ordinance providing for any public improvement.
- C. Any ordinance making any assessment.

- D. Any ordinance opening, relocating, closing, altering or naming any streets or alleys.
- E. Any ordinance relative to salaries, wages or compensation or bonds of Town officers and employees or to members or employees of Town boards or commissions.
- F. Any ordinance relative to annexation of territory to the Town or relative to the change, expansion or contraction of the corporate boundaries of the Town.
- G. An ordinance allowing the encroachment of a patio and shed owned by Wayne Morris into the alley owned by the Town of Grottoes, adopted December 8, 1987.
- H. An ordinance allowing the encroachment of a single-family residence owned by Viola Morris into the street owned by the Town of Grottoes, adopted December 8, 1987.
- I. An ordinance allowing the encroachment of a dwelling owned by Evelyn Morris into the street owned by the Town of Grottoes, adopted May 14, 1990.
- J. Any ordinance adopted subsequent to January 1, 1996.

§ 1-4. Severability.

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance and of the Code are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance or such Code shall be declared unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance or of such Code.

§ 1-5. Copies of file.

Three copies of the Code shall be filed in the office of the Town Superintendent and be made available to persons desiring to examine the same.

§ 1-6. Changes in previously adopted legislation.

In compiling and preparing the ordinances for publication as the Code of the Town of Grottoes, certain changes in the meaning or intent of such ordinances have been made. These have been indicated with editor's notes that indicate that provisions were added, amended or deleted at time of adoption of Code, and which editor's notes will be replaced with the legislative history of this ordinance through supplementation of the Code of the Town of Grottoes. In addition, certain grammatical changes and other minor nonsubstantive changes were made in one or more of said pieces of legislation. It is the intention of the Town of Grottoes that all such changes be adopted as part of the Code as if the ordinance had been previously formally amended to read as such.

§ 1-7. General penalty.

For any violation of the provisions of this Code, the following penalties shall apply:

- A. For a Class 1 misdemeanors, confinement in jail for not more than 12 months and a fine of not more than \$2,500, either or both.
- B. For Class 2 misdemeanors, confinement in jail for not more than six months and a fine of not more than \$1,000, either or both.
- C. For Class 3 misdemeanors, a fine of not more than \$500.
- D. For Class 4 misdemeanors, a fine of not more than \$250.

ARTICLE II
Injunctive Relief
[Adopted 9-10-2009]

§ 1-8. Injunctive relief against continuing violations of ordinances.

The Town, in addition to the penalty imposed for the violation of any ordinance, may seek to enjoin the continuing violation thereof by proceedings for an injunction brought in the Circuit Court of Rockingham County, Virginia.