

## CHAPTER 10: RULES OF CONSTRUCTION; GENERAL PENALTY

### § 10.02 DEFINITIONS.

For the purpose of this code the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ACTION.** Includes all proceedings in any court of this state. (KRS 446.010(1))

**AND.** May be read *OR*, and *OR* may be read *AND*, if the sense requires it.

**ANIMAL.** Includes every warm-blooded living creature except a human being. (KRS 446.010(2))

**AVIS.** The automated vehicle information system established and maintained by the Transportation Cabinet to collect titling and registration information on vehicles and boat and information on holders of motor vehicle operator's licenses and personal identification cards. (KRS 446.010(55))

**BUSINESS TRUST.** Includes, except when utilized in KRS Chapter 386, a "statutory trust" as organized under KRS Chapter 386A. (KRS 446.010(6))

**CATTLE.** Includes horse, mule, ass, cow, ox, sheep, hog, or goat of any age or sex. (KRS 446.010(8))

**CERTIFIED MAIL.** Any method of governmental, commercial, or electronic delivery that allows a document or package to have proof of:

- (1) Sending the document or package;
- (2) The date the document or package was delivered or delivery was attempted; and
- (3) The signature of the receipt of the document or package. (KRS 446.010(9))

**CITY, MUNICIPAL CORPORATION, or MUNICIPALITY.** When used in this code shall denote the City of Smiths Grove irrespective of its population or legal classification.

**COMMISSION.** The City Commission. (KRS 83A.010(3))

**COMPANY.** May extend and be applied to any corporation, company, person, partnership, joint stock company, or association. (KRS 446.010(10))

**CORPORATION.** May extend and be applied to any corporation, company, partnership, joint stock company, or association. (KRS 446.010(11))

**COUNTY.** Warren County, Kentucky.

**CRUELTY.** As applied to animals, includes every act or omission whereby unjustifiable physical pain, suffering, or death is caused or permitted. (KRS 446.010(13))

**DIRECTORS.** When applied to corporations, includes managers or trustees. (KRS 446.010(14))

**DOMESTIC.** When applied to a corporation, partnership, business trust, or limited liability company, means all those incorporated or formed by authority of this state. (KRS 446.010(15))

**DOMESTIC ANIMAL.** Any animal converted to domestic habitat. (KRS 446.010(16))

**EXECUTIVE AUTHORITY.** The Commission. (KRS 83A.010(6))

**FEDERAL.** Refers to the United States. (KRS 446.010(18))

**FOREIGN.** When applied to a corporation, partnership, limited partnership, business trust, statutory trust, or limited liability company, includes all those incorporated or formed by authority of any other state. (KRS 446.010(19))

**KEEPER or PROPRIETOR.** Includes all persons, whether acting by themselves or as a servant, agent, or employee.

**KRS.** Kentucky Revised Statutes.

**LAND or REAL ESTATE.** Includes lands, tenements, and hereditaments and all rights thereto and interest therein, other than a chattel interest. (KRS 446.010(24))

**LEGISLATIVE BODY.** The City Commission. (KRS 91A.010(8))

**LEGISLATIVE BODY MEMBER.** A City Commissioner. (KRS 83A.010(8))

**MAY.** The act referred to is permissive. (KRS 446.010(26))

**MONTH.** Calendar month. (KRS 446.010(27))

**MUNICIPALITY.** The City of Smiths Grove, Kentucky.

**OATH.** Includes **AFFIRMATION** in all cases in which an affirmation may be substituted for an oath. (KRS 446.010(28))

**PARTNERSHIP.** Includes both general and limited partnerships. (KRS 446.010(30))

**PEACE OFFICER.** Includes sheriffs, constables, coroners, jailers, metropolitan and urban-county government correctional officers, marshals, policemen, and other persons with similar authority to make arrests. (KRS 446.010(31))

**PERSON.** May extend and be applied to bodies-politic and corporate, societies, communities, the public generally, individuals, partnerships, joint stock companies, and limited liability companies. (KRS 446.010(33))

**PERSONAL PROPERTY.** Includes all property except real.

**PREMISES.** As applied to property, includes land and buildings.

**PROPERTY.** Includes real, personal, mixed estates and interests.

**PUBLIC AUTHORITY.** Includes boards of education; the municipal, county, state, or federal government, its officers or an agency thereof; or any duly authorized public official.

**PUBLIC PLACE.** Includes any street, sidewalk, park, cemetery, school yard, body of water or watercourse, public conveyance, or any other place for the sale of merchandise, public accommodation, or amusement.

**REAL PROPERTY.** Includes lands, tenements, and hereditaments.

**REGISTERED MAIL.** Any governmental, commercial, or electronic method of delivery that allows a document or package to have:

(1) Its chain of custody recorded in a register to enable its location to be tracked;

(2) Insurance available to cover its loss; and

(3) The signature of the recipient of the document or package available to the sender. (KRS 446.010(36))

**REGULAR ELECTION.** The election in even numbered years at which members of Congress are elected and the election in odd numbered years at which state officers are elected. (KRS 446.010(37))

**SHALL.** The act referred to is mandatory. (KRS 446.010(39))

**SIDEWALK.** That portion of the street between the curb line and the adjacent property line intended for the use of pedestrians.

**STATE.** The State of Kentucky.

**STREET.** Includes alleys, avenues, boulevards, lanes, roads, highways, viaducts, and all other public thoroughfares within the city.

**SUBCHAPTER.** A division of a chapter, designated in this code by a heading in the chapter analysis and a capitalized heading in the body of the chapter, setting apart a group of sections related by the subject matter of the heading. Not all chapters have subchapters.

**SWORN.** Includes **AFFIRMED** in all cases in which an affirmation may be substituted for an oath. (KRS 446.010(43))

**TENANT** or **OCCUPANT.** As applied to premises, includes any person holding a written or oral lease, or who actually occupies the whole or any part of such premises, alone or with others.

**VACANCY IN OFFICE.** Such as exists when there is an unexpired part of a term of office without a lawful incumbent therein, or when the person elected or appointed to an office fails to qualify according to law, or when there has been no election to fill the office at the time appointed by law; it applies whether the vacancy is occasioned by death, resignation, removal from the state, county, city, or district, or otherwise. (KRS 446.010(46))

**VIOLATE.** Includes failure to comply with. (KRS 446.010(47))

**YEAR.** Calendar year. (KRS 446.010(49))