

**CHAPTER I**  
**GENERAL PROVISIONS**

1-1 SHORT TITLE.

The book shall be known and may be cited as "The Topsfield Town Code" and is herein referred to as the "Code."

1-2 DEFINITIONS.

For the purpose of this Code, and in the interpretation and application of all other By-Laws, rules, regulations and resolutions heretofore or hereafter adopted, except as the context may otherwise require:

A.T.M., when referenced within this Code, shall mean the Annual Town Meeting.

GL, when referenced within this Code, shall mean Massachusetts General Laws. GLc refers to a particular chapter of the Massachusetts General Laws. The symbol ~ refers to a section of that chapter.

Month shall mean a calendar month unless otherwise specifically provided.

S.T.M., when referenced within this Code, shall mean a Special Town Meeting.

Year shall mean a calendar year unless otherwise specifically provided.

1-3 CONSTRUCTION.

For the purpose of this Code and any other By-Laws, rules, regulations or resolutions heretofore or hereafter adopted, except as the context may otherwise require:

The present tense includes the past and future tenses.

The masculine gender includes the feminine and neuter.

The singular number includes the plural and the plural the singular.

"Shall" is mandatory and "may" is permissive.

"Writing" and "written" shall include printing, typewriting and any other mode of communication using paper or similar material which is in general use, as well as legible handwriting.

Whenever a specific time is used in this Code, it shall mean the prevailing time in effect in the Commonwealth of Massachusetts during any day in any year.

Any citation of a statute or law contained in this Code shall be deemed to refer to such statute or law as amended, whether or not such designation is included in the citation.

"Chapter" shall mean one of the major divisions of the Code identified by a Roman numeral and divided by subject matter.

"Section" shall mean a major subdivision of a chapter.

"Subsection" shall mean a subdivision of a section, identified by a decimal number.

"Paragraph" shall mean a subdivision under a subsection, identified by an alphabetical letter or Arabic number.

#### 1-4 SEVERABILITY.

If any chapter, section, subsection or paragraph of this Code shall be declared to be unconstitutional, invalid, or inoperative, in whole or in part, by a court of competent jurisdiction, such chapter, section, subsection or paragraph shall, to the extent that it is not unconstitutional, invalid or inoperative, remain in full force and effect, and no such determination shall be deemed to invalidate the remaining chapters, sections, subsections or paragraphs of this Code.

#### 1-5 PENALTY.

1-5.1 Maximum Penalty.<sup>i</sup> Any person who shall violate any general provision of this Code or other By-Law of the Town, where no specific penalty is provided regarding the section violated, shall, upon conviction thereof, be punishable by a fine not exceeding three hundred (\$300.00) dollars, unless the penalty for such violation is limited by the Massachusetts General Law or any other law.

1-5.2 Separate Violations. Except as otherwise provided, every day in which a violation of any provision of this Code or any other By-Law of the Town exists shall constitute a separate violation.

1-5.3 Penalty for Zoning Violation of the Zoning Chapter. This penalty is not applicable for violations of the Zoning Chapter. See Zoning Chapter for penalty provision applicable to that Chapter.

(Art. 22, 5/6/86)

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<sup>i</sup> Editor's Note: MGLA c. 40, ~ 21 authorizes Town to prescribe penalty for each violation or offense, the penalty not to exceed three hundred (\$300.00) dollars.