

## Article 1

### Definitions

#### **101. Interpretation of Words.**

Unless otherwise expressly stated, the following words shall, for the purpose of this Ordinance, have the meaning herein indicated: the singular includes the plural, the word "person" includes a corporation as well as an individual. The word "lot" includes the word "plot" or "parcel." The term "shall" is always mandatory. Words used in the present tense shall include the future. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

#### **102. Definition of Terms.**

**Accessory Use:** A use customarily incidental and subordinate to the principal use or building or structure and located on the same lot with such principal use or building, but separate from the principal structure.

**Alley:** A public thoroughfare which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

**Alterations:** As applied to a building or structure, means a change or rearrangement in the structural parts or in the exit facilities, or an enlargement, whether by extending or a side or by increasing in height, or the moving from one location or position to another.

**Alterations, Structural:** Any change in the support members of a building such as bearing walls, columns, beams, or girders.

**Apartment, Conversion:** A dwelling altered by converting an existing dwelling into apartments for three or more families without substantially altering the exterior of the building.

**Apartment House:** A building arranged, intended or designed to be occupied by three or more families living independently of each other.

**Area, Building:** The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive or uncovered porches, terraces and steps.

**Area, Net Site:** The total area within the property lines excluding external streets.

**Auto Court:** A building or group of buildings, whether detached or in connected units, used as individual sleeping or dwelling units designed primarily or transient automobile travelers and providing for accessory off-street parking facilities. The term "auto court" includes buildings designated as tourist courts, motor lodges, motels and similar appellations.

**Basement:** A story partly underground but having at least one-half of its height above the average level of the adjoining ground. A basement shall be counted as a story for the purposes of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five (5) feet or if used for business or dwelling purposes.

**Boarding House:** Any dwelling in which more than three persons, either individually or as families, are housed or lodged for hire with or without meals. A rooming house and a dormitory shall be deemed a boarding house.

**Building:** Any structure having a roof and intended for the shelter, housing or enclosure of persons, animals or cattle.

**Building, Accessory:** A subordinate building or a portion of the main building on a lot, the use of which is customarily incidental to that of the main or principal building.

**Building, Detached:** A building surrounded by open space on the same lot.

**Building, Front Line of:** The line of that face of the building nearest the front line of the lot. This face includes sun parlors, covered porches and covered patios, whether enclosed or unenclosed but does not include steps.

**Building, Height of:** The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line or mansard roofs, and to the mean height between eaves and ridges for gable, hip and gambrel roofs.

**Building Line:** That line established by the required minimum setback from the street right-of-way for buildings and/or structures for the district involved. The Building Line shall be the point at which the lot width shall be measured.

**Building, Principal:** A building in which is conducted the principal use of the lot on which it is located.

**Camp:** Any one or more of the following, other than a hospital, place of detention or school offering general instruction:

**Type 1.** Any area of land or water on which are located two or more cabins, tents, trailers, shelters, houseboats or other accommodations of a design or character suitable for seasonable or other temporary living purposes, regardless of whether such structures or other accommodations actually are occupied seasonally or otherwise; or

**Type 2.** Any building or group of buildings, other than buildings constituting a camp - Type 1, used for temporary or seasonal living purposes other than; (1) normal residential occupancy of a dwelling of a type permitted in the district in which situated or (2) normal occupancy of a hotel, rooming house, tourist home or automobile court; or

**Type 3.** Any land, including any building thereon, used for any assembly of persons for what is commonly known as "day camp" purposes; and shall apply to any of the foregoing establishments whether or not conducted for profit and whether occupied by adults or by children, whether as individuals, families or groups.

**Camping Ground :** A parcel of land used or intended to be used, let or rented for occupancy by campers or for occupancy by or of trailers, tents or movable or temporary dwellings, rooms or sleeping quarters of any kind.

**Carport:** See Garage, Private.

**Cellar:** A story partly underground and having more than one-half of its clear height below the average level of the adjoining ground. A cellar shall not be considered in determining the permissible number of stories.

**Court:** An unoccupied open space, other than a yard, on the same lot with a building, which is bounded on two or more sides by the walls of such building.

**Court, Inner:** A court enclosed on all sides by exterior walls of a building or by exterior walls and lot lines on which walls are allowable.

**Court, Outer:** A court enclosed on not more than three sides by exterior walls and lot lines on which walls are allowable, with one side or end open to a street, driveway, alley or yard.

**Coverage:** That percentage of the plot or lot area covered by the area of all buildings on the lot.

**Curb Level:** The officially established grade of the curb in front of the midpoint of the lot.

**Dog Kennel:** The keeping of more than three (3) dogs that are more than six (6) months old.

**Dormitory:** See Boarding House.

**Dump:** A lot or land or part thereof used primarily for the disposal by abandonment, dumping, burial, burning or any other means and for whatever purpose, of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or part thereof, or waste material of any kind.

**Dwelling:** A building designed or used for residential occupancy as the living quarters for one or more families. The terms "dwelling," "one family dwelling," "multiple dwelling," "two family dwelling," or "dwelling group," shall not be deemed to include automobile court, rooming house, tourist home, motel, or hotel.

**Dwelling, One-Family:** A building designed for or occupied exclusively by one (1) family.

**Dwelling, One-Family Detached:** A building accommodating but a single-family and having two (2) side yards.

**Dwelling, Two-Family:** A building designed specifically for or occupied exclusively by two families living independently of each other and of one-story or two-story design.

**Dwelling, Multiple:** A building used or designed as a residence for three (3) or more families living independently of each other and doing their own cooking therein including apartment houses, apartment hotels, condominium, and group houses.

**Dwelling, Group:** A group of two or more one-family, two-family, or multiple dwellings occupying a lot in one ownership and having any yard in common.

**Dwelling, Row:** A dwelling, the walls on two sides of which are in common with the walls of adjoining dwellings and are party or lot line walls.

**Dwelling Unit:** A building or portion thereof providing complete housekeeping facilities for one family.

**Electric Sub-Station:** An assemblage of equipment for purposes other than generation or utilization through which electric energy in bulk is passed for the purpose of switching or modifying its characteristics to meet the needs of the general public.

**Family:** One (1) or more persons who live together in one (1) dwelling unit and maintain a common household. May consist of a single person or of two (2) or more persons, whether or not related by blood, marriage, or adoption. May also include domestic servants and gratuitous guests.

**Farm:** Any parcel of land containing at least ten (10) acres which is used in the raising of agricultural products, livestock, poultry and dairy products. It includes necessary farm structures within the prescribed limits and the storage of equipment uses. It excludes the raising of fur bearing animals, riding academies, livery or boarding stables and dog kennels.

**Floor Area of a Building:** The sum of the gross horizontal areas of the several floors or a building and its accessory buildings on the same lot, excluding cellar and basement floor areas not devoted to business or dwelling purposes but including the area of roofed porches and roofed terraces. All dimensions shall be measured between exterior faces of walls.

**Floor Area, Habitable:** The aggregate of the horizontal areas of all rooms used for habitation, such as living room, dining room, kitchen, bedroom, but not including hallways, stairways, cellar, attics, service rooms or utility rooms, bathroom, closets, nor unheated areas such as enclosed porches, nor rooms, without at least one (1) window or skylight opening onto an outside yard or court. At least one-half of the floor area of every habitable room shall have a ceiling height of not less than seven (7) feet and the floor area of that part of any room where the ceiling height is less than five (5) feet shall not be considered as part of the habitable floor area. The minimum total window area, measured between stops shall be ten (10) percent of the habitable floor area of such room.

**Floor Area Ratio of a Building:** The quotient of the sum of all the floor area of a building divided by its lot area.

**Garage, Private:** An enclosed or partly enclosed space for the storage of one (1) or more vehicles, provided that no business, occupation or service is conducted for profit therein nor space therein for more than one (1) car is leased to a non-resident of the premises. For the purposes of this Ordinance, the term "private garage" shall include the term "carport."

**Garage, Public:** Any garage not a private garage, and which is used for storage, parking, repair, rental, servicing or supplying of gasoline or oil to motor vehicles.

**Grade, Established:** The elevation of the center line of the streets as officially established by the municipal authorities.

**Grade, Finished:** The completed surfaces of lawns, walks and roads brought to grades as shown on official plans or designs relating thereto.

**Home Occupation:** An accessory use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof.

**Hospital:** A building containing rooms intended or designed to be used or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests and where only a general kitchen and dining room are provided within the building or in an accessory building.

**Hotel:** A building containing rooms intended or designed to be used or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests and where only a general kitchen and dining room are provided within the building or in an accessory building.

**House Trailer:** See Recreation Vehicle.

**Junk Yard:** See Scrap Yard.

**Laundromat:** A business premises equipped with individual clothes washing machines for the use of retail customers, exclusive of laundry facilities provided as an accessory use such as in the case of an apartment house.

**Line, Street:** The dividing line between the street right-of-way and the lot.

**Lodging House:** A building in which three or more rooms are rented and in which meals are not served.

**Lot:** Land occupied or to be occupied by a building and its accessory buildings, or by a dwelling group and its accessory buildings, together with such open spaces as are required under the provisions of this Ordinance, having not less than the minimum area and with required by this Ordinance for a lot in the district in which such land is situated, and having its principal frontage on a street or on such other means of access as may be determined in accordance with the provisions of law to be adequate as a condition of the issuance of a zoning or building permit for a building on such land.

**Lot or Record:** A parcel of land held in single and separate ownership described by a recorded deed or other legal instrument which may or may not conform to the minimum regulations required herein.

**Lot, Corner:** A parcel of land at the junction of, and fronting on, two or more intersecting streets.

**Lot, Interior:** A lot other than a corner lot.

**Lot, Through:** An interior lot having frontage on two parallel or approximately parallel streets.

**Lot, Lines:** The lines bounding a lot as defined herein.

**Mobilehome:** The term "mobilehome" shall be construed to mean and include any structure intended for or capable of human habitation with or without wheels and capable of being driven, propelled, transported, or towed from place to place, by whatsoever name or title it is colloquially or commercially known. Provided, that this definition shall not include transport trucks, or vans equipped with sleeping space for a driver or drivers, or unoccupied vehicles, whether self-propelled or not, commonly referred to as campers and travel vans.

**Mobilehome, Dependent:** The term "dependent mobilehome" shall mean a mobilehome which is not equipped with a toilet and bathtub or shower.

**Mobilehome, Independent:** The term "independent mobilehome" shall mean a mobilehome equipped with a toilet and bathtub or shower.

**Mobilehome, Permanent:** Shall be construed to mean an independent mobilehome with wheels, tow bar or other means of propulsion removed and the unit firmly affixed to a permanent foundation which is located on a lot in accordance with the controls, regulations, and standards set forth for the district in which the mobilehomes are to be located: A permanent foundation shall be of masonry construction upon footers set below frost line and oriented to the frame of the mobilehomes so as to provide a weathertight joint on all four sides.

**Nonconforming Use:** A structure or land lawfully occupied by a use that does not conform to the regulations of the district in which it is situated.

**Nursing or Convalescent Home:** Any structure containing sleeping rooms where persons are housed or lodged and furnished with meals and nursing care.

**Open Space:** A space, not occupied by a structure, open to the sky and on the same lot with the building or structure.

**Parking Space:** The area required for parking one automobile, which in this Ordinance is held to be an area of not less than 180 square feet, nine (9) feet wide and twenty (20) feet long, plus space for access and passageways.

**Premises:** Any lot, parcel or tract of land and any building constructed thereon.

**Plat:** A map, plan or layout of a subdivision including the location and boundaries of individual properties.

**Quarry:** Sand Pit, Gravel Pit, Top Soil Stripping: A lot or land or part thereof used for the purpose of extracting stone, sand, gravel or top soil for sale or for processing into a product for sale, and exclusive of the process of grading a lot preparatory to the construction of a building.

**Recreation Vehicle:** Any portable or mobile vehicle used or designed to be used for travel, recreation, and/or living purposes; and with its wheels, rollers, or skids in place. A recreation vehicle shall include trailer, house trailer, camper, sleigh, golf cart, boat, boat trailer, airplane or other similar vehicle providing partial and usually temporary living and sleeping quarters and which may or may not include kitchen and bathroom conveniences.

**Recreation Vehicle Park:** A track of land:

- a. Where two (2) or more recreation vehicles are parked, or
- b. Which is used or held out for the purpose of supplying to the public a parking space for two (2) or more recreational vehicles.

**Residential Hotel:** A dwelling occupied by permanent guests only and not by transients. It may include restaurants, newsstands and other accessory services primarily for serving its occupants and only incidentally the public.

**Riding Academy:** Any establishment where horses are kept for riding, driving or stabling for compensation or incidental to the operation of any club, association, ranch or similar establishment.

**Sanitarium, Sanatorium:** A private hospital, whether or not such facility is operated for profit.

**Scrap Yard:** A lot, land or structure, or part thereof, used primarily for the collecting, storage or sale of waste paper, rags, scrap metal or discarded material; or for the collecting, dismantling, storage or salvaging of machinery or vehicles not in running condition, or for the sale of parts thereof. Such uses shall be classified as industrial.

**Service Station, Automotive:** Any area of land, including structures thereon, that is used or designed to be used for the supply of gasoline or oil or other fuel for the propulsion of motor vehicles and which may include facilities used or designed to be used for polishing, greasing, washing, dry cleaning or otherwise cleaning or servicing such motor vehicles. Automotive parts may be sold.



**Sign:** Any structure or device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge, or insignia of any government, or government agency, or of any civic, charitable, religious, patriotic, fraternal, or similar organization.

**Stable, Private:** A building in which one or more horses are kept for private use and not for hire, remuneration or sale.

**Stable, Public:** A building in which one or more horses are kept for remuneration, hire or sale.

**Story:** That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.

**Story, Half:** A story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than two (2) feet above the floor of such story.

**Street:** A public right-of-way which affords principal means of access to abutting properties.

**Street, Grade:** The officially established grade of the street upon which a lot fronts or in its absence the established grade of other street upon which the lot abuts, at the mid-point of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such mid-point shall be taken as the street grade.

**Structure:** Structure means a combination of materials to form a construction that is safe and stable and includes among other things stadiums, platforms, radio towers, sheds, storage bins, fences and signs.

**Subdivision :** An area of land divided by the owners or agent, either by lots or by metes and bounds into lots or parcels two or more in number for the purpose of conveyance, transfer, improvement or sale of one or more. the appurtenant roads, streets, lanes, alleys and ways are included; whether dedicated or intended to be dedicated to public uses, or for the use of purchasers or owners of lots fronting thereon. The word "resubdivision" includes the words "re-subdivision," "plot," "replot," "plan," or "replan."

**Telephone Central Office or Telephone Exchange Building:** A building and its equipment erected and used for the purpose of facilitating transmission and exchange of telephone messages between subscribers and other business of the telephone company.

**Theater, Moving Picture:** A building or part of a building devoted to the showing of moving pictures on a paid admission basis.

**Theater, Outdoor Drive-In:** An open lot or part thereof, with its appurtenant facilities, devoted primarily to the showing of moving pictures or theatrical productions, on a paid admission basis, to patrons seated in automobiles or on outdoor seats.

**Tourist Cabins:** A group of buildings, including either separate cabins or a row of cabins which:

- a. Contain living and sleeping accommodations for transient occupancy, and
- b. Have individual entrances.

**Tourist Home:** A dwelling in which overnight accommodations are provided or offered for transient guests for compensation.

**Trailer:** See Recreation Vehicle.

**Use:** The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any non-conforming use.

**Window :** An opening to the outside other than a door which provides all or part of the required natural light, natural ventilation or both to an interior space. The glazed portion of a door in an exterior wall may be construed to be a window.

**Yard:** An unoccupied space, open to the sky, on the same lot with a building or structure .

**Yard, Front:** A yard extending the full width of the lot and situated between the street right-of-way line and the required setback line and the street right-of-way line.

**Yard, Rear:** A yard extending the full width of the lot and situated between the rear line of the lot and the line establishing the required rear yard projected to the side lines of the lot. The depth of the rear yard shall be measured between the rear line of the lot, or the adjacent right-of-way line of the alley or street if there be an alley or street, and the line establishing the rear yard.

**Yard, Side:** A yard situated between the line establishing the required side yard area and the adjacent side line of the lot and extending from the front yard to the rear yard. Any yard not a rear yard or a front yard shall be deemed a side yard.

**Yards, Corner Lot:** Corner lots have two front yards, one side yard and one rear yard.  
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