

1.0201 **GENERAL**

When not inconsistent with the context, words in the present tense include the future tense, words used in the singular number include the plural number and words used in the plural number include the singular. The word "shall" is always mandatory and not merely directory. The word "building" includes the word "structure" and vice versa. Terms not herein defined shall have the meaning customarily assigned to them.

1.0202 **SPECIFIC TERMS**

The following terms shall have the following meanings when used within or in reference to this ordinance:

Abandonment

The cessation of activity in, or use of a dwelling structure, or lot, other than that which would normally occur on a seasonal basis, for a period of six (6) months or longer.

Abutting

Having property or district line in common e.g., two lots are abutting if they have property lines in common.

Accelerated Soil Erosion

The increased lay of the land surface that occurs as a result of human activities.

Access

A way of approaching or entering a property. For purposes of this ordinance, all lots of record shall have access to a public street or highway or to a private street meeting public standards.

Accessory Structure

A subordinate structure on the same premises with a main building occupied or devoted to an accessory use. Where an accessory building is attached to a main building, such accessory building shall be considered part of the main building.

Accessory Use

A use naturally and normally incidental and subordinate to, and devoted exclusively to the main use of the land or building.

Adult Book Store

An establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals, pictures or films depicting, describing, or relating to "specified sexual activities," or which are characterized

by their emphasis on matter depicting, describing, or relating to "specified anatomical areas." In determining whether certain materials constitute a substantial or significant portion of the total stock in trade of an establishment, the following may be considered, together with all other relevant factors:

- a) If the materials in question are located or displayed on the main traffic aisles or in close proximity to the public entrances or exits of the establishment, it shall indicate that the materials are a significant or substantial portion of the stock in trade.
- b) If the general stock in trade of the establishment is available for observation and inspection by and/or sale to the general public, while the material in question is available for inspection and observation by and for sale to only a limited segment of the public, if it shall indicate that the materials are an insignificant and insubstantial portion of the total stock in trade.
- c) If the material in question or its subject matter or the general subject emphasis of its product line is advertised to the general public by signs, posts or any other means (including, but not limited to, the name of the establishment), which are either visible from the exterior of the establishment or published for public consumption in the press or electronic media or billboards or hand fliers or any other means whatsoever, then it shall be presumed that the material in question constitutes a significant portion of the total stock in trade.

Adult Foster Care Home

A private home licensed by the State Department of Social Services for care of sick, elderly or handicapped adults. An adult foster care home family home is defined as having 1 to 6 adults provided with foster care for five or more days a week and for two or more consecutive weeks, with the licensee being a member of the household and an occupant of the resident.

- a) An adult foster care small group home is a facility with the approved capacity to receive 12 or fewer adults who are provided supervision, personal care, and protection in addition to room and board, for 24 hours a day, five or more days a week, and for two or more consecutive weeks for compensation.
- b) An adult foster care large group home is a facility with approved capacity to receive at least 13 but not more than 20 adults to be provided supervision, personal care, and protection in addition to room and board, for 24 hours a day, five or more days a week, and for two or more consecutive weeks for compensation.

Adult Live Entertainment Establishment

An establishment which features topless and/or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar entertainers.

Adult Theater

An indoor or outdoor theater used for presenting by film, tape, or other means, material depicting, describing, or relating to "specified sexual activities" or which is characterized by its emphasis on matter depicting, describing, or relating to "specified anatomical areas" for observation by patrons therein.

Agriculture

The use of land for tilling of the soil, raising of tree or field crops, or animal husbandry, as a source of significant income.

Agriculture Bulk Station

Any commercial facility used for the storage and/or sale of agricultural products in bulk quantities.

Air Right

The rights to the space above a property, for development

Alley

A public right-of-way, not more than 30 feet in width affording a secondary means of access to abutting property but not intended for general traffic circulation.

Ambient Sound Level

This term is related to Wind Energy Systems, see definition in Section 1.0340.2 of this Ordinance.

Alteration of Building

Any structural change, addition or modification in construction or type of occupancy, or any change in the structural members of a building, such as bearing walls, beams, or girders, which may hereinafter be considered as "altered" or "reconstructed."

Animal (large)

A domesticated animal over three (3) feet in height (such as a horse, cow, pony, goat, sheep and similar animals), or smaller animal such as a pig.

Animal (small)

A domestic animal under three (3) feet in height typically held as a pet, such as a dog, cat and similar animal.

Apartment House

A suite of rooms or a room in a multiple-family building arranged and intended for a place of residence of a single-family or a group of individuals living together as a single housekeeping unit.

Appeals

The process, as prescribed in the ordinance, for contesting a zoning interpretation made by the Zoning Administrator or decision made by the Planning and Zoning Commission.

Attached

Any structure or part of a structure immediately adjacent to another structure or part of a structure and fastened securely to same.

Automobile Repair

Any activity involving the general repair or reconditioning of motor vehicles, engines, or trailers; collision service, such as body, frame, or fender straightening and repair; overall painting and rust proofing of automobiles.

Automobile Sales Area

An area used for the display, sales, rental and repair of new and used motor vehicles, boats, trailers, farm equipment, construction equipment or mobile homes in operable condition.

Automobile Service Station

A building used for the retail sale of fuel (stored only in underground tanks and to be dispensed from fixed equipment), lubricants, air, water, and other commodities designed for motor vehicles, aircraft and boats. Such an operation includes space and facilities for selling, installing, or adjusting tires, batteries, parts and accessories within a building provided that such repair and installation are of minor nature.

Automobile Storage, Damaged

Any storage of inoperable vehicles not incidental to a service garage.

Automobile Washing Establishment

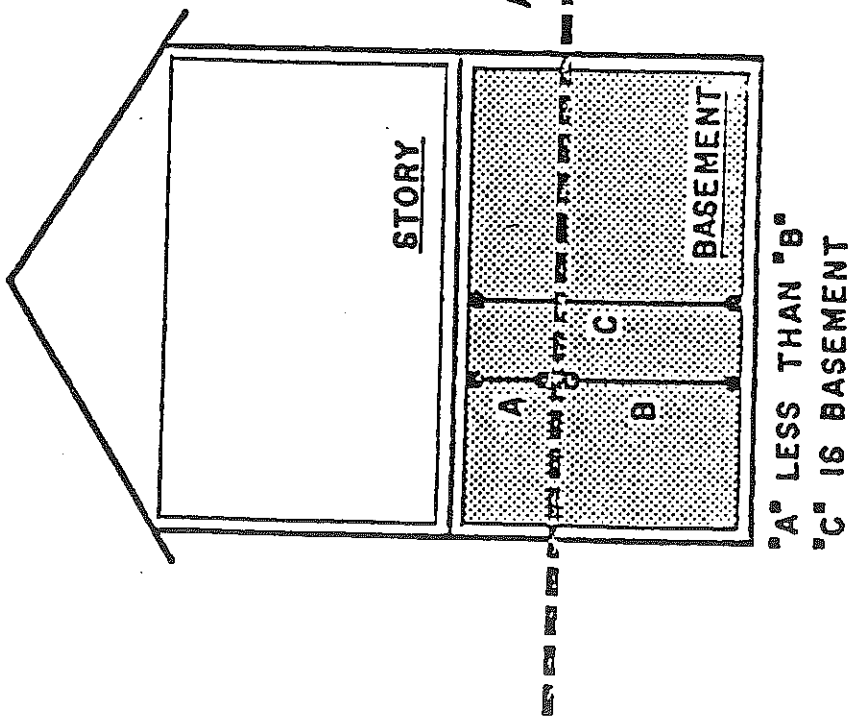
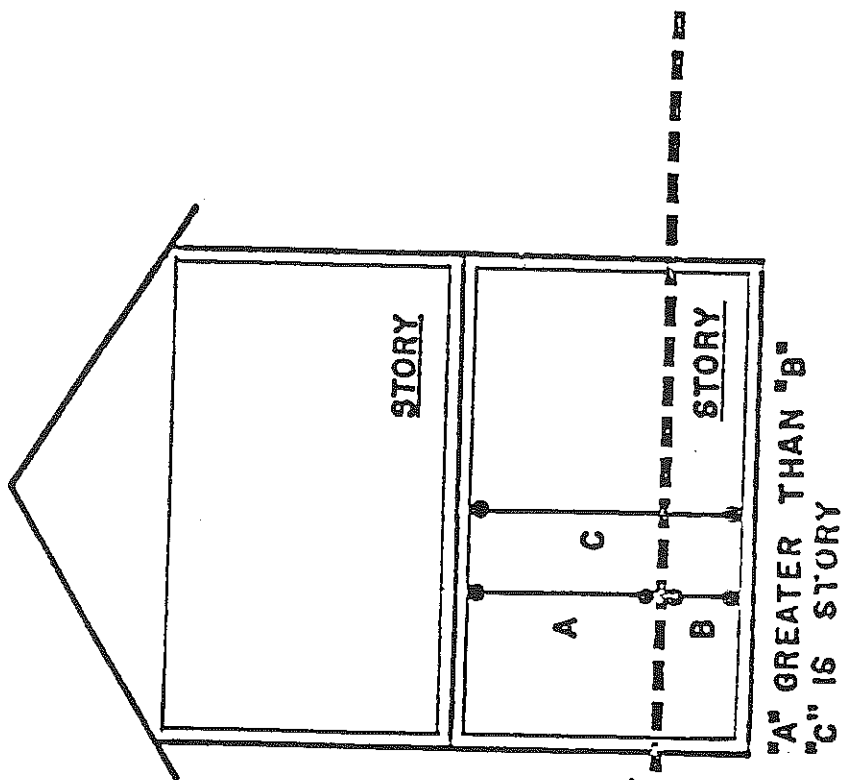
A building or portion thereof, where motor vehicles are washed as a commercial enterprise, or where facilities are available for the self-service cleaning of motor vehicles.

Basement

A portion of a building which is partially or wholly below grade; provided that where the vertical distance from the average finished grade to the ceiling of said area is at least one-half of the total height of the area, said area shall not be considered a basement.

Bed and Breakfast Operations

A use which is subordinate to the principal use of a dwelling unit as a single-family dwelling unit, in which transient guests are provided a sleeping room and board in return for payment, and which does not provide separate cooking facilities for such guests.



BASEMENT AND STORY