

ARTICLE 3  
DEFINITION OF WORDS

Sec. 3-1. RULES FOR CONSTRUCTION OF LANGUAGE

For the purpose of the administration and enforcement of this Ordinance, and unless otherwise stated in this Ordinance, the following rules of construction shall apply:

1. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
2. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
3. The phrase "used for" includes "arranged for," "designed for," "maintained for," "provided for," or "occupied for."
4. The word "person" includes an individual, a corporation, a partnership, or any other similar entity.
5. Unless the context clearly indicated the contrary, where a regulation involves two (2) or more items, conditions, provisions or events, connected by the conjunction "and," "or," or "either...or," the conjunction shall be interpreted as follows:

- a. "And" indicates that all the connected items, conditions, provisions, or events shall apply;
  - b. "Or" indicates that the connected items, conditions, provisions, or events may apply singly but not in combination.
  - c. "Either...or" indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.
6. The word "includes" shall not limit a term to the specified examples, but is intended to extend its meaning to all instances or circumstances of like kind or character.

#### Sec. 3-2. GENERAL DEFINITIONS

For purposes of this Ordinance, the following terms or words shall be used in interpretation of the purpose and intent:

1. ACCESS: The primary means of ingress and egress to abutting property from a dedicated right-of-way.
2. BUILDABLE AREA: That portion of a lot remaining after the required yard setbacks have been provided.
3. BUILDING: Any structure, either temporary or permanent, having a roof, and used or built for the enclosure or shelter of persons, animals, vehicles, goods, merchandise, equipment,

materials, or property of any kind. This definition shall include tents, dining cars, trailers, mobile homes, sheds, garages, carports, animal kennels, storerooms, or vehicles serving in any way the function of a building as described herein.

- a. BUILDING ACCESSORY: A subordinate building, the use of which is incidental to that of the principal building on the same lot.
  - b. BUILDING, PRINCIPAL: A building in which is conducted the principal use of the lot on which it is situated. In a residential district any dwelling shall be deemed to be the principal building on the lot on which the same is situated. In a residential district any dwelling shall be deemed to be the principal building on the lot on which the same is situated. An attached carport, shed, garage or any other structure with one or more walls or a part of the principal building and structurally dependent, totally or in part, on the principal building, shall comprise a part of the principal building and be subject to all regulations applicable to the principal building. A detached and structurally independent carport, garage, or other structure shall conform to the requirements of any accessory building.
4. BUILDING HEIGHT: The vertical distance measured from the average elevation of the proposed finished grade at the front of the building except that the distance shall be measured to the

average height between the eaves and ridge for gable, hip or gambrel roofs and to the deck line of a mansard roof.

5. BUILDING LINE: the line established by yard or setback requirements outside of which no principal building may be erected.

6. CENTERLINE: The line midway between the street right-of-way lines or the surveyed and prescribed centerline established by the City which may not be the line midway between the existing or proposed street right-of-way lines.

7. COURT, GENERAL: An open space, other than a yard, on the same lot with a building or structure, which is bounded on two (2) or more sides by the walls of such building or structure.

a. OUTER COURT: A court enclosed on three (3) sides by exterior walls of a building or structure, or by exterior walls and lot lines on which walls are allowable, with one (1) side or end open to a street, driveway, alley or yard.

b. INNER COURT: A court which is completely surrounded by a building or buildings.

8. DENSITY: An existing or projected relationship between the allowable lot area per dwelling unit for a district and the land area zoned in each zoning district. The number of dwelling

units is found by dividing the total land area zoned in each zoning district by the allowable lot area for that district.

9. FAMILY: One (1) or more persons occupying a single dwelling unit provided that unless all members are related by law, blood or marriage, no such family shall contain over three (3) persons, but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a separate or additional family or families.
10. FRONTAGE: Distance measured along an abutting public street right-of-way.
11. HOME OCCUPATION: Any occupation or profession engaged in by the occupants of a dwelling not involving the conduct of a retail business, and not including any occupation conducted in any building on the premises excepting the building which is used by the occupant as his or her private dwelling. Home occupants shall include, in general, personal or professional services such as furnished by an architect, lawyer, physician, dentist, musician, artist, barber, and seamstress when performed by the person occupying the building as his or her private dwelling and not including a partnership or the employment of more than one assistant in the performance of such services.
12. LOT: A piece, parcel, tract, or plot of land.