

CHAPTER 1135
Definitions

CROSS REFERENCES

General definitions - see ADM. 101.02

1135.01 DEFINITION OF TERMS.

For the purpose of this Ordinance certain terms or words used herein shall be interpreted as follows:

- A. The word “person” or “applicant” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
 - B. The present tense includes the future tense; the singular number includes the plural; and the plural includes the singular.
 - C. The word “shall” is a mandatory requirement; the word “may” is a permissive requirement; and the word “should” is a preferred requirement.
 - D. The word “used” or “occupied” includes the words “intended, designed, or arranged to be used or occupied.”
 - E. The word “lot” includes the words “plot” or “parcel.”
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- 1. **Abutting:** Having a common border with, or being separated from such a common border by a right-of-way, alley, or easement.
 - 2. **Accessory Building or Structure:** Any improvement to the property other than the main building(s), with the exception of landscaping, is an accessory building or structure. A detached garage is an accessory building, while in commercial, institutional and industrial areas, parking lots are accessory uses. If a temporary building is placed on a property to provide extra space for expansion of a use, the temporary building shall also be an accessory structure.
 - 3. **Accessory Use:** A use on the same lot or parcel with and customarily incidental or subordinate to the principal use on the lot. A home occupation in a building restricted to residence is an accessory use.
 - 4. **Adult Day Care Facility:** A facility that provides accommodations and supervision to three to sixteen unrelated adults who do not otherwise have the capacity to take care of themselves, are cared for during the daytime hours with no overnight accommodations or routine medical service other than emergency service or administering of medications. Adults being cared for at this type of facility generally do not leave the facility without the assistance of the primary caregiver or employees of the facility.

(Ord. 46-01. Passed 11-6-01.)
 - 5. **Adult Family Home (ORC 3277.01):** A residence or facility that provides accommodations to three to five unrelated adults, and supervision and personal care services to at least three of those adults. (Ord. 53-09. Passed 7-21-09.)

6. Adult Group Home (ORC 3722.01): A residence or facility that provides accommodations to six to sixteen unrelated adults and provides supervision and personal care services to at least three unrelated individuals. Typically, elderly persons occupy adult group homes.
7. Airport: Any area of land or water designed and set aside where aircraft may land and take off, discharge, or receive cargo and passengers, make repairs, receive fuel, be stored, and for training.
8. Air Rights: The ownership or control of land, property, and that area of space at and above a horizontal plane over the ground surface of land. This horizontal plane shall be at a height that is reasonably necessary or legally required for the full and free use of the ground surface.
9. Alley: A public or private way permanently reserved as a secondary means of access to abutting property.
10. Alterations, Structural: Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.
11. Amusement Arcade: A place of business within a building or outdoor structure or any part of a building having more than five (5) mechanical or electronically operated amusement devices which are used for the purpose of public entertainment through the operation, use, or play of any table game or device commonly used as an electronic game which is operated by placing therein any coin, plate, disc, slug, key, or token of value by payment of a fee. Also refer to Chapter 711 of the Business Regulation Code.
12. Ambulatory/Emergency Care Center: A facility for emergency and primary health care, and related activities.
13. Animal: One of the lower creatures as distinguished from human beings; to include, for example: dogs, cats, horses, cattle, moose, and elk.
14. Animal Hospital/Clinic: A place used for the care and treatment of domestic animals where medical attention may require the inclusion of overnight accommodations on the premises, and where there are no open kennels.
15. Apartment: A room or suite of rooms in a multiple dwelling unit intended, designed, or used as a permanent residence by an individual or one (1) family.
16. Automotive Repair: The repair or reconditioning of motor vehicles or parts thereof, including painting, body work, engine overhaul, transmission repair, and steam cleaning.
17. Automotive, Manufactured Home, Recreational Vehicle, and Farm Implement Sales: The sale or rental of new and/or used motor vehicles, manufactured homes, recreational vehicles, and farm implements, but not including repair work except incidental warranty repair of same, to be displayed and sold on the premises.
18. Bakery: An establishment where baked goods are made and sold.
19. Basement: The lowest level of a building which may or may not have more

- than one-half (1/2) of its height below grade. The part of a basement above grade level shall be included in calculating permissible building height. The part of a basement finished as habitable space shall be included in calculating floor area.
20. **Bed and Breakfast Operation:** An owner-occupied dwelling unit that contains no more than three (3) guest rooms where lodging, with or without meals is provided for compensation.
 21. **Bottomless:** Less than full opaque covering of male or female genitals, pubic area, or buttocks.
 22. **Buffer Area:** A strip of land identified on a site plan or by a zoning ordinance, established to protect one type of land use from another land use that is incompatible. Normally, the area is landscaped and kept in open space use.
 23. **Build:** To erect, convert, enlarge, reconstruct or structurally alter a building or structure.
 24. **Building:** Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, possessions, or property.
 - a) **Building Accessory:** A subordinate building located on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use.
 - b) **Building Height:** 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 of mansard roofs, and the height between eaves and ridge for gable, hip, and gambrel roofs.
 - c) **Building Line:** See Setback Line.
 - d) **Building, Principal:** For any given lot or property, the building in which the principal use of the lot is conducted.
 25. **Building Materials, Sales and Storage:** An area of land, which may include structures, for the sale and storage of building materials.
 26. **Building Permit:** A permit issued by the City of Harrison Director of Building or by the Hamilton County Building Department, authorizing the construction or alteration of a specific building, structure, fence, or sign.
 27. **Business, General:** Commercial uses which generally require locations on or near major thoroughfares and/or their intersection and which tend, in addition to serving day-to-day needs of the community, also supply the more durable and permanent needs of the whole community. General business uses include, but need not be limited to, such activities as supermarkets, stores that sell hardware, apparel, footwear, appliances and furniture; department stores, and discount stores.
 28. **Business Highway:** Commercial uses which generally require locations on or near major thoroughfares and/or their intersections and which tend to serve the motoring public. Highway business uses include, but need not be limited

- to such activities as filling stations; truck and auto sales and service; restaurants and motels; and commercial recreation.
29. **Business, Neighborhood:** Commercial establishments which cater to, and can be located in close proximity to or within, residential districts without creating undue vehicular congestion, excessive noise, or other objectionable influences. To prevent congestion, convenience uses include, but need not be limited to, drugstores, beauty salons, barber shops, carry-outs, dry cleaning and laundry pickup facilities, and grocery stores, if less than ten thousand square feet (10,000 sq. ft.) in floor area. Uses in this classification tend to serve a day-to-day need in the neighborhood.
 30. **Business, Office Type:** Quasi-commercial uses which may often be transitional between retail business and/or manufacturing and residential uses. Office business generally accommodates such occupations as administrative, executive, professional, accounting, writing, clerical, stenographic, and drafting. Institutional offices of a charitable, philanthropic, religious, or educational nature are also included in this classification.
 31. **Business, Service:** Any for-profit activity which renders services primarily to other commercial or industrial enterprises or which services and repairs appliances and machines used in homes and businesses and which sells no commodities except those used by or incidental to the services rendered.
 32. **Business, Wholesale:** Business establishments that generally sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments, or manufacturing establishments. These commodities are basically for further resale for use in the fabrication of a product or for use by a business service.
 33. **Car Wash:** An area of land and/or a structure with machine-or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles.
 34. **Carry Out:** A place designed for the preparation and sale of cooked food for consumption outside the premises, which may be part of a restaurant.
 35. **Cemetery:** Land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes including crematories, mausoleums, and mortuaries if operated in connection with and within the boundaries of such cemetery.
 36. **Center Line of Street:** A line midway between the parallel to the two (2) street rights-of- way or property lines.
 37. **Certificate of Occupancy:** A certificate issued by the City of Harrison Director of Building or by the Hamilton County Building Department after an approved inspection for conditional or permanent occupancy.
 38. **Charter:** The Charter of the City of Harrison, Ohio.
 39. **Child Day Care Center/Facility:** Any place in which child day-care or publicly funded child day-care is provided for 13 or more infants, toddlers, pre-school

- children, and school children outside of school hours at one time or any place that is not the permanent residence of the licensee or administrator in which child day-care or publicly funded child day-care is provided for 7-12 children at one time. In counting children for the purposes of this division, any children under six years of age who are related to a licensee, administrator, or employee and who are on the premises of the center shall be counted. Child Day Care Center and Center do not include any child day camp. (refer to ORC 5104)
40. Child Day Care Home (Type A Family): a permanent residence of the administrator in which child day-care or publicly funded child day-care is provided for 7-12 children at one time or a permanent residence of the administrator in which child day-care is provided for 4-12 children at one time if four or more children at one time are under two years of age. In counting children for the purposes of this division, any children under six years of age who are related to a licensee, administrator or employee and who are on the premises of the Type A home shall be counted. Type A Family Day-Care Home does not include any child day camp. (refer to ORC 5104)
 41. Child Day Care Home (Type B Family): A permanent residence of the provider in which child day-care is provided for 1-6 children at one time and in which no more than three children are under two years of age at one time. In counting children for the purposes of this division, any children under six years of age who are related to a licensee, administrator or employee and who are on the premises of the Type B home shall be counted. Type B Family Day-Care Home does not include any child day camp. (refer to ORC 5104)
 42. Church or other place of religious worship: An institution that people regularly attend to participate in or hold religious services, meetings, and other activities. The term "church" shall not carry a secular connotation and shall include buildings in which the religious services of any denomination are held.
 43. City: The City of Harrison, Hamilton County, Ohio.
 44. Clerk: The Clerk of Council of the City of Harrison, Ohio.
 45. Clinic: A place used for the care, diagnosis, and treatment of sick, ailing, infirmed or injured persons, and those who are in need of medical and surgical attention but does not include overnight care facilities.
 46. Club: A building or portion thereof, which is not open to the general public; used for a social, literary, political, educational, or recreational purpose primarily for the exclusive use of its members and their guests.
 47. Commercial Entertainment Facilities: Any profit-making activity which is generally related to the entertainment field, such as motion picture theaters, carnivals, nightclubs, cocktail lounges, and similar entertainment activities.
 48. Commercial Use: An occupation, employment, or enterprise that is carried on for profit by the owner, lessee, or licensee.
 49. Commission: The Planning Commission of the City of Harrison, Ohio.
 50. Comprehensive Community Plan: A plan, or any portion thereof, adopted by the Planning Commission and the legislative authority of the City of Harrison,

showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major thoroughfares, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the community.

51. Comprehensive Review Permit: A permit issued by the City of Harrison, Ohio, after approval of plans for any proposed construction or use regulated by the State of Ohio and/or the Hamilton County Building Department.
52. Conditional Use: A use that would not be appropriate, generally, but approved through an appeals process, or without restriction throughout the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would not be detrimental to public health, safety, or general welfare.
53. Condominium: An estate in real property consisting of an undivided interest in common with other purchasers in a portion of a parcel of real property, together with a separate interest in space in a residential building, such as an apartment. A condominium may include, in addition, a separate interest in other portions of such real property.
54. Conforming Use: Any lawful use of buildings or land which complies with the provisions of this Ordinance.
55. Conservation: The protection and restoration of natural resources such as animal life, plant life, soils, minerals, water, and air.
56. Corner Lot: See Lot Types.
57. Council: The Council of the City of Harrison, Ohio.
58. County: Hamilton County, State of Ohio.
59. Cul-de-sac: See Thoroughfare.
60. Dead-end Street: See Thoroughfare.
61. Density: A unit of measurement; the number of dwelling units per acre of land.
 - a) Gross Density: The number of dwelling units per acre of the total land to be developed (including right-of-way).
 - b) Net Density: The number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses (excluding public right-of-way).
62. Development: The division of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill, or land disturbance; and any use or extension of the use of land.
63. Development Permit: A permit issued after compliance with Chapter 1329 regulating flood plain management.

64. Director of Building: The Director of Building of the City of Harrison, Ohio, or his or her authorized representative.
65. Director of Finance: The Director of Finance of the City of Harrison, Ohio.
66. Director of Law: The Director of Law of the City of Harrison, Ohio.
67. Director of Zoning: The Director of Zoning of the City of Harrison, Ohio or his/her authorized representative appointed by the Mayor and confirmed by the Council.
68. Disabled Vehicle: An automotive vehicle (car, truck, recreational vehicle, travel trailer) that is unable to transport one or more persons for the use in which it was manufactured.
69. Dish: That part of a satellite signal-receiving antenna which is shaped like a saucer or dish, whether it is spherical, parabolical, or similar in shape.
70. Dish-type satellite signal-receiving antennas: Includes earth stations or ground stations, whether functioning as part of a basic service system, direct broadcast satellite system, or multi-point distribution service system, shall mean one (1) or a combination of two (2) or more of the following:
 - a) A signal-receiving device such as a dish antenna whose purpose is to receive communications or signals from earth-orbiting satellites or similar sources.
 - b) A low-noise amplifier (LNA) whose purpose is to boost, magnify, store, transfer, or transmit signals.
 - c) A coaxial cable whose purpose is to convey or transmit signals to a receiver.
71. District (also called Zone): A portion of the territory of the city, exclusive of streets, alleys, and other public ways, within which certain uses of land, premises, and buildings are not permitted and within which certain yards and open spaces are required, and certain height limits are established for buildings. The boundaries of the Districts are shown on the Official District Map, which is part of this Ordinance.
72. Drive-In, Drive-Up, or Drive-Through: An establishment that, by design of physical facilities or by services or packaging procedures, encourages or permits customers to receive a service or obtain a product that may be used or consumed in a motor vehicle on- or off-premises or be entertained in a motor vehicle.
73. Dwelling: A building designed or used as the living quarters for one (1) or more families. "Dwelling," "single-family dwelling," "two-family dwelling," or "multiple-family dwelling" shall not be deemed to include motel, hotel, or rooming house. A dwelling may include an industrialized unit (as defined herein) and a manufactured home (as defined herein) provided it meets all of the following requirements:
 - a) The manufactured home is affixed to a permanent foundation and connected to appropriate utilities.

- b) The manufactured home, excluding any addition, has a width of at least twenty-two feet (22 ft.) at one point, a length of at least twenty-two feet (22 ft.) at one point. The total living area of the manufactured home, excluding garages, porches, or attachments, must be at least nine hundred square feet (900 sq. ft.) or equal to or greater than any minimum dwelling size applicable within an applicable zoning district.
 - c) The manufactured home has a minimum 3:12 residential roof pitch, conventional residential siding, and a six inch (6 in.) minimum eave overhang, including appropriate guttering.
 - d) The manufactured home was manufactured after January 1, 1995.
 - e) The manufactured home is not located in a manufactured home park as defined herein.
74. Dwelling, Multiple-Family: A building or portion thereof used for occupancy by three (3) or more families living independently of each other and containing three (3) or more dwelling units.
 75. Dwelling, Single-Family, Attached (group, row, and townhouses): One of two or more residential buildings having a common or party wall separating dwelling units.
 76. Dwelling, Single-Family, Detached: A residential building containing not more than one dwelling unit entirely surrounded by open space on the same lot.
 77. Dwelling, Two-Family: A building consisting of two dwelling units which may be either attached side-by-side or one above the other, and each unit having a separate entrance.
 78. Dwelling Unit: Space within a building comprised of living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities; all used by only one (1) family and its household employees, and having its own means of entrance which can be distinguished from other dwellings.
 79. Easement: The right granted of a person, government agency, or public utility company to use public or private land owned by another for a specific purpose.
 80. Elderly Housing, assisted living: Services in these establishments include assistance with daily activities, such as dressing, grooming, bathing, etc. These are also referred to as board and care establishments.
 81. Elderly/retirement housing: A residential complex containing multi-family dwellings designed for and principally occupied by senior citizens. Such facilities may include a congregate meals program in a common dining area, but exclude institutional care such as medical or nursing care and are distinguished from life care retirement centers as elsewhere defined.
 82. Engineer: The designated Engineer for the City of Harrison, Ohio.

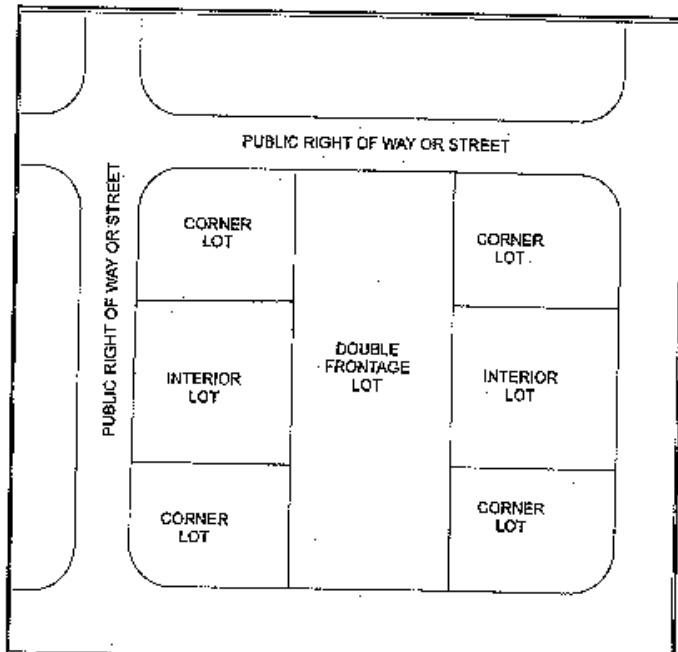
83. Existing Use: The use of a lot or structure at the time of enactment of this Zoning Ordinance.
84. Expressway: A highway of considerable continuity designed for fast uninterrupted flow of vehicular traffic, having a right-of-way of varying width, no direct access from abutting property to express traffic lanes, and no at-grade street crossing or intersection.
85. Family: One (1) or more persons living together as a single, nonprofit housekeeping unit in a dwelling unit, as distinguished from a group occupying a rooming house, motel or hotel, dormitory, fraternity or sorority house, provided that "family" shall not include more than four (4) persons unrelated to each other by blood, marriage or legal adoption.
86. Fence: Any structure composed of wood, metal, stone, brick, or other material erected in such a manner and position as to enclose, partially enclose, or divide any premises or any part of any premises.
87. Financial Institutions: Offices, institutions, and organizations providing depositories for funds and savings, banking and investment services, insurance, and similar financial services including drive-in services.
88. Food Processing: The preparation or processing of food products primarily for off- premises consumption.
89. Frontage: The front or frontage is that section of a lot abutting on a street or way and ordinarily regarded as the front of the lot, but it shall not be considered as the ordinary side line of a corner lot.
90. Front Lot Line: (See Lot Line, Front).
91. Front Yard: (See Yard, Front).
92. Funeral Home: A building or part thereof used for human funeral services. Such building may contain space and facilities for the following:
- a) Embalming and the performance of other services used in preparation of the dead for burial;
 - b) The performance of autopsies and other surgical procedures;
 - c) The storage of caskets, funeral urns, and other related funeral supplies; and
 - d) The storage of funeral vehicles.
- Where a funeral home is permitted, a funeral chapel shall also be permitted, but shall not include facilities for cremation.
93. Garage, Private: An accessory building or portion of a principal building for the parking or temporary storage of automobiles, travel trailers, and/or boats of the occupants of the premises.
94. Garage, Parking: A principal or accessory building other than a private garage, where motor vehicles may be stored for the purposes of temporary,

- daily, or overnight off-street parking, with or without remuneration.
95. Garage, Repair: See Service Station.
 96. Grade: The lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line, or when the property line is more than five feet (5') from the building, between the building and a line five feet (5') from the building.
 97. Greenhouse: A structure enclosed (as by glass or plastic) and used for the cultivation or protection of tender plants. Also see Plant Nursery.
 98. Health Fitness Facility: An indoor facility including uses such as game courts, exercise equipment, locker rooms, jacuzzi, and/or sauna and pro shop.
 99. Height of Building: The vertical distance measured from the average ground level at the sides of the building to the extreme highpoint of a building, exclusive of chimneys and similar fixtures.
 100. Heliport: Any landing area used by helicopters which, in addition, includes all necessary passenger and cargo facilities, emergency service facilities, maintenance and overhaul, fueling, service, storage, tie-down areas, hangars, and other necessary buildings and open spaces.
 101. Highway, Interstate: A highway designated and numbered as a part of the Federal interstate highway system.
 102. Highway, Major: A highway designated and numbered as a part of the State or Federal highway system, excluding the Interstate.
 103. Home Occupation: Any occupation, profession, activity or use that is clearly a customary, incidental, and secondary use of a residential dwelling unit and which does not alter the exterior of the property or affect the residential character of the neighborhood and approved by the BZA.
 104. Hotel (see also Motel): A facility offering transient lodging accommodations on a daily rate to the general public and providing additional services such as restaurants, meeting rooms, and recreational facilities.
 105. Industrialized Unit: A building unit or assembly of closed construction fabricated in an off-site facility that is substantially self-sufficient as a unit or as part of a greater structure and that requires transportation to the site or intended use. Industrialized unit includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. An industrialized unit does not include a manufactured home or mobile home as defined herein.
 106. Industry, Extractive: Any mining, quarrying, excavating, processing, storing, separation, cleaning, or marketing of any mineral natural resource for profit, including rock, stone, topsoil, and gravel.
 107. Industry, General: The manufacturing, assembling, converting, or finishing of products where the industry complies with the Performance Requirements Article VII, Section 700, but does not comply with the limitations of

- Restricted Industry. Direct sales of the aforesaid products to consumers shall be permitted.
108. Industry, Restricted: The manufacturing, assembling, converting, or finishing of products where the industry uses materials, environment, and processes which are clean, quiet, free of substances hazardous to health, and free of pollutants to soil, water, or air. Restricted Industrial uses shall comply with the Performance Requirements specified in this Zoning Ordinance. Direct sales of the aforesaid products to consumers shall be permitted.
 109. Institution: A public or quasi-public establishment serving a nonprofit purpose, as for a religious, educational, or charitable use.
 110. Junk: Refer to Chapter 717 of the City of Harrison Business Regulation Code.
 111. Junk Buildings, Junk Shops, Junk Yards: Any land, property, structure, building, or combination of the same on which junk is stored or processed.
 112. Kennel: Any lot or premises on which four (4) or more domesticated animals more than four (4) months of age are housed, groomed, bred, boarded, trained, or sold.
 113. Land Use Plan (also called Comprehensive Plan): A plan for the desirable use of land in areas as adopted by the Planning Commission designed to guide future development. Also referred to as the City of Harrison Land Use Plan.
 114. Laundry, self-service: A business that provides home-type washing, drying, and/or ironing machines for hire to be used by customers on the premises.
 115. Living Quarters: A building designed for use as living quarters, including kitchen and sanitation facilities, for a resident manager whose continual presence is necessary on the premises of Storage and/or Storage Facility- Mini. With Planning Commission approval, said building shall be permitted in "B-4" and "M-1" Districts for Storage Facility-Mini use only.
 116. Loading Space: An off-street space or berth on the same lot within a building, or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access.
 117. Lodge: (Refer to Club).
 118. Lot: A parcel of land occupied or intended to be occupied by one dwelling unit in a residential district or a permitted building or use in a commercial or industrial district; intended as a unit of transfer of ownership, together with accessory buildings and uses customarily incidental thereto. A lot includes open spaces and minimum area provisions as are required by this Ordinance for the district in which the lot is situated.
 119. Lot Area: The total area of a horizontal plane bounded by the vertical planes through front, side, and rear lot lines, but not including any area occupied by rights-of-way, the waters or any lake, river, creek, or major drainage ditch.
 120. Lot, Minimum Area of: The area of a lot computed exclusive of any portion

of the right- of-way of any public thoroughfare.

121. Lot Coverage: The ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage of the lot area.
122. Lot Line: A line dividing one lot from another lot or from a street or alley.
 - a) Lot Line, Front: The property line along the street which provides the primary access to the lot. In the case of a corner lot or a lot with double frontage, it is the line parallel to the major traveled street; or, if the lines are nearly equal, it shall be the line nearest the main entry to the building (See Yard, Front).
 - b) Lot Line, Rear: The property line most opposite the front lot line.
 - c) Lot Line, Side: The property line separating two (2) pieces of property, except at the front or rear.
 - d) Lot Line, Corner: On a corner lot, the principal building and its accessory structures shall be required to have the same setback distance from all street right-of-way lines as required for the front yard in the district in which such structures are located (refer to Illustration A). The principal building shall have two (2) side yards and no rear yard.
123. Lot Measurements: Lot measurements are defined as follows:
 - a) Depth: The mean horizontal distance between the front and rear lot lines.
 - b) Width: The width of a lot at the building setback line measured at right angles to its depth. The front building line shall be used to measure the minimum frontage or lot width of lots in a cul-de-sac. However, the minimum setback shall meet the requirements of this Ordinance (See Building, Front Line).
124. Lot Types: Terminology used in this Ordinance with reference to corner lots, interior lots, and through lots is as follows:
 - a) Corner Lot: A lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, and in any case forming an interior angle of less than one hundred and thirty-five (135) degrees.
 - b) Double Frontage Lot: A lot with opposite ends abutting on streets
 - c) Interior Lot: A lot with only one (1) frontage on a street.
 - d) Through Lot: A lot other than a corner lot with frontage on more than one (1) street. Through lots abutting two (2) streets may be referred to as double frontage lots.



125. Lot of Record: A lot which is part of a subdivision, or a lot or parcel described by metes and bounds, the description of which has been recorded in the Office of the Hamilton County Recorder.
126. Manufactured Home: A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the Manufactured Housing Construction and Safety Standards Act of 1974, and that has a permanent label or tag affixed to it certifying compliance with all applicable federal construction and safety standards.
127. Manufactured Home Park: One (1) or more contiguous parcels of land under a single management which have been designed and developed in such a manner as to provide individual manufactured home sites for one (1) or more manufactured homes. The term manufactured home park shall mean the same as trailer park, trailer court, or trailer camp; however, only mobile homes or trailers with the HUD certification shall be located therein.
128. Manufactured Home - Permanently Sited - A manufactured home that meets all of the following criteria:
 - a) the structure is affixed to a permanent foundation and is connected to appropriate facilities;
 - b) the structure, excluding any addition, has a width of at least twenty-two (22) feet at one point, a length of at least twenty-two (22) feet

and one point, and a total living area of at least nine hundred (900) square feet, excluding garages, porches, or attachments;

- c) the structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six inch minimum eave overhang, including appropriate guttering;
 - d) the structure was manufactured after January 1, 1995;
 - e) the structure is not located in a manufactured home park.
129. Mayor: The Mayor of the City of Harrison, Ohio.
130. Measurement: All measurements of land shall be made on the horizontal as is accepted practice by the surveying and engineering professions. No slope measurement may be used to determine land dimensions or areas.
131. Mineral Extraction: The excavation of sand, gravel and topsoil.
132. Mini-Storage Facility: A building or group of buildings in a controlled access compound that contains equal or varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of hazardous materials.
133. Mobile Home: A building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five (35) body feet in length or, when erected on site, is three hundred twenty or more square feet (320 sq. ft.), is built on a permanent chassis foundation, is transportable in one (1) or more sections, and does not qualify as a manufactured home as defined in division (C)(4) of Section 3781.06 of the Ohio Revised Code or as an industrialized unit as defined in division (C)(3) of Section 3781.06 of the Ohio Revised Code.
134. Modular Home: (See Manufactured Home). (Ord. 46-01. Passed 11-6-01.)
135. Monument Works. Any business, property, and/or premises that engages in the manufacture, assembly or erection of monuments. (Ord. 53-09. Passed 7-21-09.)
136. Motel: A building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for motor vehicle travelers and having a parking space adjacent to a sleeping room. An automobile court or a tourist court with more than one unit or a motor lodge shall be deemed a motel.
137. Non-Conforming Building: Any building that does not meet the limitations on building size and location on a lot, for the district in which such building is located, for the use to which such building is being put.
138. Non-Conforming Use: A lawful use of land that does not comply with the use regulations for its zoning district but which complied with applicable regulations at the time the use was established.
139. Nude or Nudity: The showing, presentation, or depiction of human male or female genitals, pubic area, or buttocks with less than full, opaque covering

- of any portion thereof; or female breast(s) with less than full, opaque covering of any portion thereof below the top of the nipple; or of covered male genitals in a discernibly turgid state.
140. Nursing Home: A home or facility licensed by a State or County agency for the care and treatment of three (3) or more persons who are living on the premises, that are infirmed and not normally capable of leaving the premises without assistance from caregivers who are in attendance at the nursing home at all times.
 141. Occupancy: The act of physically possessing and using space.
 142. Office: A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations.
 143. Official District Map: A map designating the zoning district locations in the City of Harrison, together with all amendments subsequently adopted.
 144. Outdoor Advertising: See Sign.
 145. Owner: Any person, agent, firm, corporation, or partnership that alone, jointly, or severally with others: (1) has legal or equitable title to any premises, dwelling, or dwelling unit, with or without accompanying actual possession thereof; or (2) has charge, care, or control of any premises, dwelling, or dwelling unit, as agent of the owner or as executor, administrator, trustee, or guardian of the estate of the beneficial owner. The person shown on the records of the recorder of deeds of the county to be the owner of a particular property shall be presumed to be the person in control of that property.
 146. Parking Garage: See Garage, Parking.
 147. Parking Lot: An area not within a building where motor vehicles may be stored for the purposes of temporary, daily, or overnight off-street parking.
 148. Parking, Off-Street: An open, surfaced area other than the right-of-way of a street, alley, or place, used for temporary parking of motor vehicles and with approved ingress-egress.
 149. Parking, Shared or Joint: the development and use of parking areas on two or more separate properties for joint use by the businesses on those properties.
 150. Parking Space: An off-street space or berth for the temporary parking of a vehicle for a period longer than required to load or unload persons or goods.
 151. Parking Space, Off-Street: An area adequate for parking a motor vehicle with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or alley right-of-way.
 152. Paved or Pavement: Any hard, dust-free, smooth surface that will bear traffic such as concrete, bituminous concrete, and similar materials.

153. Performance Requirements: Criteria established to control building enclosure, landscaping, noise, and other aspects generated or inherent in the use of land or buildings.
154. Permitted Use: A use of property which is specifically authorized in a particular zoning district.
155. Person: Person shall mean and include any person, firm, partnership, association, corporation, company, or organization, singular or plural, of any kind.
156. Planned Unit Development (PUD): A PUD is a type of development in which an area of land, usually under the control of a single landowner is to be developed for different types of dwelling units (single-family detached residences, duplexes, townhouses, garden apartments) and commercial, industrial, and other uses, such as schools and churches. In a PUD, lot size, setbacks, bulk, lot coverage, parking, and other development standards are relaxed in order to achieve better site design, use relationships, and preservation of open spaces and natural topography.
157. Planning Commission: The Planning Commission of the City of Harrison, Ohio.
158. Plant Cultivation: The cultivation of crops, fruit trees, nursery stock, truck gardenproducts, and similar plant materials, excluding agricultural crops.
159. Plant Nursery: Land, building, structure, or combination thereof for the storage, cultivation, transplanting of live trees, shrubs, or plants offered for retail sale on the premises, including products used for gardening or landscaping.
160. Plat of Subdivision: A map showing the division of any tract of land into two (2) or more parcels, and prepared for the purpose of recording.
161. Prefabricated Home: (See Manufactured Home).
162. Premises: A tract of land with the buildings thereon. A building or part of a building usually with its appurtenances.
163. Principal Use: The main use of land or structures, as distinguished from a secondary or accessory use.
164. Printing and Publishing: The business of reproducing written or graphic materials for sale.
165. Protective Covenant: A restriction on the use of private property for the purpose of providing mutual protection against undesirable aspects of development.
166. Public Building: Any building open to the general public and operated for its benefit by a public agency.
167. Public Hearing: An event announced in advance as to purpose, time, and place where public officials hear from citizens and others regarding identified public issues.

168. Public Improvements: Any of the following: roadway pavement, curbs, gutters, sidewalks, crosswalks, water mains, sanitary and storm sewers, and other construction of this nature.
169. Public Service Facilities: The erection, construction, alteration, operation or maintenance of buildings, power plants, or substations, water treatment plants or pumping stations, sewage disposal or pumping plants, and other similar facilities, whether privately owned, or by the City, or other governmental agency, including the furnishing of electricity, gas, rail transport, communication, public water, and sewage disposal services.
170. Public Uses: Public parks, schools, administrative, cultural, and service buildings and structures, not including public land or buildings devoted solely to the storage and maintenance of equipment and materials and public service facilities.
171. Quasi-Public Uses: Churches, Sunday schools, parochial schools, colleges, hospitals, and other facilities of an educational, religious, charitable, philanthropic, or non-profit nature.
172. Radio Antenna: A conductor which radiates or receives radio waves.
173. Radio Broadcast Station: A facility for the transmission of messages, music, voice, etc., by electromagnetic waves without conducting wires, intervening between transmitter and receiver.
174. Recreational Facilities: Commercial or non-commercial facilities that offer non-passive (active) recreational services to a group of people or the general public, including:
 - a) Commercial Recreational Facilities: Recreational facilities open to the public, established and operated for a profit, such as golf courses, golf driving ranges, swimming pools, skating rinks, and similar commercial enterprises.
 - b) Noncommercial Recreational Facilities: Private and semipublic recreational facilities such as private country clubs, golf courses, swimming pools, similar noncommercial enterprises.
175. Recreational Vehicles and Equipment: A vehicular-type portable structure without permanent foundation which can be towed, hauled, or driven, and designed as temporary living accommodation for recreational, camping, and travel use, and including, but not limited to travel trailers, truck campers, camping trailers, and self-propelled motor homes.
176. Recycling Center: A facility designed to be a collection point where only recyclable materials are sorted and/or temporarily stored prior to delivery to a permanent disposal site, or shipment to others for reuse, and/or processing into new projects. This facility can be a temporary and/or mobile, profit, or not-for-profit operation, not accessory to the principal permitted use or a permanent installation that is the principal permitted use.
177. Research and Testing Facility: A place used for scientific experiments and studies for the purpose of furthering knowledge.

178. Restaurant: A retail establishment that serves food and beverages primarily to persons seated within the building. This includes cafes, tea rooms, and outdoor cafes designed for the preparation, sale, and on premise consumption of cooked foods.
179. Restaurant, Drive-In/Drive-Through: A retail establishment that delivers prepared food and/or beverages to customers in motor vehicles or at a drive-through window; regardless of whether or not it also serves prepared food and/or beverages to customers who are not in motor vehicles; for consumption either on or off the premises.
180. Restaurant, Fast Food: An establishment that offers prompt food service which is accomplished through a limited menu of items already prepared and held for service or prepared, fried, or griddled quickly or heated in a device such as a microwave oven. Orders are not generally taken at the customer's table, and food is generally served in disposable wrapping or containers.
181. Retail Business: A place for the display and sale of merchandise on the premises, excluding automotive service stations, automotive sales and repairs.
182. Right-Of-Way: A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or other special use.
183. Satellite Dish: That part of a satellite signal-receiving antenna which is shaped like a saucer or dish, whether it is spherical, parabolical, or similar in shape. (See Dish)
184. School: A facility that provides a curriculum of academic instruction, including preschool, kindergartens, elementary schools, junior high schools, and high schools, as well as other types such as colleges and vocational/technical schools.
185. Service Station (also called Gas Station): Any premises where motor fuels and other petroleum products are sold and/or light maintenance activities such as engine tune-ups, lubrication, minor repairs, and carburetor cleaning are conducted. Service stations shall not include premises where heavy automobile maintenance activities such as engine overhauls, motor vehicle painting, and body fender work are conducted.
186. Setback Line: A line established by the Zoning Ordinance generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory buildings, or structure may be located above ground, except as may be provided in said code.
187. Sexual Oriented Businesses and Employees: Refer to City of Harrison Ordinance 6-10

A. Sexually Oriented Business

Any adult arcade, adult bookstore, adult cabaret, adult entertainment establishment, adult motion picture theater, adult novelty store, adult theater, adult video store, sexual device shop, sexual encounter center, and sexual

encounter establishment, but does not include a business solely by reason of its showing, selling or renting materials that may depict sex acts.

B. Adult Arcade

An establishment where, for any form of consideration, one or more still or motion picture projectors, slide projectors, or similar machines, or other image producing machines, for viewing by five or fewer persons each, are regularly used to show films, motion pictures, computer hardware or software, video cassettes, slides, or other photographic reproductions a substantial portion of which are characterized by the depiction of sex acts or exposure of a person's private parts.

C. Adult Book and/or Video Store

An Establishment whose principal business purpose, or significant stock in trade of more than twenty (20) percent, or significant portion of its floor area of more than twenty (20) percent, is allocated to adult material; or having more than twenty (20) percent of their gross receipts derived from adult material.

D. Adult Cabaret

A nightclub, bar, restaurant, A bottle Club@, or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features

- A. Person(s) who appear nude or in a state of nudity or semi-nude; or
- B. Live performances which are characterized by the exposure of a person's private parts or by sex acts; or
- C. Films, motion pictures, video cassettes, computer hardware or software, slides, or other photographic reproductions in which a substantial portion of the total presentation time is devoted to the showing of material that is characterized by the depiction or description of sex acts or a person's private parts.

E. Adult Entertainment

Any establishment which regularly features or as a continuing course of conduct has performances by a topless and/or bottomless dancer, stripper or similar entertainer(s), where such performances are characterized by the display or exposure of a person's private parts.

F. Adult Entertainment Facility

Any adult arcade, adult book/video store, a adult cabaret, adult mini motion picture theater, adult motel, adult motion picture theater, adult massage establishment, adult nude model studio, adult escort agency, or any other business providing adult material, adult entertainment or adult services.

188. Sign: Any object, device, display or structure, or part thereof, situated outdoors or indoors and visible from the exterior of the building or structure, that is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or

location by any means, including but not limited to words, letters, figures, designs, symbols, fixtures, colors, illumination or project images. Signs do not include the flag or emblem of any nation, organization of nations, state or city and works of art which in no way identifies a product or business logo. See related sign definitions that include the following:

Freestanding Signs

Pole Sign A permanent freestanding sign supported by one (1) or more uprights, poles or braces placed in or upon the ground surface and not attached to any building. Such sign may also be commonly known as a pole sign.

Ground Sign A permanent freestanding sign other than a pole or pylon sign, not attached to a building, which is placed upon or supported by the ground independently of any other structure. Such sign may also be known as a monument sign.

Building Signs

Awning/

Canopy Sign A building sign that is mounted or painted on or attached to an awning or canopy and does not project vertically above or horizontally beyond the physical dimensions of such awning or canopy

Marquee

Sign A building sign attached to a marquee, canopy or awning projecting from or supported by the building at main entrances.

Projecting

Sign A building sign which projects more than 18 inches from and is supported by a wall of a building and does not extend beyond the minimum required setback line or into and over street right-of-way, and not less than 8.5 feet at its lowest point, above sidewalk or ground level

Wall Sign

(Facia Sign) A building sign which is attached directly to a building wall and which does not extend more than eighteen (18) inches therefrom nor above the roof line or beyond the limits of the outside wall, with the exposed face of the sign in a plane parallel to the building wall.

Window

Sign A building sign permanently affixed to, in contact with, or inside a window; installed for purposes of viewing from outside the premises. This does not include merchandise located in a window.

Temporary Signs

Temporary

Sign A sign which is neither permanently anchored to the ground nor permanently affixed to a structure, nor mounted on a chassis, and intended to be removed after a limited period of display.

Balloon Sign A temporary sign on an inflated nonporous object filled with air or other gas.

Banner Sign A temporary sign in the nature of a flag, pennant, streamer or ribbon.

Construction

Sign A temporary sign located on premises, which provides information pertaining to the builder, owner, project, or the contractor constructing the development.

Development or Business,

New A temporary sign used to identify a business or development that begins commercial activity at a new location or that changes its name. Such sign shall be removed following the construction of the tenants permanent sign.

Event Sign,

Commercial A temporary sign used to display a commercial message related to a special event, offer, service or other similar advertisement.

Event Sign, Non-Commercial

A temporary sign used to display a non-commercial message such as: Now Hiring, Now Placing, etc.

Festival

Banner Sign A temporary sign or a banner related to public festivals or special event.

Festival Device Signs

A temporary sign on balloons, umbrellas and similar devices.

Flag, Pennant or Other Moving or Animated Sign Any temporary sign or part of such sign that changes physical position by any movement or rotation that gives the visual impression of such movement or rotation.

Political Campaign Sign

A temporary sign advertising candidates or soliciting votes in support of or against any proposition or issue at any general, primary, special, school or any other election.

Public Event Banner Sign

A temporary sign on a banner, which provides information on current or upcoming public events, attached to a facility owned or controlled by the City or any agency thereof and which is not installed for more than two weeks before the event.

Real Estate Sign

A temporary sign located on premises containing land or buildings for sale, rent or lease, or buildings under construction and intended for sale, rent or lease.

Miscellaneous Sign Terms

Address or Building Number Sign

A freestanding or wall sign which identifies the address of the property.

Announcement and Banner Signs

Small announcement signs shall be limited to two (2) square feet in area and thirty (30) days of display. Announcement, banner or like signs shall be removed within one (1) week after the date of the event, activity, purpose, etc., has passed. The person or group responsible for erecting or placing such sign shall be responsible for the removal of such sign.

Bed and breakfast operations

A sign exhibiting the name and address of business.

Bulletin Board, Institutional

A sign located on the property owned or operated by a public, religious, institutional, school, library, community center or similar institution which is used to identify the name of the institution or organization

Canopy

See Awning/Canopy Sign definition.

Changeable Copy Sign

A sign designed so that the characters, letters or illustrations can be changed or rearranged without altering the face or the surface of the sign; also known as a reader board.

Clearance (of a Sign)

The smallest vertical distance between the grade of the adjacent street, highway, or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.

Directional or Informational Sign

An on-premises sign designed to guide vehicular and/or pedestrian traffic by using such words as "Entrance," "Exit," "Parking," "One-Way," or similar directional instruction,, and which may include the identification of the building or use but does not include any advertising message.

Facade

That portion of an enclosed building facing the street or that wall of a building through which there is primary access for customers. Where more than one business occupies the same building the facade for each business shall be that portion of the building occupied by the business which faces the street or which provides the primary access.

Face Change

The removal or replacement of an existing surface display panel where the remaining structural frame is not changed. The changing of the copy or poster on bulleting boards and billboards is not considered a face change.

Flashing

A sign that uses an intermittent, moving or flashing light source to Sign attract attention.

Frontage, Building

Total lineal feet of enclosed building length along the facade that fronts the principal dedicated street, or the facade that contains the main entrance to the building.

Frontage,
Street or Lot Total lineal feet of right-of-way or easement of access along the front yard of a lot.

Frontage, Principal
The street which the developer selects to be the main entrance.

Frontage, Secondary
The street which the developer selects to be the secondary access to the development.

Gas Pump Signs
Informational matter appearing on gasoline pumps as purchased or installed.

Government Sign
Any temporary or permanent sign erected and maintained for any official governmental purpose.

Height (of a Sign)
The vertical distance measured from the highest point of the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface grade. When the base of the sign structure is below grade of street, measure height from grade of street. When base of sign structure is above grade level of street, measure height from ground grade.

Historical Marker
A type of memorial sign limited in content to the identification of an historical building or structure or the site of an historical event.

Identification Sign
A sign giving the name, trademark or other readily recognized symbol or address, or any combination thereof, of a building, business, development or establishment on the premises where it is located.

Illuminated Sign
A sign either internally or externally illuminated.

Joint Identification Sign
A sign which serves as common or collective identification for a group of businesses operating on the same building lot. Such signs may name the businesses included but carry no other advertising.

Logo
A business trademark or symbol.

Maintenance
The cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign.

Marquee
Any fixed hood (other than a canopy or awning), which is supported solely by the building to which it is attached, consisting of metal or other incombustible material and which included a sign or advertising

announcement. The location of marquees shall be restricted to the main entrance to a building.

Memorial Plaque

A plaque designating names of buildings and/or date of erection and other items such as architect, contractor, or others involved in the building's creation, cut into or attached to a building surface.

Non-Conforming Sign

Any sign which was lawfully erected in compliance with applicable regulations of the County and maintained prior to the effective date of this Zoning Ordinance, and which fails to conform to all applicable standards and restrictions of this Ordinance.

Premises

Any tract or tracts of land which comprise a single, integrated development or use of such land. For the purpose of this Chapter, an outparcel along the perimeter of a shopping center or similar multi-tenant use, that contains a freestanding building and a parking area separate from the shopping center as indicated on an approved site plan shall be considered a premises separate from the premises of the shopping center.

Sign

Any object, device or structure or part thereof, situated outdoors or indoors and intended to be visible from the exterior of the structure which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images. Signs do not include the flag or emblem on any nation, organization or nations, state, county, city; works of art which in no way identify a product or business logo.

Sign Graphics

Any lettering, numerals, figures, designs, symbols or other drawing or images used to create a sign.

Sign Structure or Support

Any structure that supports or is capable of supporting a sign, including decorative cover.

Surface Display Area

All solid surface areas of a sign, excluding air space. Structural members bearing no sign copy shall not be included.

T-Frame

A sign whose structure or frame is in the form of a "T" upon which Sign one or more sign faces may be hung or otherwise attached.

Vending Machine Sign

Any sign fastened to or painted on a vending machine which directly relates to the product contained in the machine.

Vehicular Sign

Signs on parked vehicles or boats visible from the public right-of-way or shoreline where the primary purpose of the vehicle or boat is to advertise a product or to direct people to a business or activity located on the same or nearby property. For the purpose of this Ordinance, vehicular signs shall not include business signs, identification or advertising on vehicles primarily used for other business purposes.

Visibility at Intersections

(also called Clear Sight Triangles)

The triangular area formed by a diagonal line connecting two points located on intersecting lines of a right-of-way, easement of access or pavement edge of an access drive, each point being 50 feet from the intersection lines. Refer to Section 1147.10B.

Visible Capable of being seen, whether or not legible, without visual aid by a person of normal acuity.

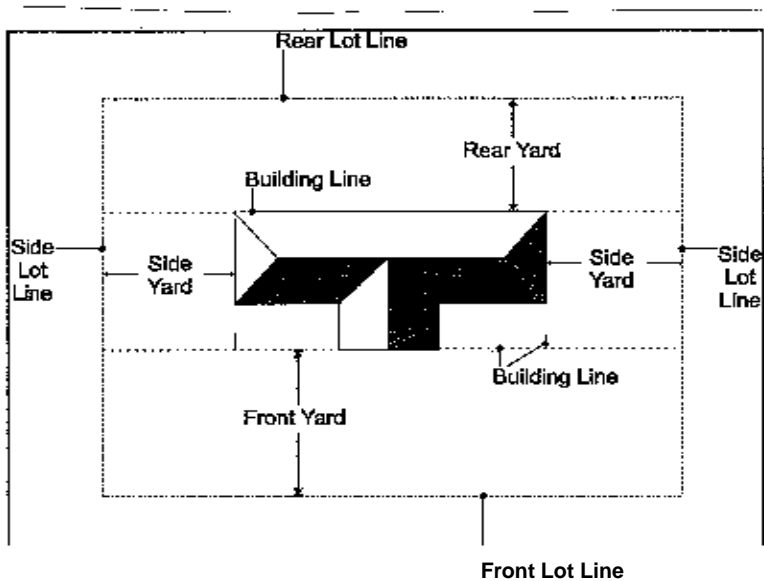
Warning Sign A sign limited in content to messages conveying warning, caution or danger.

189. **Sign Area, Gross:** The computed area contained within the lot lines which includes rights-of-way, either as an easement or dedicated.
190. **Sign Area, Net:** The computed area contained within the lot lines, less any land within rights-of-way and easements for public streets.
191. **Site Plan:** A plan, prepared to scale, showing accurately and with complete dimensioning, the boundaries of a site and the location of all buildings, structures, uses, and principal site development features proposed for a specific parcel of land.
192. **Story:** That portion of a building, other than a basement as defined herein, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling above it.
193. **Street Light:** A light usually mounted on a pole and constituting one of a series spaced at intervals along a public street or highway.
194. **Street Line:** The right-of-way line or the established property line of a street as indicated by dedication or by deed of record.
195. **Street, Private:** A privately owned roadway for vehicular or pedestrian travel by the owner and by others having permission from the owner. Also, the undedicated roadway within the easement which is privately owned and maintained.
196. **Street, Public:** A roadway and right-of-way for vehicles and pedestrians, which has been dedicated to and accepted by the public through a governmental entity.
197. **Structural Alteration:** Any change in the supporting members of a building such as bearing walls or partitions, columns, beams or girders, or any increase in the area of cubical contents of a building.

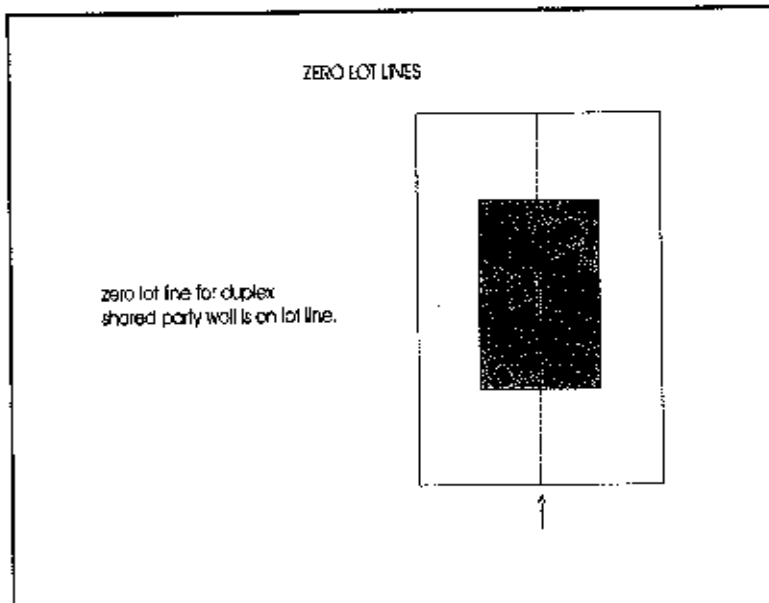
198. Structure: Anything constructed or erected, either permanent or portable, the use of which requires location, on the ground, or attachment of something having a fixed location on the ground. Structures include but are not limited to buildings, manufactured homes, walls, radio towers, parking.
199. Studio: A place for study, teaching, and creating in the fields of performing and visual and audio arts, including the display and sale of art products.
200. Subdivision: The division of any land, lot, tract or parcel of land, including frontage along an existing street or highway, into two or more lots, plots or other divisions of land for residential, commercial, or industrial buildings or groups of buildings, the purpose, whether immediate or future, of building development for rental or sale, and including all changes in street or lot lines, provided, however, that this definition of a subdivision shall not include divisions of land for agricultural purposes.
201. Summer Camp: An approved building/structure for temporary seasonal occupancy during the period April 1st thru October 31st only for camping or recreation. A Summer Camp shall not be considered a dwelling for the purpose of this Ordinance.
202. Swimming Pool: Any structure or device of any kind that is intended for swimming purposes, including but not limited to: any pool or tank of any material or type of construction, any depression or excavation in any natural or constructed material, any dike or berm of any material or type of construction, all appurtenances to such structure or device intended to cause, or would cause if completely filled, the retaining of water to a greater depth than 18 inches at any point. Any such structure or device shall be deemed to be included within the meaning of the term "structure" as used in this ordinance.
- a) Outdoor: Outdoor swimming pools shall be deemed to consist of the following classes: private, semi-public, public and commercial.
 - b) Private Pool: When consisting of any accessory structure appurtenant to a one- family or a two-family dwelling and used only as such by persons residing on the same lot and their private guests.
 - c) Semi-public: When consisting of an accessory structure appurtenant to a multi- public dwelling, hotel, motel, church, school, club, etc., and used only as such by persons who reside or are housed on the same lot or who are regular members of such organizations.
 - d) Public: A swimming pool operated by a unit of government for the general public for recreational use.
 - e) Commercial: A swimming pool operated for profit, open to the public upon payment of a fee.
 - f) Portable: Portable pools shall not be subject to the pool requirements of this chapter and are those pools which are not permanently installed; do not require water filtration, circulation, and purification; do not exceed 18 inches in depth; do not exceed a water surface of 100 square feet; and do not require braces or supports.

203. Tavern/Bar: A place where alcoholic drinks and/or food are served.
204. Thoroughfare, Street or Road: The full width between property lines and binding every public way with a part thereof to be used for vehicular traffic. All thoroughfares, streets, or roads are designated as follows:
- a) Alley: a minor street used primarily for vehicular service with access to the back or side of properties abutting on another street.
 - b) Arterial Street: A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route.
 - c) Collector Street: A thoroughfare, whether within a residential, industrial, commercial, or other type of development which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
 - d) Cul-de-sac: A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.
 - e) Dead-end Street: A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.
 - f) Local Street: A street primarily for providing access to residential or other abutting property.
 - g) Loop Street: A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred eight (180) degree system of turns are not more than one thousand feet (1,000') from said arterial or collector street, nor normally more than six hundred feet (600') from each other.
 - h) Marginal Access Street: a local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets (also called Frontage Street).
205. Treasurer: (See Director of Finance).
206. Use: The specific purposes for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.
207. Variance: A modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.
208. Warehouse: A building designed primarily for the storage of merchandise, goods, commodities, or equipment.

209. Warehousing and Distribution: A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions.
210. Wholesale Business: The sale of merchandise or commodities in bulk or in large quantities to retailers, processors, or redistributors with direct sales to consumers.
211. Wireless Telecommunications Equipment Shelter: A structure in which electronic receiving and relay equipment for a wireless telecommunications facility is housed.
212. Wireless Telecommunications Facility: A facility consisting of the equipment and structures involved in receiving telecommunications or radio signals from a mobile radio communication source and transmitting those signals to a central switching computer which connects the mobile unit with land-based telephone lines.
213. Wireless Telecommunications Tower: A structure intended to support equipment used to transmit and/or receive telecommunications signals including monopoles, guyed, and lattice construction steel structures.
214. Yard: An open space located on the same lot with a building, unoccupied and unobstructed from the ground up, except for accessory buildings or such projections as are expressly permitted in these regulations. The minimum depth or width of a yard shall consist of the horizontal distance between the lot line and the nearest portion of the foundation of the main building.
- a) Yard, Front: A yard extending between the side lot lines across the front of a lot, and from the front lot line to the setback line.
 - b) Yard, Rear: A yard extending between the side lot lines across the rear of a lot and from the rear lot line to the rear of the main building.
 - c) Yard Requirement: the open space between a lot line and the building area within which no structure shall be located except as provided in the Zoning Ordinance.
 - d) Yard, Side: A yard extending from the main building to the side lot line on both sides of the main building between the lines establishing the front and rear yards.



215. Zero Lot Line: An arrangement of housing on adjoining lots in which one (1) required side yard is reduced to zero.



216. Zone: A portion of the territory of the City, exclusive of streets, alleys, and other public ways, within which certain uses of land, premises, and buildings are not permitted and within which certain yards and open spaces are required and certain height limits are established for buildings.
217. Zoning Certificate: The document issued by the Director of Zoning or his/her authorized representative, as required in the Zoning Ordinance as a condition precedent to the commencement of a use or the erection, construction, reconstruction, restoration, alteration, conversion, or installation of a

structure of building which acknowledges that such use, structure or building complies with the provisions of the City Zoning Ordinance.

- 218. Zoning Map: See Official District Map.
- 219. Zoning Ordinance: A legal document regulating permitted and restricted land uses.