

CHAPTER 61: DEFINITIONS

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GENERAL PROVISIONS

§ 61.01 SHORT TITLE.

This ordinance shall be known, cited, and referred to as the Zoning Ordinance for the City of Halstad, except as referred to herein, where it shall be known as “this ordinance”.

§ 61.02 SEPARABILITY.

If any section, subsection, sentence, clause, phrase, or similar portion of this ordinance is held to be invalid, remaining portions of this ordinance are valid.

§ 61.03 APPLICATION OF REGULATIONS.

(A) In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the purpose of this ordinance.

(B) No building or land shall be hereafter used or occupied, and no building or part thereof shall be erected, moved, or altered unless in conformity with this ordinance.

(C) Where the conditions imposed by any provision of this ordinance are either more or less restrictive than the comparable conditions imposed by any other law, ordinance, statute, resolution or regulation of any kind, the regulations which impose higher standards or requirements shall prevail.

(D) Nothing in this ordinance shall be constructed to imply any control over the location of any essential services, including the location and bulk of essential service structure.

§ 61.04 RULES OF LANGUAGE AND CONSTRUCTION

As used in this ordinance, the following rules of language construction shall apply;

- (A) Words in the present tense shall include the future.
- (B) Words in the singular shall include the plural and the plural shall include the singular.
- (C) The words “shall” and “will” are to be considered mandatory.
- (D) The word “may” is permissive.
- (E) The word “person” includes individuals, partnerships, corporations, and other related terms.

§ 61.05 DEFINITIONS AS USED IN THIS ORDINANCE, THE...

(A) **ACCESSORY USE OR STRUCTURE.** A use or structure subordinate to the principal use of the land or a building on the same lot and serving a purpose customarily incidental to the principal use or structure.

(B) **BOARDING HOUSE.** A building other than a hotel, where for compensation and by prearrangement for definite periods, lodging with or without meals are provided for three (3) or more persons, but not more than ten (10) persons.

(C) **BUILDING.** Any structure for the shelter, support or enclosure of persons, animals, chattels, or property of any kind walls without openings, each portion of such a building, so separated, shall be deemed a separate building.

(D) **BUILDING, HEIGHT OF.** The vertical distance from the grade at the base of the building to the highest point of the structure or any appurtenance thereof.

(E) **CHURCH.** The term included the following: church, synagogue, rectory, parish house, convent, or similar building maintained and operated by an organized group for religious purposes.

(F) **CLINIC.** A place used for the care, diagnosis, and treatment of persons who are not provided with board, or room, nor kept overnight on the premises.

(G) **DWELLING.** A building or portion thereof, designed or used exclusively as the residence or sleeping place of one or more persons, but not including a tent, trailer, mobile home, boarding or rooming house, hotel, or motel.

(H) **DWELLING UNIT.** One room or suits of two or more rooms, designed for, or used by one family for living and sleeping purposes.

(I) **FLOOD PLAIN.** Lands, which are subject to periodic flooding and have been defined by the Soil Conservations National Resources, or as defined by any technically qualified engineer and accepted by the City Council as such a flood plain.

(J) **GARAGE, PRIVATE.** An accessory building designed or used for the storage of motor-driven vehicles without commercial purposes.

(K) **HOME OCCUPATION.** The conducting of a business of office from the dwelling of a resident of the dwelling. Provided that the following conditions are met: not more than 25% of the structure is used for the home occupation; and that not more than one non resident of the dwelling is employed in the occupation; and that the home occupation is generally compatible with the residential character of the neighborhood and no public nuisance results.

(L) **HOTEL.** A building in which lodging with or without meals is offered to transient guests, and access to all rooms is through a central lobby.

(M) **JUNK YARD.** Any establishment, place of business or place of storage or deposit, which is maintained, operated or used for the storing, keeping, buying or selling junk, wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts, or where the waste, body, or discarded materials is equal in bulk to three (3) or more motor vehicles, none of which is licensed or operable on the public streets. Junkyard shall also include the terms salvage yard, reclamation center, and similar terms.

(N) **KENNEL.** Any structure, or premises or commercial activity in which three (3) or more dogs over nine (9) months of age are kept or raised for compensation.

(O) **LOT.** Any parcel of land subject to the provisions of this ordinance, being part of a subdivision, or described by meets and bounds descriptions.

(P) **MOTEL.** A series of sleeping or living units, for the lodging of transient guests, where direct and private access to dwelling units is provided.

(Q) **MANUFACTURED HOME.** A structure, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 3220 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in it and which complies with the manufactured home building code, as provided by M.S. § 327.31 to 327.36, as they may be amended from time to time.

(R) **MANUFACTURED HOME PARK.** Any site, lot, field or tract of land upon which two or more occupied manufactured homes are harbored, either free of charge or for revenue purposes, and shall include building, structure tent, vehicle or enclosure used or intended for use as part of the equipment of a manufactured home park.

(S) **PARKING SPACE.** A surfaced area, enclosed or unenclosed, sufficient in size to store one (1) motor vehicle, together with a paved driveway connecting the parking space with a street or alley to

provide ingress and egress. A parking space for a private automobile shall be of at least the following dimensions: Eight (8) feet wide by twenty (20) feet in length.

(T) **RECREATIONAL CAMPGROUND.** Any area, whether public or private, where temporary accommodations for five (5) or more recreational vehicles are capable of being located overnight. Recreational vehicles shall include tents, travel trailers, pick-up camper tops, motor home and similar and related devices for recreational dwelling.

(U) **SETBACK.** The distance from any property line to the side of building or structure nearest the property line. The term setback shall include the terms: front yard setback: side yard setback: rear yard setback: and similar and related terms.

(V) **SIGN.** A name, identification, description, display, or illustration, which is affixed to, or painted, or represented direct or indirectly upon any building of structure. The size of any sign shall be measured from the extreme outside dimensions, which bear any advertising or illustrations.

(W) **STRUCTURE.** Anything constructed or erected which has a direct attachment to the ground, or is connected to anything with an attachment with the ground. Including but not limited to signs, walls, projecting signs, billboards, and related features.