

WARRANT ARTICLE XI - Shall an ordinance dated May 7, 2024 and entitled “Amendments to the Land Use Zoning Ordinance regarding Definitions” be enacted as set forth below?

Explanation: This Article adds or amends definitions in section 8. Some of the definitions were missing from the ordinance.

SECTION 8 DEFINITIONS

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~~**AIR LANDING SITE:** An airport, seaplane port, helicopter landing place and accessory uses.~~

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~~**BACK LOT:** A lot that does not have minimum lot width abut on a public or private road and but has direct access to a public or private way that meets the standards of Section 6B.6.~~

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~~**BULK STORAGE:** The storage of chemicals, petroleum products, grains, and other materials in structures for subsequent resale to distributors or retail dealers or outlets. Bulk storage is a warehousing and wholesaling operation.~~

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~~**CODE ENFORCEMENT OFFICER:** A person appointed by the Municipal Officers to administer and enforce this Code.~~

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~~**CONSTRUCTION EQUIPMENT:** Heavy machinery and tools that are used to build and maintain various types of infrastructure and buildings. Construction equipment include bulldozers, excavators, cranes, backhoes, and dump trucks.~~

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~~**EXCAVATION:** The removal or recovery by any means whatsoever of soil, rock minerals, mineral substances, or organic substances other than vegetation from water or land, on or beneath the surface thereof or beneath the land surface, whether exposed or submerged.~~

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~~**FILL:** Sand, gravel, earth or other material of any composition placed or deposited.~~

FILLING: The process of depositing fill in a low-lying area. [

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MANUFACTURED HOMES OR HOUSING: Those units constructed after June 15, 1976, commonly called "newer mobile homes," which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development standards, meaning structures, transportable in one or more sections, which, in the traveling mode, are fourteen (14) body feet or more in width and are seven hundred fifty (750) or more square feet, and which are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein; except that the term shall include any structure which meets all the requirements of this paragraph, except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, Title 42, Section 5401, et seq.

MANUFACTURED HOMES/HOUSING: A structural unit or units designed to be used as a dwelling or dwellings and constructed in a manufacturing facility and then transported by the use of its own chassis or placement on an independent chassis to a building site. The term includes any type of building that is constructed at a manufacturing facility and then transported to a building site where it is utilized for housing and that may be purchased, sold, offered for sale or brokered by a licensee in the interim. For purposes of this Act, 3 types of manufactured housing are included.

Commented [NM1]: Andy – you were going to review this one

HUD-code homes, which are those units constructed after June 15, 1976 that the manufacturer certifies are constructed in compliance with the HUD standard, meaning structures, transportable in one or more sections that, in the traveling mode, are 8 body feet or more in width and 40 body feet or more in length or, when erected on site, are 320 or more square feet, and are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein; except that such term shall include any structure that meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 United States Code 5401.

State-certified modular homes, which are those units that the manufacturer certifies are constructed in compliance with this Act and rules, meaning structures, transportable in one or more sections, that are not constructed on a permanent chassis and are designed

to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air conditioning or electrical systems contained therein. "Manufactured housing" does not include modular homes constructed at an educational facility by students pursuant to rules adopted by the board.

Pre-HUD-code homes, which are those units constructed prior to June 15, 1976, meaning structures, transportable in one or more sections, that are 8 body feet or more in width and are 32 body feet or more in length and are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities, including the plumbing, heating, air conditioning or electrical systems contained therein.

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MIXED-USE BUILDING: A building that contains a mixture of residential and non-residential uses.

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OFFICE BUILDING: A building used primarily for conducting the affairs of a business, profession, service, or industry.

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RETAIL STORE: An establishment engaging in the selling of goods and merchandise to the general public.