

## Sec. 14-62. - Definitions.

The following words, terms and phrases when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Accessory structure* means a structure, the use of which is incidental to that of the main building and which is attached thereto or located on the same premises.

*Building* means a combination of materials to form a construction adapted to permanent or continuous occupancy for use for private, public, institutional, residence, business or storage purposes.

*Building code* means the Standard Building Code, as amended.

*Deterioration* means the condition or appearance of a building or parts thereof, characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting or other evidence of physical decay or neglect, excessive use or lack of maintenance.

*Enforcing authority* means city manager or such other person as he may specifically designate.

*Exposed to public view* means any premises, or any part thereof, or any building, or any part thereof, which may be lawfully viewed by the public or any member thereof, from a sidewalk, street, alley way, water, licensed open-air parking lot or from any adjoining or neighboring premises.

*Exterior of premises* means those portions of a building which are exposed to public view and the open space of any premises outside of any building erected thereon.

*Extermination* means the control and elimination of insects, termites, rodents and vermin by eliminating their harborage places; by removing or making inaccessible material that may serve as their food by poisoning, spraying, fumigating, tenting, trapping, or by any other approved means of pest elimination.

*Fire hazard* means anything or any act which increases or may cause an increase of the hazard or menace of fire to a greater degree than that customarily recognized as normal by persons in the public service of preventing, suppressing, or extinguishing fire; or which may obstruct, delay or hinder or may become the cause of an obstruction, a delay, a hazard or a hindrance to the prevention, suppression or extinguishment of fire.

*Garbage* means putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

*Ground cover* includes all plant materials which reach a maximum height of not more than 12 inches and may be used in lieu of grass.

*Health officer* means the health officer of the county.

*Hedges* means a dense row of shrubs forming a boundary which shall be:

- (1) A minimum of 18 inches in height immediately upon planting, with spacing of no more than 30 inches on center and reach an average height of 22 inches within one year of planting.
- (2) Of nondeciduous (leaves not falling off at a certain season) species, planted and maintained so as to form a continuous screen within a maximum of one year of planting.

*Infestation* means the presence of insects, termites, rodents, vermin or other pests on the premises which constitute a health or structural hazard.

*Mixed occupancy* means any building containing one or more dwelling units or rooming units and also having a portion thereof devoted to nondwelling uses.

*Nuisance* means any one or combination of the following:

- (1) Any public nuisance known at common law or in equity jurisprudence or as provided by the statutes of the state, or ordinances of the city.
- (2) Physical conditions dangerous to human life or detrimental to the health or safety of children, whether in a building, or the premises of a building, or upon an unoccupied lot. This includes, but is not limited to: Abandoned wells, shafts, basements, excavation, abandoned buildings, abandoned ice boxes, refrigerators, motor vehicles and any structurally unsound fences or structures, lumber, trash, fences, debris or vegetation such as poison ivy, oak or sumac, which may prove a hazard for inquisitive minors.
- (3) Physical conditions dangerous to human life or detrimental to health of persons on or near the premises where the condition exists.
- (4) Unsanitary conditions or anything offensive to the senses or dangerous to health, in violation of this article.
- (5) Whatever renders air, food or drink unwholesome or detrimental to the health of human being.
- (6) Fire hazards.

*Operator* means any person who has charge, care or control of premises or a part thereof, whether with or without the knowledge or consent of the owner.

*Owner* means any person who, alone or jointly or severally with others, shall have legal or equitable title to any premises with or without accompanying actual possession thereof, or shall have charge, care or control of premises, as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee, receiver, or guardian of the estate, or as a mortgagee in possession either by virtue of a court order or by voluntary surrender by the person holding the legal title. Any person who is a lessee, subletting, or reassigning any part or all of any premises shall be deemed to be a co-owner with the lessor and shall have joint responsibility over the portion of the premises sublet or assigned by such lessee.

*Plumbing* means all of the following supplies, facilities and equipment: Gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bath tubs, shower baths, installed clothes washing machines, catch basins, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines and water pipes and lines utilized in connection with air conditioning equipment.

*Premises* means a lot, plot or parcel of land including the buildings or structures thereon.

*Refuse* means all putrescible or nonputrescible solid wastes (except body wastes), including but not limited to garbage, rubbish, ashes, street cleaning, dead animals, abandoned vehicles, unlicensed vehicles and solid market and industrial wastes.

*Room* means space in an enclosed building or space set apart by a partition or partitions.

*Rubbish* means nonputrescible solid wastes consisting of both combustible and noncombustible waste, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

*Sanitary sewer* means any sanitary sewer owned, operated and maintained by the county or the city and available for public use for the disposal of sewage.

*Sewage* means waste from a flush toilet, bath tub, sink, lavatory, dishwashing or laundry machine, or the water-carried waste from any other fixture or equipment or machine.

*Shrub* means a low, woody plant with several stems; bush.

*Story* means that portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling next above it. The ground floor of a building may be used for parking and not counted as a story.

*Structure* means a combination of any materials, whether fixed or portable, forming a construction, including buildings.

*Washrooms* means enclosed space containing one or more bath tubs, showers, or both, and which shall also include toilets, lavatories, or fixtures serving similar purposes.

*Water closet compartment* means enclosed space containing one or more toilets which may also contain one or more lavatories, urinals and other plumbing fixtures.

*Weathering* means deterioration, decay or damage caused by exposure to the elements.

*Vacant lot* means a lot without improvements.

(Code 1983, § 6-204; Ord. No. 2011-06, § 1, 12-13-11)

**Cross reference—** Definitions generally, § 1-2.