# SECTION 4
# RULES AND DEFINITIONS

## Subdivision 1: RULES

For purposes of this Ordinance the following rules apply:

1. Tense. The present tense includes the past and future tenses and the future the present.

2. Measurements. All measured distances shall be to the nearest integral foot. Unless clearly specified to the contrary, all references to height shall be measured from "grade" as defined by this section.

3. Definitions. Whenever a word or term appears in the text of this Ordinance its meaning should be construed as set forth in Subdivision 2 of this Section 4. If a term is not defined in this Ordinance guidance should first be obtained by looking to the Uniform Building Code as adopted by the City.

## Subdivision 2: DEFINITIONS

For the purpose of this Ordinance, the following terms are defined:

1. **ACCESSORY BUILDING.** A subordinate building or structure on the same lot as the principal structure or part of the principal structure, occupied by or devoted exclusively to an accessory use.

2. **ACCESSORY USE.** A use incidental to, subordinate to, and auxiliary to the principal permitted use of the premises.

3. **ADULT ARCADE.** An establishment where, for any form of consideration, one or more motion picture projectors, slide projectors, or similar machines for viewing by five or fewer persons each are used to show films, motion pictures, video cassettes, slides, or

other photographic reproductions that are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

4. **ADULT BOOKSTORE.** An establishment that has as a substantial portion of its stock-in-trade and offers for sale, for any form of consideration, any one or more of the following: 1) books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, slides, or other visual representations that are characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas; or 2) instruments, devices or paraphernalia that are designed for use in connection with specified sexual activities.

5. **ADULT CABARET.** A nightclub, bar, restaurant, or similar establishment that regularly features live performances that are characterized by the exposure of specified anatomical areas or by specified sexual activities, or film, motion pictures, video cassettes, 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 an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

6. **ADULT MOTION PICTURE THEATER.** An establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are shown, and in which a substantial portion of the total presentation time is devoted to the showing of material characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas.

7. **ADULT THEATER.** A theater, concert hall, auditorium, or similar establishment characterized by (activities featuring) the exposure of specified anatomical areas or by specified sexual activities.

8. **ADULT USE ESTABLISHMENTS.** Adult use establishments include, but are not limited to: adult arcade, adult bookstore, adult cabaret, adult motion picture theater, adult theater, or sexual encounter establishment.

9. **ALLEY.** Any dedicated public way providing a secondary means of ingress and/or egress to land.

10. **ANTENNA.** Any structure or device used to collect or transmit electrical magnetic waves, including but not limited to directional antennas such as panels, microwave and satellite dishes, and omni-directional antennas such as whip antennas.

11. **AUTOMOBILE RECYCLING YARD.** A place maintained for keeping, storing or piling in commercial quantities, whether temporarily, irregularly, or continually; buying or selling at retail or wholesale any old, used or second-hand material of any kind, including used motor vehicles, machinery, and/or parts thereof, cloth, rugs, clothing, paper, rubbish, bottles, rubber, iron or other metals, or articles which from its worn condition render it practically useless for the purpose for which it was made and which is commonly classed as junk. This shall include a lot or yard for the keeping of unlicensed motor vehicles or the remains thereof for the purpose of dismantling, sale of parts, sale as scrap, storage or abandonment. This shall not prohibit the keeping of one (1) unlicensed motor vehicle within a garage or other structure in residential districts.

12. **AWNING.** A roof like shelter or cover, generally made of fabric or other material designed for protection from the weather or as a decorative

embellishment, projecting from a structure's wall or roof over a window, door, deck, walk or the like.

13. **BASEMENT.** That portion of a floor of a building which is wholly or partially, up to fifty (50) percent, underground or below grade.
14. **BED & BREAKFAST.** A private residence, several rooms of which are set aside for overnight guests whose paid accommodations include breakfast.

15. **BILLBOARD.** A freestanding sign which directs attention to a business, commodity, service or entertainment not exclusively related to the premises where such a sign is located or to which it is affixed.

16. **BOARDING OR ROOMING HOUSE.** A boarding or rooming house shall be construed to mean any dwelling occupied in any such manner that certain rooms in excess of those used by members of the immediate family and occupied as a home or family unit, are leased or rented to persons outside of the family, without any attempt to provide therein cooking or kitchen accommodations, providing that accommodations are not provided for more than ten (10) persons.

17. **BOUNDARY LINE.** Any line indicating the bounds or limits of any tract or parcel of land, or also a line separating the various zoning use districts as shown on the Official Zoning Map.

18. **BUILDABLE AREA.** That part of the lot remaining after required yards have been provided.

19. **BUILDING.** Any structure, either temporary or permanent, having a roof, and used or built for the sheltering or enclosure of any person, animal, or chattel or property of any kind, when any portion thereof is completely separated from every other part thereof by division walls from the ground up and

without openings, each portion of such building shall be deemed as a separate building.

20. **BUILDING, PRINCIPAL.** A building or structure in which is conducted the main or principal use of the lot on which said building or structure is situated.

21. **BUILDING HEIGHT.** The vertical distance measured from the average ground level adjoining the building to the highest point of the roof surface if a flat roof, to the deck line of mansard roofs, and to the mean height level between eaves and ridge of gable, hip and gambrel roofs.

22. **BUILDING LINE.** A line measured across the width of the lot at the point where the main structure is placed in accordance with the setback requirements of this Ordinance.

23. **CANOPY.** A permanent roof structure attached to and supported by the building and projecting over public property but does not include a projecting roof.

24. **CARPORT.** A structure open on at least 2 sides or ends, permanently attached to a permanent dwelling, garage or accessory building having a hard roof, made of materials comparable to the dwelling, supported by columns.

25. **CLEAR-CUTTING.** The removal of all or substantially all of a stand of trees.

26. **CLINIC.** A public or proprietary institution providing diagnostic, therapeutic or preventive treatment of ambulatory patients by one or more doctors.

27. **COMMERCIAL WIRELESS TELECOMMUNICATIONS SERVICES.** Licensed commercial wireless telecommunications services including cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized

radio (ESMR), paging, and similar services that are marketed to the general public.

28. **COMPREHENSIVE MUNICIPAL PLAN.** A compilation of the City's policy statements, goals, standards, and maps for guiding the physical, social and economic development, both private and public, of the municipality and its environs, including air space and subsurface areas necessary for mined underground space development pursuant to Minnesota Statutes Sections 469.135 to 469.141, and may include, but is not limited to, the following: statements of policies, goals, standards, a land use plan, including proposed densities for development, a community facilities plan, a transportation plan, and recommendations for plan execution. The comprehensive plan represents recommendations for the future development of the community.

29. **CONDITIONAL USE.** A use, which, because of unique characteristics, cannot be classified as a permitted use in any particular district. After due consideration, in each case, of the impact of such use upon neighboring land and of the public desirability for the particular use at the particular location a "Conditional Use Permit" allowing the use may be granted.

    See Section 22 for details on the procedure and requirements for granting a Conditional Use Permit.

30. **CONVENIENCE STORE.** A retail business with primary emphasis placed on providing the public a convenient location to quickly purchase from a wide variety of consumable products (predominantly food or food and gasoline) and services.

31. **DAY CARE**. The regular providing of care or supervision for pecuniary gain or otherwise to one or more children for periods of less than twenty-four (24) hours per day.

32. **DIRECTIONAL SIGN.** A sign erected on public or private property, which bears the address and/or name of a business, institution, church or other use or activity plus directional arrows or information on location.

33. **DWELLING.** A building or portion thereof designed or used exclusively for residential occupancy, but not including hotels, motels, and garage space.

34. **DWELLING, MULTIPLE FAMILY.** A building designed with three (3) or more units for occupancy by three (3) or more families living independently of each other.

35. **DWELLING, SINGLE FAMILY.** A dwelling occupied by only one (1) family, and so designed and arranged as to provide cooking and kitchen accommodations and sanitary facilities for one (1) family only.

36. **DWELLING, TWO FAMILY.** A dwelling so designed and arranged to provide cooking and kitchen accommodations and sanitary facilities for occupancy by two (2) families.

37. **DWELLING UNIT.** A dwelling containing living quarters including sleeping, eating, cooking and sanitation for a single family.

38. **ESSENTIAL SERVICES.** The phrase "essential services" means the erection, construction, alteration or maintenance by public utilities or municipal departments of commissions, of underground or overhead gas, electrical, communication, steam or water transmissions or distribution systems, including poles, wires mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, and other similar equipment and accessories in connection therewith (but not including buildings) reasonably necessary for the

furnishing of adequate service by such public utilities or municipal departments or commissions for the public health, safety or general welfare.

39. **FAMILY.** A family is: (i) any number of persons living together in a room or rooms comprising a single dwelling unit and related by blood, marriage, adoption or any unrelated persons who reside therein as though a member of the family; or (ii) any group of five (5) or fewer persons not so related but inhabiting a single dwelling unit.

40. **FARMING.** The cultivating or pasturing of a parcel of land or using it for the raising of livestock or fowl for commercial purposes.

41. **FARMSTEAD.** Property on which structures and a farm dwelling are located for management, storage and general farm operation.

42. **FENCE.** Any lineal structure including walls, hedges or similar barriers used to prevent access by persons or animals or acting as a visual or sound barrier.

43. **FENCE, OPEN.** A Fence that permits 50% or greater visibility.

44. **FENCE, SOLID.** A Fence that permits less than 50% visibility.

45. **FLOOR AREA, GROUND.** The area within the exterior walls of the main building or structure as measured from the outside walls at the ground level, not including garages or unenclosed porches.

46. **FLOOR-AREA-RATIO.** A quotient which expresses the total gross floor area as a multiple of the total area of the lot. The quotient is determined by dividing the gross floor area of all buildings as measured from exterior walls on any lot by the area of the lot.

47. **FRONTAGE.** The width of a lot or building site measured on the line separating it from the Public Street or way. The front line of corner lots shall be considered the shortest street line.

48. **GARAGE, COMMERCIAL.** Any premises used for storing or caring for motor vehicles, or premises where any such motor vehicles are equipped for operation, are repaired or are kept for remuneration, for hire or for sale.

49. **GARAGE, PRIVATE.** An accessory building designed or used for the storage of motor vehicles, boats, trailers, and recreational equipment owned and used by the occupants of the building to which it is accessory.

50. **GASOLINE SERVICE STATION.** A building or structure designed or used for the retail sale or supply of fuels, lubricants and other operating commodities for motor vehicles, and including the customary space and facilities for the installation of such commodities on or in such vehicles, but not including special facilities for the painting, major repair or similar servicing thereof.

51. **GRADE.** The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the structure and a line five (5) feet from the structure.

52. **GREEN SPACE.** An area of natural growth such as grass, trees, or shrubs.

53. **HARDSHIP**. The property in question cannot be put to a reasonable use if used under conditions allowed by this Ordinance and the City's other official controls, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic

considerations alone will not constitute an undue hardship if reasonable use for the property exists under the terms of this Ordinance.

54. **HOME OCCUPATION.** Any gainful occupation engaged in by the occupants of a Dwelling at or from the Dwelling when carried on within the Dwelling Unit and meeting the following requirements:

A. No part of the occupation may be carried on in the garage or in an Accessory Building.

B. Only residents of the Dwelling may be employed on the premises.

C. The home occupation may not require internal or external alterations or involve construction features not customarily found in Dwellings.

D. The entrance to the space devoted to such occupation must be located within the Dwelling.

E. No exterior display or storage of equipment or materials used in the occupation.

F. No exterior signs, except as allowed in the sign regulations for the zoning district in which such home occupation is located.

G. The use of the Dwelling Unit for the home occupation must be clearly incidental and subordinate to its residential use.

H. Except for a day care, not more than 15% of the Dwelling Unit's habitable floor area shall be used in the conduct of the home occupation.

I. No traffic may be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood.

J. Any need for parking generated by the conduct of the home occupation must be met off the street and not within the front yard.

K. Permissible home occupations include, but are not limited to the following: art studio, dressmaking, special offices of a clergyman, lawyer, architect, engineer, accountant, or real estate agent or appraiser, when located in a Dwelling Unit occupied by the same, and teaching, miscellaneous services including sales, repairs, fix-it shops, etc., with musical, dancing, and other instruction limited to one (1) pupil at a time (except that day care and group homes shall be permitted to have such numbers as is permitted within the applicable zoning district).

55. **KENNEL**. An accessory structure or fenced area whose principal purpose is to house or confine two (2) or less pets.

56. **KENNEL, COMMERCIAL**. A structure, building or fenced area whose principal purpose is to house or confine three (3) or more pets.

57. **LAND USE PLAN.** A compilation of policy statements, goals, standards, and maps, and action programs for guiding the future development of private and public property. The term includes a plan designating types of uses for the entire municipality as well as a specialized plan showing specific areas or specific types of land uses, such as residential, commercial, industrial, public or semipublic uses or any combination of such uses. A land use plan may also include the proposed densities for development.

58. **LOT.** A lot is a piece or parcel of land occupied or to be occupied by a building, structure or use, or by other activity permitted thereon and including the

open spaces required under this Ordinance, and having legal access to a public street.

59. **LOT AREA.** The area of a horizontal plane within the lot lines.

60. **LOT, CORNER.** A lot situated at the junction of two (2) or more intersecting streets, or a lot at the point of deflection in alignment of a single street, the interior angle of which is one hundred thirty-five (135) degrees or less.

61. **LOT, COVERAGE.** The part of percentage of the lot occupied by buildings or structures, including accessory buildings or structures.

62. **LOT DEPTH.** The shortest horizontal distance between the front lot line and the rear lot line measured at a right angle.

63. **LOT FRONTAGE.** The front of a lot shall be that boundary abutting a public right-of-way having the least width. If no public right of way exists, the boundary abutting a private right of way leading to a public right of way shall be used to determine lot frontage.

64. **LOT LINE.** A property boundary line of any lot held in single or separate ownership, except that where any portion of the lot extends into the abutting street or alley, the lot line shall be deemed to be the edge of the street or alley right-of-way.

65. **LOT OF RECORD.** A lot which is part of a subdivision, the map of which has been recorded in the office of the Benton County Recorder or a lot described by metes and bounds, the deed to which has been recorded in the office of the Benton County Recorder prior to the effective date of this Ordinance and which was a legally buildable lot as of the date of this Ordinance.

66. **LOT WIDTH.** The shortest horizontal distance between the side lot lines measured at right angles to the lot depth.

67. **MANUFACTURED HOME.** A structure, transportable in one or more sections, which in the traveling mode, is eight (8) body feet or more in width, or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) 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 therein; except that the term includes any structure which meets all the 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 or the head of any successor agency with responsibility for enforcement of federal laws relating to manufactured homes, and complies with the standards established under this Code and Minnesota Statutes Chapter 327, as amended.

68. **MANUFACTURED HOME PARK.** Any site, lot, field or tract of land upon which two (2) or more occupied manufactured homes are located, either free of charge or for compensation, and includes any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of the manufactured home park.

69. **MODULAR HOME.** A non-mobile housing unit that is basically fabricated at a central factory and transported to a building site where final installations are made, permanently affixing the module to the site, and bears a seal from the State of Minnesota stating that the unit is approved by the State Building Inspector certifying that the unit is a manufactured

building and complies with the State Building Code. A modular home shall be congruous to a single-family dwelling.

70. **MOTEL/HOTEL.** A motel or hotel is a business comprising a series of attached, semi-detached or detached rental units with or without eating facilities for the overnight accommodation of transient guests and travelers.

71. **MPCA.** Means the Minnesota Pollution Control Agency.

72. **NONCONFORMING USE.** Any use of land or a structure established before the effective date of this Ordinance, which use is no longer permitted within that particular zoning district.

73. **NONCONFORMING STRUCTURE.** A structure which, although it conformed to the legal requirements at the time of its construction, no longer conforms to the requirements of this Ordinance (including but not limited to characteristics such as setbacks, building height, or lot coverage).

74. **OFFICIAL MAP.** A map adopted in accordance with Minnesota Statues Section 462.359 which may show existing and proposed future streets, roads, and highways of the municipality and county, the area needed for widening of existing streets, roads, and highways of the municipality and county, existing and proposed air space and subsurface areas necessary for mined underground space development pursuant to Minnesota Statutes Sections 469.135 to 469.141, and existing and future county state aid highways and state trunk highway rights-of-way. An official map may also show the location of existing and future public land and facilities within the municipality. In counties in the metropolitan area as defined in Minnesota Statutes Section 473.121, official maps may for a period of up to five (5) years designate the

boundaries of areas reserved for purposes of soil conservation, water supply conservation, flood control and surface water drainage and removal including appropriate regulations protecting such areas against encroachment by buildings, other physical structures or facilities.

75. **PARKING SPACE.** An enclosed or unenclosed area of not less than two hundred (200) square feet, plus adequate access drives to streets, but exclusive of access or maneuvering area to be used exclusively as a temporary storage space for one (1) motor vehicle and which has a surface constructed of asphalt, concrete or a similar permanent hard surface.

76. **PERMITTED USE.** A use which may be lawfully established in a particular district or districts, provided it conforms to all requirements and performance standards (if any) of such district.

77. **PERSON.** Any individual, corporation, firm, partnership, association, organization or other group acting as a unit. It also includes any executor, administrator, trustee, receiver or other representative appointed by law. Whenever the word "person" is used in any section prescribing a penalty or fine, it shall include the partners or members of any corporation, who are responsible for the violation.

78. **PLAT.** The drawing or map of a subdivision prepared for filing of record pursuant to Minnesota Statutes Chapter 505 and containing all elements and requirements set forth in applicable local regulations adopted pursuant to Minn. Statutes §462.358 and Minnesota Statutes Chapter 505.

79. **PUBLIC UTILITY.** Persons, business entities or governments supplying gas, electric, transportation, sewer, water or land line telephone service to the general public, not including commercial wireless telecommunication service facilities.

80. **RAIN GARDEN.** A landscaping feature that is planted with native perennial plats and is used to manage stormwater runoff from impervious surfaces such as roofs, sidewalks, and parking lots.

81. **RECREATIONAL EQUIPMENT.** Equipment including but not limited to boats, canoes, snowmobiles, all-terrain vehicles, campers and the like.

82. **REZONING.** Changing any parcel or parcels from one zoning district to another through procedures established by this Ordinance.

83. **RIGHT-OF-WAY.** Land dedicated and publicly owned, in fee or by easement, for use as a street, alley, trail, or walkway.

84. **SETBACK.** The minimum horizontal distance between a building and the lot line.

85. **SCHOOL.** An accredited learning institution, providing primary or secondary instructions.

86. **SEXUAL ENCOUNTER ESTABLISHMENT.** An establishment other than a hotel, motel, or similar establishment offering public accommodations, which, for any form of consideration, provides a place where two or more persons may congregate, associate, or consort in connection with specified sexual activities or the exposure of specified anatomical areas. This definition does not include an establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in sexual therapy.

87. **SIGN.** A name, identification, description, display, illustration or device which is affixed to, painted, or represented directly or indirectly upon a building, structure, land, rock, pole, fence or tree and which directs activity, or which is displayed for informational

purposes about a person, institution, organization or business and is visible to the general public.

88. **SPECIFIED ANATOMICAL AREAS.** As used herein, specified anatomical areas means and includes any of the following: 1) less than completely and opaquely covered human genitals, pubic region, buttocks, anus or female breasts below a point immediately above the top of the areolae; or 2) human male genitals in a discernibly turgid state, even if completely and opaquely covered.

89. **SPECIFIED SEXUAL ACTIVITIES.** As herein, specified sexual activities means and includes any of the following: 1) the fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts; 2) sex acts, actual or simulated, including intercourse, oral copulation, or sodomy; 3) masturbation, actual or simulated; or 4) excretory functions as part of or in conjunction with any of the activities set forth in subdivisions 1 through 3 of this subsection.

90. **STEEL ROOF.** Currently allowed by building code. Corrugated sheet metal is not allowed per Zoning Ordinance

91. **STORY.** That portion of a building included between the surface of any floor and the surface of the floor next above it, or the space between such floor and the ceiling next above it.

92. **STREET FRONTAGE.** The length of the side of a City lot fronting on the street, or, in the case of a corner lot, the shortest side of the lot.

93. **STRUCTURE.** Anything which is built, constructed or erected; an edifice or building of any kind; or any piece of work artificially built up and/or composed of parts joined together in some definite manner.

94. **STRUCTURAL ALTERATION.** Any change in a building or structure affecting its supporting members, including but not limited to bearing walls or partitions, beams, girders, roof, and all exterior walls. Incidental repairs, such as reroofing or residing, are not considered structural alterations.

95. **SUBDIVISION.** The separation of an area, parcel, or tract of land under single ownership into two (2) or more parcels, tracts, lots, or long-term leasehold interests where the creation of the leasehold interest necessitates the creation of streets, roads, or alleys, for residential, commercial, industrial, or other use or any combination thereof, except those separations:

    A. Where all the resulting parcels, tracts, lots, or interests will be twenty (20) acres or larger in size and five hundred (500) feet in width for residential uses and five (5) acres or larger in size for commercial and industrial uses;

    B. Creating cemetery lots;

    C. Resulting from court orders; or

    D. The adjustment of a lot line by the relocation of a common boundary determined by the Zoning Administrator to be of inconsequential effect on either property involved.

96. **TEMPORARY SIGN.** Any sign, including without limitation, banners, pennants and private flags, that is intended to be transportable or moveable, whether fixed or not to the ground or a structure.

97. **TOWER.** Any free-standing ground or roof-mounted pole, spire, structure or combination of them taller than fifteen (15) feet, including supporting lines, cables, wires, braces and masks, not wholly contained within a building or other structure and intended primarily for the mounting of an antenna,

meteorological device or similar apparatus above grade.

98. **TOWER, COMMERCIAL.** A Tower designed or used for Commercial Wireless Telecommunications Services, public radio transmission or commercial television transmission.

99. **TOWER, MULTI-USER.** A Tower with antennas of more than one Commercial Wireless Telecommunications Service provider or governmental entity attached.

100. **TOWER, SINGLE-USER.** A Tower with only the antennas of a single user attached, although the Tower may be designed to accommodate antennas of multiple users as required by this Ordinance.

101. **TOWNHOUSE.** A single family dwelling utilizing a cluster or row arrangement where each dwelling unit has its own private entrance, and one or more common walls. Townhouse may be located so that all dwelling units are on the same lot or so that each dwelling unit has its own lot.

102. **USE.** The purpose for which land or buildings thereon are designed, arranged, or intended to be occupied or used, or for which they are occupied or maintained.

103. **UTILITY EASEMENT.** A grant by a property owner for the use of a strip of land for the purpose of constructing and maintaining utilities, including but not limited to sanitary sewers, water mains, electric lines, telephone lines, storm sewer or storm drainage ways and gas lines.

104. **VARIANCE.** The waiving of a specific provision of the Zoning Ordinance in instances where the strict enforcement of that provision would cause undue hardship because of circumstances unique to the individual property under consideration. See Section

24 for details on the procedure and requirements for granting a variance.

105. **WALL SIGN.** A Sign painted on or placed against or attached to the exterior wall surface of a building or structure.

106. **YARD.** An open space on the lot which is unoccupied and unobstructed from its lowest level to the sky.

107. **YARD, FRONT.** That portion of the yard located between the front lot line, the side lot lines, and the front building line.

108. **YARD, REAR.** That portion of the yard located between the rear building line, the side lot lines, and the rear lot line.

109. **YARD, SIDE.** That portion of the yard located between the front and rear yards and between the side building lines and the side lot lines.

110. **ZONING ADMINISTRATOR.** As appointed by the City Council.

Section 4 Rules and Definitions, Subdivision 2 #14, #24, #54, #80 & #90, of the Zoning Ordinance was amended by Ordinance Number 399, passed August 9, 2011 and published May 22, 2012.