

## ARTICLE 15.

### DEFINITIONS\*

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\* **Cross References:** Definitions, rules of construction, § 1-2; rules of language, Ch. 27, § 1-7.

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Words listed in this article are those having a special meaning relative to the purposes of this code. Words used in this code which are not listed in this article shall be defined by an appropriate reference in a published standardized dictionary.

*Abut:* To directly touch and have common boundaries. Parcels across a public right-of-way or easement would not be abutting.

*Abandoned sign:* A sign no longer in use or a sign providing obsolete or outdated copy, as further defined in section 10-3 (Sign standards and procedures).

*Accessory structure:* A detached subordinate structure, the use of which is customarily incidental to, and supportive of, the principal structure or the principal use of land and which is located on the same parcel of ground with the principal structure or use.

*Accessory use:* A use customarily incidental to, subordinate to, and supportive of the principal use of the parcel.

*Acquisition:* The purchase, lease, or contract for purchase of land and/or structures.

*Adjacent:* To be abutting, adjoining, and surrounding area, to the extent that the proposal may impact or be impacted by the area. The width of public rights-of-way, easements, canals, or waste ditches shall not be counted when determining distance for adjacent properties, uses, etc.

*Adjoin:* To be abutting and across an alley, easement, canal, or waste ditch.

*Administrative decision:* Decisions made by a person employed by the city.

*Administrator:* The administrator of the code, as designated by the city council, to serve within the Durango Planning and Community Development Department.

*Agribusiness:* A business and/or commercial use operated primarily for the support of agricultural needs. It may consist of products, materials, and equipment servicing and sales; storage and/or processing of agricultural products and/or animals; veterinarian and/or technical support services.

*Agricultural animals:* Those animals commonly associated with agricultural use, including but not limited to cows, horses, pigs, goats, sheep, ducks, turkeys, and chickens, whose primary value is commercial rather than personal enjoyment.

*Alley:* A minor public thoroughfare which is not a street, upon which the rear of lots generally abut and which is generally used for service purposes.

*Alteration:* Any change, addition, or modification of any portion of the exterior of a building or designated feature, including changing paint color, which is visible from a public street or any other public place.

*Animated sign:* Any sign, or part thereof, which changes physical position or image by any movement or rotation.

*Antenna:* A specific device, the surface of which is used to transmit and/or receive radio-frequency signals, microwave signals, or other signals transmitted to or from other antennas for commercial purposes.

*Applicant:* Any person, firm, partnership, joint venture, association, corporation, group or organization who may apply for any permit, approval or decision required by this code.

*Arterial street:* A connected network of continuous routes serving intra- and interstate travel, as well as interurban travel. They serve high traffic volumes generally at higher speeds. Service to abutting land is subordinate to moving through traffic.

*Automated teller machine (ATM):* An automated structure providing limited banking services without personal attendants.

*Automobile sales establishment and lots:* An open area under private ownership used for the display, sale or rental of new and/or used automobiles where no repair work is done, except minor incidental repair of automobiles to be displayed, sold or rented. (An office/shelter structure as an accessory to the use is permitted.)

*Awning:* A device made of cloth, metal or other material attached to a structure, which may be raised or retracted to a position against the structure when not in use, providing shade to a window or shelter.

*Backfill:* Material placed in an excavated space to fill such space.

*Base course:* The upper course of the granular base of the pavement or the lower course of an asphalt concrete pavement structure.

*Bed and breakfast:* A building of a residential character other than a hotel or motel compatible with the neighborhood, providing:

- (a) Temporary lodging generally for less than one (1) week;
- (b) In five (5) or fewer guest rooms;
- (c) At least one (1) meal daily for guests; and

- (d) A manager residing on the premises; but not providing the accessory uses normally associated with a hotel.

*Block:* A land area, which may consist of contiguous lots, established by a recorded plat, and usually bordered by ways or spaces for public or common use.

*Boarding and rooming house:* A building containing a single dwelling unit and three (3) or more rental rooms where lodging is provided, with or without meals, for compensation. This use may also provide room, board and personal care facilities for the elderly. These facilities must have all applicable state or local licenses and meet safety standards set forth by the fire department and city building inspection department. ("Compensation" may include money, services or other things of value.)

*Building:* Any permanent, roofed structure built for the shelter and enclosure of persons, animals, materials or property of any kind.

*Cafe:* A small establishment serving short-order food and beverage, where all service takes place within an enclosed building. Exterior eating areas may be permitted as an accessory use.

*Canopy:* A structure, other than an awning, made of cloth, metal or other material supported by a frame bearing on the ground. A canopy may be either freestanding or attached to a structure.

*Carport:* A roofed structure, providing space for sheltering one (1) or more vehicles, attached to a principal structure.

*Certificate of occupancy:* As defined in the Uniform Building Code.

*Change of use:* A change in the essential character or nature of the activity conducted on a lot, as evidenced by:

- (a) A change from one principal use to another as listed in section 4-2-7 (Use Zone Matrix); or
- (b) A change in proportion of space devoted to principal uses within a property; or
- (c) An increase in the parking demand, traffic generation, water demand or wastewater demand as calculated pursuant to existing city regulations.

*Changeable copy sign:* A sign whereon provision is made for easily changeable letters or characters placed, either manually or electronically, in or upon the surface area to provide a message or picture.

*City:* The City of Durango.

*Code:* Unless otherwise specified, the City of Durango Land Use and Development Code.

*Colocation:* The placement and arrangement of multiple provider's antennas and equipment on a single support structure or equipment area.

*Collector street:* Streets which collect traffic from local streets in areas of homogeneous land use and channel it to arterial streets. Collector streets service moderate traffic volumes and primarily connect and carry local traffic movements with a minor amount of through traffic.

*Commercial rafting companies:* Any business organization or individual which charges a fee or imposes a charge of any nature to the general public, or any member thereof, for transportation on a waterway or rental of equipment to use in the water, regardless of the size or description of the equipment used for such purposes.

*Commission:* The City of Durango Planning Commission.

*Common open space:* An area of land and/or water within a project (subdivision, development, PD), which is designed and intended primarily for the use or enjoyment of residents, occupants, and owners within the project. Private yards, parking areas, structure square footage and roads shall not be considered open space, but may be "areas in common."

*Conditional use:* A use identified by this code which requires action by the planning commission and city council, after a public hearing(s), and if approved, authorizes the recipient to make use of property in accordance with the requirements of this code, as well as any additional requirements imposed by the council. A conditional use permit shall be issued by the department prior to commencing the use or construction for the use.

*Condominium:* Ownership in fee simple of a cubic air space including only interior surfaces and an undivided ownership share, in common with other purchasers, of the common elements of a project including land and its appurtenances.

*Condominium conversion:* The process by which an existing structure is subdivided into multiple interests as defined under "Condominium."

*Convalescent home:* A building where persons reside and are provided with medical care designed to restore them to health.

*Council:* The Durango City Council.

*Counseling center:* A facility where individuals or small groups are provided professional counseling assistance with personal, emotional, marital, medical, or similar problems on an out-patient basis.

*County:* La Plata County.

*Covered parking:* A covered parking area which is not attached to a principal structure and has no side walls or panels.

*Cul-de-sac:* A short, dead-end street terminating in a vehicular turnaround area.

*Culvert:* Any structure, not classified as a bridge, which provides an opening under or adjacent to the roadway.

*Curb cut:* An opening in a curblin for the passage of vehicles.

*Custodial residence:* A single-family dwelling unit, conducted as an accessory use to a commercial or industrial use, providing on-site housing for security purposes (see section 10-1-12).

*Day care center:* An establishment licensed by the State of Colorado providing day care, on a regular basis.

*Density:* The total number of dwelling units per acre. When calculating density per gross acre, all rights-of-way (including only one-half-to centerline-of any abutting rights-of-way), and/or open spaces are included in the total acre factor. When calculating density per net acre, all rights-of-way and/or open spaces are excluded from the total acre factor.

*Department:* The City of Durango Planning and Community Development Department.

*Desert landscaping:* The use of landscaping materials, both vegetative and nonvegetative, which are native to an arid or semi-arid climate.

*Designated floodplain.* The area identified as the floodplain in the flood insurance study and flood insurance rate map for the city, as prepared by the U.S. Department of Housing and Urban Development, Federal Insurance Administration.

*Developer:* A person, firm, partnership, joint venture, associations corporation, group or organization who shall participate as owner, promotor, developer or sales agent in the planning, platting, development, promotion, sale or lease of a development.

*Development:* Construction, improvement, placement or expansion of a use on a parcel of land, including but not limited to, buildings, structures, excavating, filling, grading, paving, mining, dredging, or drilling operations.

*Direct illumination:* Lighting of a sign by the copy itself being the lighted material (e.g., neon).

*Directional sign:* Any sign that directs the movement or placement of pedestrian or vehicular traffic.

*Disposition:* A contract of sale resulting in the transfer of equitable title to an interest in

land; a lease or an assignment of an interest in land; or any other conveyance of an interest in land.

*Drive-in:* Facilities customarily providing parking spaces for the ordering, delivery, and consumption of a product or service in a parked vehicle.

*Drive-thru business:* A place of business where goods and services are delivered through a pickup window, generally to a vehicle.

*Duplex:* A two-family dwelling composed of two (2) dwelling units (see, "dwelling unit"). To qualify as a duplex, a minimum of twenty (25) percent of the length of two (2) walls shall be shared between the units, regardless of whether the wall is shared by all floors of the units. The shared walls shall not be the walls of a breezeway or accessory structure, but may include the walls of a garage.

*Dustfree:* A minimum treatment of the native soil with a covering of asphalt, concrete, wood, masonry, granite, gravel, oil penetration or soil-cement.

*Dwelling unit:* One (1) room or rooms with internal connections for residential occupancy and including bathroom and kitchen facilities. Multiple dwelling units exist if there is more than one (1) address for the property or more than one (1) kitchen. Multiple dwelling units may exist if there is more than one (1) meter for any utility; or if there are separate entrances to rooms which could be used as separate dwelling units; or if there is a lockable, physical separation between rooms in one (1) dwelling unit such that a room or rooms on each side of the separation could be used as a dwelling unit, or rooms with no internal connections.

*Early learning center:* A facility containing both day care and non-public schooling as licensed by the State of Colorado, provided the students attending the school are younger than ten (10) years old, and no more than twenty-five (25) percent of the children enrolled at the center are attending the school.

*Easement:* A right to use land for a particular purpose by persons, or an entity, other than the owner(s) of that land.

*Electric sign:* Any sign wired for and/or lighted by an electric source. This does not include signs illuminated by an exterior light source.

*Engineer:* Engineer licensed by the Colorado State Board of Registration.

*Equivalent engineering performance standards for manufactured housing:* Standards in compliance with the requirements and limitations established for manufactured housing in section 30-28-115, Colorado Revised Statutes, as from time to time amended.

*Erosion exposure zone:* Land which drains toward the Animas River at an uninterrupted slope in excess of four (4) percent, except that a slope of less than four (4) percent may interrupt the steeper slope if the shallower slope is fifty (50) feet or less in width. See Figure 5-1-4(c)(1).

*Extractive uses:* The act of removing surface and/or subsurface natural resources from the land. This includes exploratory drilling or mining, but excludes individual water well drilling.

*Facade:* That exterior side of a building which faces and is most nearly parallel to a public or private street. There can be only one (1) building facade for each street upon which a building faces.

*Family:* One (1) or more persons living together as a single housekeeping unit, provided that, unless all members are related by blood, marriage, or adoption, no such family shall contain over five (5) persons.

*Family foster home:* A home which receives one (1) to four (4) children for regular, full-time care.

*Fence:* A barrier of manmade construction regardless of the material used, including walls but not retaining walls. ("Material" does not include vegetation.)

*Final administrative action:* Constitutes the decision, determination, ruling or interpretation rendered by staff, or any board, commission, or council herein described, except when a right of appeal is granted under the terms of this code, in which event, final administrative action occurs after that appellate process has been concluded and an appellate decision rendered.

*Final plat:* A map establishing real estate interests for recording with the county clerk and recorder prepared by a Colorado Registered Surveyor. This survey shall be marked on the ground so that streets, blocks, lots and other divisions thereof can be identified and drawn in accordance with the requirements of this code.

*Fire flow survey:* A testing of fire hydrants to determine capacity by volume and pressure for fire-fighting purposes.

*Flashing sign:* A sign which contains an intermittent or flashing light source.

*Floodplain:* An area adjacent to a watercourse which may be subject to flooding as a result of an increase in water flow beyond a normal high water mark.

*Flood profile:* Hydrological conclusions, based upon historical facts and engineering principles represented graphically, and showing the relationship of the water surface elevation during a one hundred-year flood to the channel and adjacent topography.

*Freestanding sign:* A detached sign which is supported by one (1) or more columns, uprights or braces extended from the ground or from an object on the ground, or a detached sign which is erected on the ground; provided that no part of the sign is attached to any part of any structure or other sign.

*Frontage:* That distance where a property line is common with a street right-of-way line.

*Front parcel line:* The property line dividing a lot from a street right-of-way.

*Gasoline service station:* Building and/or surfaced area where vehicles may be refueled and/or serviced. This service shall not include tire recapping, body painting or repair.

*Geologic hazard area:* An area which contains, or is directly affected by, geologic conditions which may constitute hazards for development. Geologic hazard mapping and supporting text material prepared by the Colorado Geologic Survey is located at the City of Durango and La Plata County Planning Departments.

*Grade:* Generally, grade shall be defined as ground level. Wherever possible, this shall mean undisturbed ground level which may be determined by on-site evidence (vegetation, ground level on adjacent land, elevation of adjacent streets and roads, soil types and location, etc.)

- (a) Where a development project has received project plan approval by this code, the grade shall be established on the basis of that approved site plan. Where grade cannot be reasonably determined by the above methods, the elevation of the grade shall be identified by staff in accordance with the intent and purpose of this code.
- (b) For drainage purposes, grade shall be defined as the finished level of the soil where it meets the foundation wall of the structure in question. For the purposes of evaluating grade in meeting drainage criteria, grade shall apply to every point on the perimeter of a structure's foundation and/or site.

*Greenhouse/nursery:* Place where plants are raised, acquired and maintained for transplanting or sale. Sale or rental of small landscaping tools and supplies may be an accessory use.

*Gross floor area:* The total square footage of a building measured along outside enclosing walls including all floors of a multistory building, whether finished or unfinished.

*Gross leasable area:* The total floor area designed for tenant occupancy measured along outside enclosing walls excluding stairwells, elevator shafts, mechanical rooms, space related to the operation and maintenance of the building and lobbies and bathrooms located for common use.

*Ground sign:* A type of freestanding sign. (See "Freestanding sign".)

*Group care facility:* A facility providing custodial care and treatment in a protective living environment for persons residing voluntarily or by court placement including, without limitation, correctional and post-correctional facilities, drug or alcohol abuse centers, juvenile detention facilities, and temporary custody facilities.

*Group residence:* Dormitory, sorority, fraternity, and/or lodging where three (3) or more individual rooms are occupied on a nontransient basis, and where living and eating facilities are generally used in common with other residents.

*Guest ranch:* A working ranch, with an accessory use for the lodging and/or boarding of guests, which provides recreational activities on or adjacent to the ranch.

*Halfway house:* A home for persons who have demonstrated a tendency toward alcoholism, drug abuse, mental illness, or antisocial or criminal conduct, together with personnel providing supervision and other services for such persons.

*Hazard-prone area:* An area which has not yet been officially designated as a hazard area but where historical evidence, climatological data, surface or subsurface geological, topographical, vegetative, or other on-site naturally occurring indicators make the likelihood of designation apparent.

*Head water:* The source of a stream or river.

*Health department:* The San Juan Basin Health Unit or Colorado State Health Department.

*Heavy equipment:* Large and weighty equipment, including but not limited to: trucks with more than a five-ton rating, cranes with a capacity of more than three (3) tons, crawler-type tractors and earthmovers weighing more than three (3) tons, dump trucks with the capacity of ten (10) cubic yards or more, and other equipment of comparable size and weight.

*Height of a structure:* The vertical distance measured from the natural or unimproved grade to the corresponding highest point of the roof.

*High water mark:* The ordinary high water level or bank of a stream, river, lake or impoundment, which, in the absence of evidence to the contrary, shall be presumed to be the edge of the vegetation growing along the shore.

*Historic district:* A related group of historic structures, objects, features, and/or areas which is listed on Durango's Register of Historic Places.

*Historic landmark:* An individual structure, object, features, and/or areas which is listed on Durango's Register of Historic Places.

*Home occupation:* A vocational activity conducted as an accessory use, in a residential structure, secondary to the principal residential use, and meeting the requirements of this code (see section 10-1-12 and figure 4-2-7).

*Hospital:* Any building used for the accommodation and medical care of animal patients, or for human patients, including sanitariums, but excluding clinics, rest homes, and convalescent homes.

*Hotel/motel:* A building in which six (6) or more guest rooms are used to provide accommodations for transient guests for compensation. Additional services such as meeting rooms and recreational facilities may be provided.

*Household pets:* Those animals which are commonly kept as pets, whose primary value is personal enjoyment. These animals shall not be raised for commercial purposes and shall be limited to common species whose presence in the neighborhood does not arouse unusual community interest or curiosity sufficient to attract the community residents to a specific neighborhood.

*Human scale:* Building and spaces in scale with each other and in scale with the human use of these buildings and spaces.

*Identification sign:* A sign which shall refer only to the principal use of the parcel upon which the sign is located.

*Illegal sign:* A sign failing to conform with the provisions, standards, and requirements of section 10.3 of this code.

*Illuminated sign:* A sign lighted by, or exposed to, artificial lighting either by-lights in the sign or directed towards the sign.

*Improvements:* Street pavements, curbs, gutters, sidewalks, paths, bikeways, sedimentation control facilities, revegetation, water mains, sanitary and storm sewers, drainways, gas lines, electrical and telephone lines and appurtenances, street signs, trees and lights, lot pin monuments, range point boxes, and any other item required in conformance with the regulations of this code or any conditions of approval.

*Improvements agreement:* A contractual agreement between the city and the applicant which designates all improvements required to be constructed/installed by the approval of an application. Such agreement to be financially secured by the developer of a project.

*Indirect illumination:* Light only from a directed light source outside the sign face which reflects from the sign face.

*Institutional sign:* A sign setting forth the name of any charitable, educational, or religious institution.

*Integral sign:* Names of buildings, dates of erection, monumental citations, commemorative tablets and the like which are carved into stone, concrete or similar material or made of bronze, aluminum, or other permanent type construction and made an integral part of the structure.

*Internal illumination:* A light from a source concealed or contained within the sign, and which becomes visible through a translucent surface.

*Junk:* Any waste, scrap, surplus, or discarded material, including but not limited to metal, glass, paper, cardboard or fabric which is worn, deteriorated, and/or obsolete and may or may not be used again in some form, but excluding animal wastes and human sewage.

*Junk vehicle:* Any motor vehicle which is not currently licensed by the State of Colorado, except those vehicles considered to be antique or classic according to common usage.

*Junkyard:* A land area used for the storage, sale or abandonment of junk metals, glass, paper or other waste, including the dismantling, demolition, collection, crushing or baling of the waste materials. The term "junkyard" shall include "wrecking yard" and "salvage yard."

*Kennel:* A facility in which four (4) or more animals of the same species are housed, groomed, bred, boarded, or trained in return for compensation, or sold, and which may offer incidental medical treatment.

*Landlocked parcel:* A parcel of land without access of record with the county clerk and recorder.

*Landscape:* An area set aside from structures and parking, which is developed with plantings, woods, stone, brick, rock, sand, or other materials appropriate for landscape purposes; and/or pedestrian facilities (i.e., benches, tables, play facilities, paths, etc.).

*Land use:* See "Use."

*Lateral sewer:* A sewer which discharges into a trunk line and has only collection lines tributary to it. A line from a structure or use which discharges into a collection is not a lateral.

*Live-work units:* A structure or portion of a structure combining a residential living space with an integrated workspace principally used by one (1) or more of the residents. The workspace is secondary or accessory to the primary residential use.

*Loading area:* An off-street portion of a parcel for the temporary parking of commercial vehicles while loading or unloading materials for use or sale on the parcel. This area shall open onto a street or alley, and any use of the area shall not obstruct pedestrian or vehicular traffic upon the street or alley.

*Local street:* Provides direct access to adjacent land and access to higher street classification. All streets not otherwise classified are "local."

*Lot:* A parcel of land as established by, and numbered or lettered on, a recorded plat.

*Lot area:* The area of land enclosed within the property lines of the parcel excluding adjacent streets and alleys.

*Lot coverage:* That area of a parcel which may be occupied by principal and accessory

structures.

*Lot width:* The width of the lot or parcel at the actual point of the required setback as set forth in section 4-3.

*Machine shop:* A structure containing machinery for the manufacture, modification or repair of metal goods and automotive equipment.

*Major shopping center:* A group of architecturally unified commercial establishments center-built on a site which is planned, developed, and managed as an operating unit related in its location, size and type of shops to the trade area that the unit serves. The unit provides on-site parking in definite relationship to the types and total size of the stores. The gross leasable area is in excess of two hundred fifty thousand (250,000) square feet.

*Major subdivision:* A subdivision consisting of six (6) or more proposed lots.

*Manufactured housing:* The definition of manufactured housing is as it is defined in section 30-23-301(5)(a)(I), Colorado Revised Statutes, as from time to time amended: A single-family dwelling which is partially or entirely manufactured in a factory; is not less than twenty-four (24) feet in width and thirty-six (36) feet in length; is installed on an engineered permanent foundation; has brick, wood or a cosmetically equivalent exterior siding and a pitched roof; and is certified pursuant to the National Manufactured Housing Construction and Safety Act of 1974. Such manufactured housing is subject to the provisions of section 4-2-3(b)(2).

*Master street plan:* A part of the Durango Comprehensive Plan.

*Maximum coverage:* That area of a parcel which may be covered by the sum total of gross square footage, of ground level only, of principal and accessory structures.

*Membership club:* An association of persons, incorporated or unincorporated for a common purpose, but not including groups organized primarily to render a service carried on as a business.

*Menu signs:* Signs at restaurants which are not designed to be read from the public right-of-way and are not visible beyond the boundaries of the lot or parcel upon which they are located or from any public thoroughfare or right-of-way.

*Mini-storage facilities (secondary use):* An enclosed structure divided into small rooms intended for dead storage of customer's goods situated within a structure with another permitted use. The maximum floor area in a mini-storage facility (secondary use) shall not exceed the floor area of the primary use and shall not extend in front of the rear line established by the primary use. The individual units shall be accessed only from an internal hallway and the use shall not front any dedicated street. One (1) on-site loading space and one (1) on-site parking space must be provided for every fifty (50) units.

*Minor arterial:* A street or road interconnecting with the principal arterial system having

a relatively high overall travel speed and minimal interference to through movement.

*Mobile home:* A structure that is transportable in one (1) section, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles, travel trailers, camp trailers, other recreational type vehicles or factory-built/manufactured housing.

*Mobile home park:* Property under single ownership used to provide permanent parking spaces for mobile homes used for living purposes, including accessory structures and uses.

*Mobile home subdivision:* A subdivision designed for the sale of parcels for the placement of mobile homes for residential living purposes.

*Mobile recycling units:* A "mobile recycling unit" means the bins, boxes or containers transported by trucks, vans, or trailers and used for the collection of recyclable materials.

*Motel:* See "Hotel."

*Multifamily structure:* A structure arranged, designed for, and intended to be the residence of more than one (1) housekeeping unit independent of each other.

*Natural hazard:* A geologic, floodplain, or wildfire hazard.

*Net floor area:* The total square footage of a building measured along the outside enclosing walls minus fifteen (15) percent.

*New construction:* Structures for which the start of construction commenced on or after the date of adoption of this code.

*Nonconforming:* A legal use, structure, sign, fence, other development feature, standard and/or dimensional requirement which existed or was conforming to city codes prior to the adoption of this code or any amendment thereto, which does not conform to this code or its amendments.

*Nursery school/preschool/day nursery:* A school and/or care facility licensed by the State of Colorado which is maintained for the whole, or part, of the day, for more than six (6) children under the age of six (6) years.

*Nursing home:* An establishment which provides continuous day and night facilities providing room and board, personal services, and medical care for compensation for two (2) or more persons not related to the owner/operator of the home.

*Off-site advertising sign:* A sign relating to products, services or uses not located on the same lot as the sign.

*Outlot:* A parcel of land indicated on a recorded plat but which is not considered to be a

part of the subdivision delineated on that plat.

*Overburden:* All the earth and other materials which lie above natural mineral deposits or materials disturbed from their natural state in the process of mining and/or other development.

*Overlay zone:* A specific zone (see Article 5) which overlays an area of land which requires provisions, requirements or standards specific to that land area.

*Owner or ownership:* The fee owner or lessee of a sign, property, structure, improvement, or in the case of a sign, an individual, person or business who has purchased the copy on a sign.

*Parapet:* Either the edge of the roof or the top of a wall which forms the top line of a building silhouette. When a building has several roof levels, the roof or parapet shall be the one belonging to that portion of the building where the sign is located.

*Parcel:* A contiguous area of land under one (1) ownership, defined by a legal description(s) recorded at the office of the county clerk and recorder.

*Pavement:* Any surfacing of streets, alleys, sidewalks, courts, driveways or similar areas, consisting of mineral aggregate bound into a rigid or semirigid mass by a suitable binder such as, but not limited to, Portland cement or asphalt cement.

*Pavement structure:* The combination of subbase, base course, and surface course placed on a subgrade to support the traffic load and distribute it to the roadbed.

*Pedestrian-oriented sign:* A sign located in such a manner as to be generally viewed or read by a person who is walking. Normally, such signs are located within the first story of a building.

*Pedestrian right-of-way:* A right-of-way or easement dedicated for public pedestrian access.

*Permanent sign:* A sign which is permanently affixed or attached to the ground or to a structure.

*Person:* The word "person" shall also include a trustee, executor, association, firm, partnership, or corporation.

*Planned development (PD):* An area of land zoned and improved as a development for which bulk and use requirements and other criteria may be relaxed in return for development conformance with an approved plan for the total parcel.

*Planning area:* That geographic area defined as the City of Durango Planning Area, as more fully described in the adopted comprehensive plan for the City of Durango.

*Planting strip:* Any strip of land between curblines and property line, excluding any existing sidewalk therein.

*Plat:* A map of surveyed and legally described land, which may have appropriate dedication and/or restrictions, and which is an instrument for recording of real estate interests at the office of the county clerk and recorder.

*Portable sign:* A sign which is not permanently affixed or attached to the ground or to a structure or which is mounted upon, painted or otherwise erected upon a vehicle, van, truck, automobile, bus, railroad car or other vehicle in operating condition.

*Preapproved:* An approval granted by the adoption of this code, and its amendments, of those uses identified within a zone district delineated in figure 4-2-7 (use/zone matrix) as a "special use."

*Premise:* The central, actual physical location where an activity is routinely conducted. The premise includes the primary structures, parking facilities and private roadway, if they are necessary to the principal activity.

*Principal structure or use:* The main or primary purpose for a structure or use on a parcel of land. This shall include accessory structures which are attached to and architecturally integrated with the principal structure.

*Private:* Anything not owned or operated by a governmental agency or tax assessing district.

*Private street:* Any vehicular access serving properties whose average daily traffic volume does not exceed sixty (60) trips a day, and has been platted and recorded as a private street.

*Produce stand:* An open-air stand for selling of agricultural products. This stand may be portable for dismantling or moving in an off-season.

*Professional engineer:* A person licensed by the State of Colorado to practice in the field of engineering.

*Professional land surveyor:* A person licensed by the State of Colorado to do surveying.

*Professional office:* An office for professionals such as physicians, dentists, lawyers, architects, engineers, artists, musicians, designers, teachers, accountants, and others who, through training, are qualified to perform services of a professional nature, and where no storage or sale of merchandise is permitted except clearly as an accessory use.

*Projecting sign:* A sign, other than a wall sign, which projects from and is supported by a wall or building.

*Public:* Anything owned or operated by a governmental agency or tax assessing district.

*Public hearing:* A public meeting for which public notice has been given and an opportunity for public testimony is provided.

*Public improvement:* An improvement owned by a public entity, such as streets, including curb and gutter, sidewalks, water, sanitary sewer, storm sewer, landscaping, lighting, signage, etc.; or private streets, bikeways, walkways, paths, or facilities that will be used by the general public and occupants of a subdivision or development.

*Public land:* Parks, playgrounds, schools, drainage channels, trails, highways, streets, or other areas of land accepted by the city council and dedicated to the public for use or benefit.

*Public meeting:* A meeting of a board, planning commission, city council or their representatives, which the public may attend.

*Public notice:* Notice to the public of an official public hearing. This notice shall be, according to applicable requirements, published one (1) time in the official newspaper of the city prior to the hearing. Notice shall also be posted on any property considered as part of an application requiring public hearing. Posting shall consist of one (1) sign posted in a conspicuous place, accessible to the public and in printed letters stating "Public Notice" readable from a distance of twenty (20) feet. Newspaper ad and posted sign shall also state the legal description, common location of the property, the time, date and location of any public hearing or review, and describe the matter to be considered.

*Public right-of-way:* Any street, road, alley or pedestrian/bicycle way or other special purpose way or utility installation owned and reserved by the public for present or future public use.

*Public utility facilities:* Public and quasipublic facilities involved in the processing and storage of services such as water, sewage, gas, electricity, communications and power, including but not limited to sewage treatment plants, water pumping facilities, water treatment plants, water storage tanks, electrical substations and bulk gas metering facilities.

*Public use:* A use which is owned by and operated for the public by a legal public entity.

*Radioactivity:* A condition related to various types of radiation emitted by radioactive minerals that occur in deposits of rocks, soils or water.

*Rear entrance sign:* A sign associated with pedestrian walk-through buildings. This sign shall not exceed sixteen (16) square feet in area, be flush-mounted, identifies only the name of the establishments and contains directional information.

*Rear parcel line:* The line opposite the front parcel line.

*Receive-only earth station:* An antenna and attendant processing equipment for reception

of electronic signals from satellites.

*Reclamation:* Rehabilitation of plant cover, soil stability, water resources, and other measures appropriate to the subsequent beneficial use of land.

*Recorded:* Document(s) of record being placed in the coded files and books at the office of the county clerk and recorder.

*Recreational campground:* An area of land developed and intended for use to provide the traveling public with temporary, short-term, accommodations for recreational vehicles and camper units including motor homes, travel trailers, truck campers, and tents.

*Recreational vehicle:* A vehicular or portable unit mounted on a chassis and wheels not more than eight (8) feet in width and forty (40) feet in length, which either has its own motive power or is mounted on or drawn by another vehicle, such as travel trailers, truck campers, camping trailers or motor homes. A recreational vehicle is not designed or intended for use as a permanent dwelling or sleeping place, but is to provide temporary living quarters for recreational, camping, or travel use.

*Recreational vehicle awning:* A lightweight structure used in conjunction with a recreational vehicle for the purpose of shading or weather protection of areas such as carports, patios, porches, and windows.

*Recreational vehicle resort:* An integrated development where recreational vehicles are used for temporary residential purposes in conjunction with recreational and social centers designed to provide a significant portion of the recreational and social needs of the occupants of the resort.

*Recreational vehicle space:* A parcel of land (leased or owned) within an approved recreational vehicle resort/park, which is shown in the records of the city planning and community development department, and which was designed and intended for the accommodation of one (1) recreational vehicle.

*Recyclable material:* "Recyclable material" includes, but is not limited to, metals, glass, plastic, and paper products, which are intended for refuse, remanufacture or reconstitution. Recyclable material does not include refuse or hazardous materials. Recyclable material may include used motor oil collected and transported in accordance with applicable state health and safety regulations.

*Recycling facility:* Recycling facilities may include the following:

- (a) *Collection facility:* A "collection facility" is a center for the acceptance by donation, redemption, or purchase, of recyclable materials from the public. Such a facility does not typically use power-driven processing equipment. Collection facilities may include the following:

- (1) Reverse vending machine(s).
  - (2) Small collection facilities which occupy an area of not more than one thousand (1,000) square feet, and may include:
    - a. Bulk reverse vending machines or a group of reverse vending machines;
    - b. Kiosk-type units which may include permanent structures; or
    - c. Unattended containers placed for the donation of recyclable materials.
  - (3) Large collection facilities which may occupy an area of more than one thousand (1,000) square feet and may include permanent structures.
- (b) *Processing facility:* A "processing facility" is a building or enclosed space used for the collection and processing of recyclable materials. Processing means the preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, or cleaning.

*Religious institutions/facilities:* Places of worship, including Sunday school buildings, accessory buildings and incidental nonprofit recreational facilities thereto.

*Rental home-oriented:* A business providing items for rent generally found or used in and around the home.

*Residential business:* A commercial establishment operating in a single-family residential structure.

*Residential care facility:* A facility which provides residential services for mentally or physically handicapped persons not exceeding eleven (11) such persons unrelated to the head of the house. Such homes must be licensed as required by the State of Colorado and must meet safety standards as determined by the city's fire department and building inspection department. Sanitary facilities must meet standards of the San Juan Basin Health Unit.

*Residential group home:* A facility which provides residential services in a residence to eight (8) or fewer individuals who are not related to the resident household. These individuals are handicapped, aged, disabled, or in need of supervision and are provided service and supervision in accordance with their individual needs.

*Residential hotel/hostel:* A facility for residence of under one (1) month that provides simple dormitory or sleeping rooms and common rooms for cooking, meeting, recreational, and educational use; that is chartered and approved by the International Hostel Federation or its national or regional affiliates, or similar organizations; and that is supervised by resident

houseparents or managers who direct the guests' participation in the domestic duties and activities of the hostel.

*Residential receiving homes:* Homes for children up to eighteen (18) years not related to head of house who are awaiting disposition to foster homes or other accommodations. These homes are not to exceed eight (8) such persons. Such homes must be licensed as required by the State of Colorado, and meet safety standards as set forth by the fire department and city building inspection department. Sanitary facilities must meet standards of the San Juan Basin Health Unit.

*Restaurant:* An establishment serving food and beverage, where all service takes place within an enclosed building or to a parked vehicle not providing drive-up or walk-up service. Exterior eating areas may be permitted as an accessory use.

*Resubdivision:* The division of an existing parcel within a subdivision plat previously recorded with the county clerk and recorder.

*Retaining wall:* A manmade barrier constructed for the purpose of stabilizing soil, retarding erosion, or tracing a parcel or site. If a retaining wall, with or without a fence, exceeds six (6) feet on any part of the property, it is a conditional use (see section 4-6).

*Reverse vending machine(s):* A reverse vending machine is an automated mechanical device which accepts at least one (1) or more types of empty beverage containers including, but not limited to, aluminum cans, glass, and plastic bottles, and issues a cash refund or a redeemable credit slip. A reverse vending machine may sort and process containers mechanically, provided that the entire process is enclosed within the machine. In order to accept and temporarily store all three (3) container types in a proportion commensurate with their relative redemption rates, multiple grouping of reverse vending machines may be necessary.

A bulk reverse vending machine is a reverse vending machine that is larger than one hundred fifty (150) square feet; is designed to accept more than one (1) container at a time; and will pay by weight instead of by container.

*Revocable permit:* A permit issued by the city, allowing private construction within a public right-of-way, which may be revoked, with cause, at the discretion of the issuing entity.

*Right-of-way:* Land, property or interest therein (including an easement), usually in a strip, acquired for or devoted to a street, highway, bikeway, walkway, or other public improvement.

*Riparian area:* An area of land influenced by permanent water, including groundwater, which has a river as its primary source of discharge.

*Riparian function:* Vegetation which slows down and dissipates the energy of floodwaters, serves as a buffer against streambank erosion, provides cover and food for fish, or provides shading to the river.

*Riparian vegetation:* Plants meeting one (1) or more of the following conditions:

Located within a riparian area;

Provides a unique riparian function; or

Consists of plant species found in riparian areas in Southwest Colorado (note: a list of such typical species is available at the department).

*Roadway:* The improved portion of the right-of-way and/or easement.

*Rockfall:* The rapid free-falling, bounding, sliding, or rolling of large mass of rock(s).

*Roofline:* The highest edge of the roof or parapet adjacent to the sign.

*Roof sign:* A sign, any part of which is located on or attached to a roof.

*Safe house:* A primary residence providing comprehensive residential support services and counseling to adults of the same sex and their children who require confidentiality of location for protective reasons.

*Schools:*

*Public schools:* Any school licensed by the state, under the purview of the state board of education and administered by a legally organized school district.

*Nonpublic schools:* All private parochial and independent schools which provide education of compulsory school age pupils and which satisfy the state compulsory education requirements.

*Vocational/technical/special schools:* Educational facilities primarily teaching usable skills to prepare students for jobs in a trade or profession. Examples include, but are not limited to, schools such as art schools, business colleges, trade schools and secretarial colleges.

*College/university:* Educational institutions authorized by the state or other nationally recognized agencies to award baccalaureate or higher degrees.

*Seasonal business:* A business operated on less than a year-round basis and generally associated with a specific period of time or "season" such as the tourist season, hunting season, rafting season, skiing season, etc.

*Seismic effect:* Direct and indirect effects caused by a natural earthquake or manmade phenomenon.

*Service agreement:* See "Utility service agreement."

*Service area:* A geographic area which has been established, and which may be amended by the city and county planning commissions meeting in joint session, which delineates the area to be served by the Durango sewer treatment facilities and within which area the city has assumed, pursuant to various intergovernmental agreements with La Plata County, the responsibilities of the 208 Management Agency.

*Service line:* An electric, gas, communication, water, sewer, irrigation or drainage line providing local distribution or collection service.

*Service yard and entrance:* An area and entrance to a structure, which is used for pickup and delivery of goods and services especially in conjunction with retail and wholesale outlets. These areas are usually provided to accommodate commercial trucks and not for general customer use.

*Setback:* The distance that structures are required to be placed from the property lines of a parcel of land or from other established reference points.

*Front setback:* An area extending across the full width of the lot between the front line and the nearest line or point of the structure/use.

*Rear setback:* An area extending across the full width of the lot between the rear lot line and the nearest line or point of the structure/use.

*Recreation equipment rental:* Any business organization or individual which charges a fee or imposes a charge of any nature to the general public, or any member thereof, for rental of recreation equipment, regardless of the size or description of the equipment.

*Side setback:* An area extending from the front yard to the rear yard between the side lot lines and the nearest line or point of the structure/use or accessory structure/use thereto.

*Shelter:* A facility providing a living environment for adults or children, including, but not limited to, group foster care homes; shelters for abused children or adults; or homeless persons who need temporary housing.

*Shopping center:* Two (2) or more individual stores, with primarily retail uses, in the same building or adjacent buildings related by function, design and ownership.

*Shoulder:* That portion of the roadway contiguous with the traveled way for accommodation of stopped vehicles for emergency use, and for lateral support of base and surface courses.

*Side lot line:* Any lot lines other than the front or rear lot lines.

*Sidewalk:* That portion of the street primarily constructed for the use of pedestrians.

*Sign:* Any object, device, display or structure, or part thereof, situated outdoors 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, motion, illumination or projected images. The term "sign" includes, but is not limited to, every projecting sign, ground sign, pole sign, window sign, vehicle sign, awning, canopy, marquee, changeable copy sign, illuminated sign, flashing sign, animated sign, temporary sign, portable sign, pennant, banner, streamer or any other attention-getting device or other display, whether affixed to a building or separate from a building.

*Site specific development plan:* A plan identified within this code which has been submitted and for which a final action of approval has been granted establishing a vested property right.

*Sketch plan:* Map(s) of a proposed subdivision and supporting documents to evaluate feasibility and design characteristics at an early stage in the planning of a project.

*Small package delivery services:* Delivery service providing at least one-third ( 1/3) of its service to individuals or establishments in the Durango City Limits and using vehicles no larger than three-fourths ( 3/4) ton capacity vans or pickup trucks. Such services shall comply with section 10-1-18.

*Solid waste landfill:* A discrete area of land or an excavation that receives household, commercial and other waste as defined and regulated by federal and state regulations.

*Special events:* Circuses, fairs, carnivals, festivals, or other types of special events that (i) run for longer than one (1) day but not longer than two (2) weeks, (ii) are intended to or likely to attract substantial crowds, and (iii) are unlikely to be the customary or usual activities generally associated with the property where the special event is to be located.

*Special use:* A use identified by this code which is preapproved within a zone district and requires a special permit to be issued after review and approval by staff.

*Staff:* Unless otherwise identified, the staff of the Durango Planning and Community Development Department.

*Street:* Any vehicular way, improved or unimproved, and including the entire width of right-of-way or from lot line to lot line when the way is not dedicated or offered for dedication. The term also includes the related terms "roads," "highway," "lane," "place," "avenue" or other similar designations.

*Street, arterial:* See "Arterial."

*Storm drain:* Any conduit and appurtenance intended for the reception and transfer of storm water.

*Structure:* Anything constructed, erected, or placed which requires location on or in the ground or is attached to something having a location on the ground, including without limitation,

buildings, manufactured buildings, mobile homes, gazebos, bridges, culverts, catch basins, drop inlets, retaining walls, cribbing, manholes, end walls, sewers, service pipes, underdrains, foundation drains, fences, and swimming pools.

*Structural alterations:* Any change in the supporting members of a building or structure, such as bearing walls, columns, beams or girders.

*Subbase:* The lower course of the base of a roadway, immediately above the subgrade.

*Subdivider:* Any person, group, corporation or other entity acting as a unit, or any agent thereof dividing or proposing to divide land so as to constitute a subdivision, as defined in this article.

*Subdivision:* The division of a lot, tract or parcel of land into two (2) or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future, of sale or of building development. It includes any parcel of land which is to be used for condominiums, apartments or any other multiple dwelling units. Unless the method of disposition is adopted for the purpose of evading this code, the term "subdivision" is not applicable to any division of land:

- (a) Which is created by order of any court in this state;
- (b) Which is created by a lien, mortgage, deed of trust, or any other security instrument;
- (c) Which is created by a security or unit of interest in any investment trust regulated under the laws of this state or any other interest in any investment entity;
- (d) Which creates cemetery lots;
- (e) Which creates an interest or interests in oil, gas, minerals or water which are now or hereafter severed from the surface ownership of real property; or
- (f) Which is created by the acquisition of an interest in land in the name of a husband and wife or other persons in joint tenancy or as tenants in common; and such interest shall be deemed for the purposes of this code as only one (1) interest. It includes any parcel of land which is to be used for condominiums, apartments or any other multiple dwelling units, unless such land was previously subdivided and the filing accompanying such subdivision complied with city regulations applicable to subdivisions of substantially the same density.

*Subgrade:* The supporting structures on which the pavement and its special undercourses rest.

*Tandem parking space:* A parking space located end-to-front of vehicle so that it abuts a second parking space such that vehicular access to that second space can only be made through the abutting space.

*Telecommunications facilities:* The plant, equipment and property, including, but not limited to, cables, wires, conduits, ducts, pedestals, antennas, electronics and other appurtenances used or to be used to transmit, receive, distribute, provide or offer telecommunications services.

*Telecommunications provider:* Includes every person, firm, corporation, partnership, limited liability company or other entity who provides telecommunications services over telecommunications facilities without any ownership or management control of the facilities.

*Telecommunications tower:* Any structure, such as a mast, pole, monopole, guyed tower, or lattice tower, that is designed and constructed primarily for the purpose of supporting one (1) or more antennas.

*Temporary office structure:* A building which may be used to house an office use for a limited period of time pursuant to a special use permit and the regulations set forth in section 10-1-22 of this chapter.

*Temporary sign:* A banner, pennant, poster or advertising display constructed of cloth, canvas, plastic sheet, cardboard, wallboard or other like materials or a sign mounted on a trailer or other moveable device which is intended to be displayed for a limited period of time.

*Tour/business operator:* Any business organization or individual which charges a fee or imposes a charge of any nature to the general public, or any member thereof, for tours or trips originating within the city.

*Tourist home:* A building in which not more than five (5) guest rooms are used to provide transient accommodations to the public for compensation; provided, however, the buildings shall not qualify as a hotel or motel.

*Townhouse:* A single-family dwelling unit that is connected to a similar single-family dwelling unit by one (1) or two (2) common side walls, and an owner of a townhouse also owns the land area on which the foundation of the townhouse is constructed.

*Transfer station:* A facility at which refuse generated off-site, awaiting transportation to approved solid waste disposal sites, is transferred from one (1) type of containerized collection receptacle and placed in another; and which shall only accept residential and commercial waste and must comply with all federal, state and local regulations. A transfer station may include a recycling center or recycling facilities in conjunction with the transfer of solid waste.

*Transient:* A visitor to the community who does not use a local dwelling unit as a principal residence and who is neither (1) gainfully employed in the community; nor (2) a student currently enrolled within a school located in the community.

*Transmission lines:* Electric lines (greater than sixty-nine (69) kv) and appurtenant facilities which emanate from a power plant or a substation and terminate at a substation; or pipelines/conveyors (ten (10) inches diameter or larger) and appurtenant facilities for

transporting natural resources, chemicals, petroleum derivatives, or waste substances.

*Truck delivery services and facilities:* Truck terminal where goods are received by trucks with over three-fourths ( 3/4) ton capacity. Facilities include freight transfer areas and/or terminals which provide for sorting, redistribution and/or storing of goods and trucks.

*Two-family structure:* A structure arranged, designed for, and intended to be the residence of two (2) housekeeping units independent of each other.

*Unit:* See "Dwelling unit."

*Upland vegetation:* Plant life located upslope of riparian areas which meets none of the conditions described above in the definition or riparian vegetation.

*Use:* The purpose for which land or a structure is designed, arranged, intended, or occupied.

*Utility service district:* An agreement between a utility provider and a user of that utility service which describes the terms under which the utility is provided.

*Utility service lines:* Electric, gas, communication, water, sewer, irrigation and drainage lines providing local distribution or collection service.

*Vest (vested property rights):* The right to undertake and complete the development and use of property under the terms and conditions of a site specific development plan.

*Viewshed encroachment line:* The line of site [sight] from the top of a proposed structure to a point on the opposite riverbank that is ten (10) vertical feet above the ten-year flood elevation as delineated by the City of Durango's adopted official flood insurance rate map and flood insurance study. See figure 5-1-4(a)(1).

*Wall sign:* A sign attached to, painted on or erected against a wall of a building or structure which extends no more than twelve (12) inches from the wall surface upon which it is attached and whose display surface is parallel to the face of the building.

*Wetlands:* Those areas that are inundated or saturated by the surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, wet meadows and similar areas. Some typical plants found in wetlands include sedges, rushes, bulrushes, cattails and willows.

*Wildfire hazard:* An area containing or directly affected by a hazard from uncontrolled fire in a natural area.

*Wildlife habitat resource area:* A geographical area containing those elements of food, water, cover, space and general welfare in combination and quantities adequate to support a

species for at least a portion of a year. An area need not be occupied by species in order to be considered a habitat for that species; habitat may include those areas which were historically occupied and are still suitable for occupancy, and presently occupied, or are potentially suitable though not historically occupied. Significant wildlife habitats are those areas containing, or having significant impact upon, those wildlife habitats in which the wildlife species could be endangered by development, and includes those essential elements of habitat which, if altered or eliminated, would impair or destroy the area's capability to sustain a wildlife species.

*Wind sign:* Any sign in the nature of a series of two (2) or more banners, flags, pennants or other objects or material, fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

*Window sign:*

- (1) *Permanent:* Any sign visible from the exterior of a building or structure which is painted, attached, glued or otherwise affixed to a window or depicted upon a card, paper or other material and placed on, taped on or displayed from a window for the specific purpose of identifying the proprietor or name of the business to the passerby.
- (2) *Temporary:* A sign visible from the exterior of a building or structure which is painted, attached, glued or otherwise affixed to a window or depicted upon a card, paper or other material and placed on, taped on or displayed on a window for the specific purpose of attracting attention of the passerby to a sale or to promotional items or other products or services, other than the identity of the proprietor or the name of the business.

*Work-live units:* A structure or portion of a structure that is used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work.

(Ord. No. 1989-9, § 2, 4-4-89; Ord. No. 1990-1, § 2, 2-6-90; Ord. No. 1990-6, § 13, 5-15-90; Ord. No. 1990-22, § 1, 12-18-90; 1991-21, § 9, 1-7-92; Ord. No. 1992-9, § 2, 4-21-92; Ord. No. 1994-15, § 1, 8-16-94; Ord. No. 1994-18, §§ 1, 2, 9-20-94; Ord. No. 1995-23, § 19, 10-17-95; Ord. No. 1996-30, § 1, 12-3-96; Ord. No. 1997-36, § 2, 12-16-97; Ord. No. 1998-27, § 1, 9-15-98; Ord. No. 2001-4, § 2, 4-3-01; Ord. No. 2001-22, 1, 9-18-01; Ord. No. O-2002-24, § 1, 10-1-02; Ord. No. O-2003-30, § 1, 9-16-03; Ord. No. O-2003-31, § 2, 9-16-03; Ord. No. O-2003-38, § 1, 11-4-03; Ord. No. O-2004-14, § 1, 6-15-04; Ord. No. O-2004-28, § 3, 8-17-04)