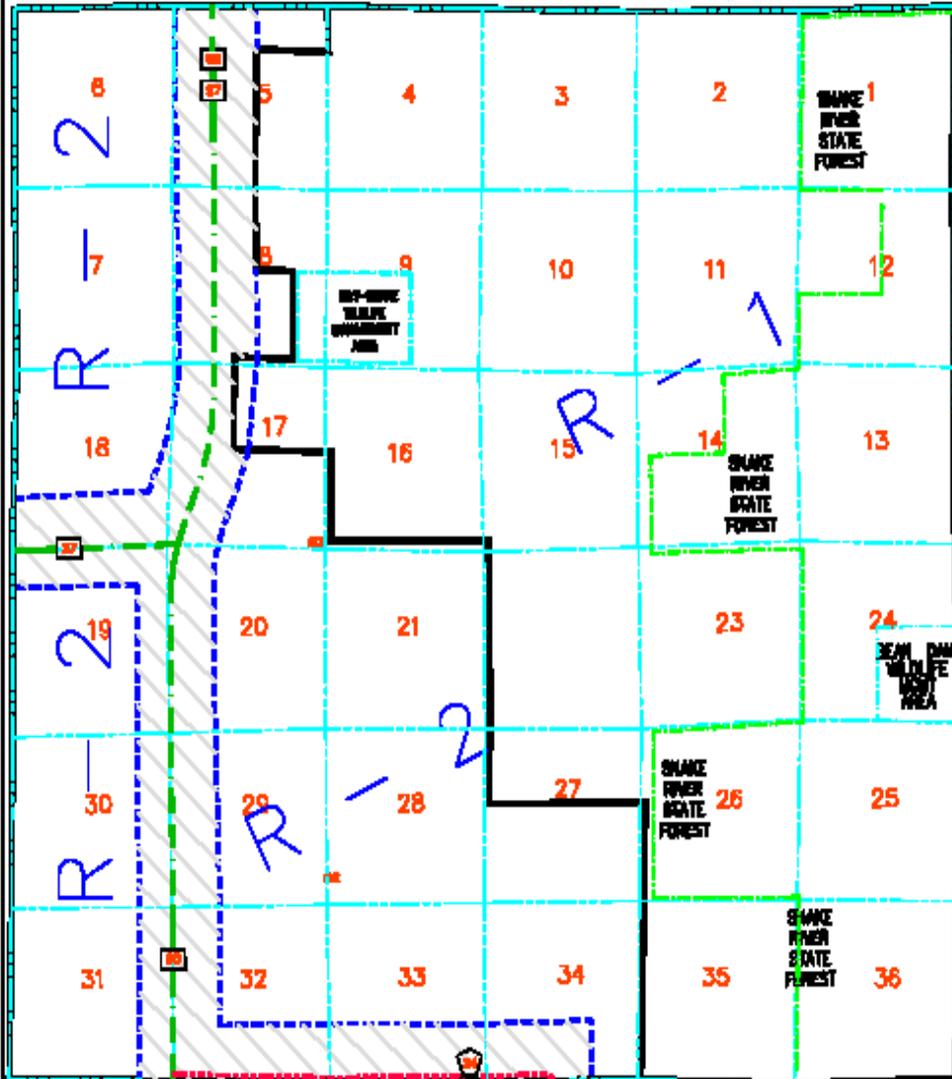


FORD TOWNSHIP

ORDINANCE

FORD TOWNSHIP ZONING MAP FEBRUARY, 2011

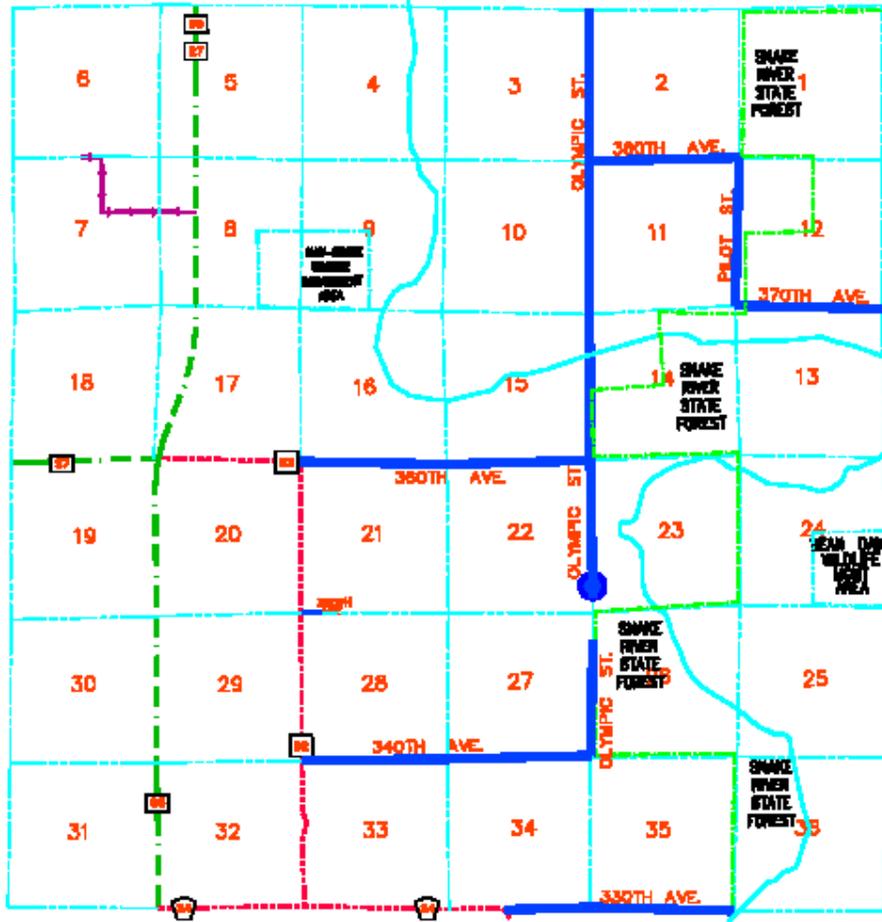
MAP BY ALAN HANCOCK



DENOTES COMMERCIAL OVERLAY DISTRICT

FORD TOWNSHIP ROAD MAP FEBRUARY, 2011

MAP BY ALAN HANCOCK



- - - - DENOTES STATE HIGHWAY
- - - - DENOTES COUNTY ROAD
- DENOTES TOWNSHIP ROAD
- DENOTES CARTWAY

Chapter 100. Title.

100.1 This ordinance shall be known, cited and referred to as the “Ford Township’s Zoning, Land Use and Subdivision Ordinance,” except as referred to herein, where it shall be known as the “Ordinance.”

[END OF CHAPTER 100]

Chapter 110. Purpose and Intent.

110.1 Purpose and Intent.

- a) The purpose of this Ordinance is to protect the public interest; to insure a safer, more pleasant and economical environment; to preserve agricultural, water resources and other open lands; and to promote the public health, safety and general welfare through the establishment of minimum standards governing the Subdivision, Development and Use of land and Structures contained and/or erected upon same.
- b) This Ordinance divides the Town into Zoning Districts and regulates the Subdivision, Development and Use of land and the location, size, Use and arrangement of Buildings.
- c) The regulations and standards herein have been adopted to promote orderly Development of residential, commercial, agricultural, recreational, and public areas and to protect water resources and open spaces; to prevent the overcrowding of land and undue congestion upon Public Roads; to minimize the incompatibility of different land Uses and encourage the most appropriate Use of land within the Town; to prohibit Uses, Buildings or Structures which are incompatible with the character of Development or the Permitted Uses within specified Zoning Districts; to prevent such additions to, and alterations or remodeling of, existing Buildings or Structures as would not comply with the restrictions and limitations imposed hereunder; to provide for the gradual elimination of those Uses of land, Buildings and Structures which do not conform to the standards of the Zoning District in which they are located; to avoid the creation of substandard Lots and/or Parcels whereby uniform Setback requirements cannot be complied with; to protect and enhance existing Agricultural Land Uses; to conserve natural resources; to provide for adequate light, air and convenience of access to property by regulating the Use of land, Buildings and the bulk of Structures; to control and obtain the most economic distribution of, and demand for, public services; to conserve and enhance natural and scenic areas; to provide for the administration of this Ordinance and amendments hereto; to prescribe penalties for violations of the minimum standards and regulations herein; and to define the powers and duties of the Town, its staff and appointed personnel.

[END OF CHAPTER 110]

Chapter 120. Definitions.

120.1 Defined Terms.

- a) For purposes of this Ordinance, the following terms and phrases shall have the definitions as provided in this Chapter:
- 1) “Abandoned or Junk Vehicle.” An unlicensed inoperative motor vehicle or the remains of a motor vehicle.
 - 2) “Accessory Building” or “Accessory Structure.” A subordinate Building or Structure which is located upon the same Parcel or Lot on which the Principal Building, or a proposed Principal Building, is situated or proposed to be situated and must be reasonably related to the Principal Use of such Lot and/or Parcel. An Accessory Building as herein described shall not include Cabins, Hunting Shacks, Modular Homes, and/or Manufactured Homes as further described herein.
 - 3) “Accessory Use.” A subordinate Use which is located upon the same Lot and/or Parcel on which a Principal Building, proposed Principal Building, Use or proposed Use is situated and must be reasonably related to the Principal Use or Proposed Principal Use of such Lot, Parcel, Building or proposed Principal Building.
 - 4) “Access Roads.” A Public Road running parallel to a county road, county highway or state highway and feeding to the county road, county highway or state highway at appropriate points of access.
 - 5) “Acre.” An area of land measuring 43,560 square feet.
 - 6) “Actual Notice.” Notice given directly to, or received personally by, a Person.
 - 7) “Administrative Appeal.” The process of seeking review from a decision of the Zoning Administrator, Town Engineer or any other Administrative Officer in accordance with Chapter 740 of this Ordinance.
 - 8) “Administrative Officer.” Any Individual including, but not limited to, the Zoning Administrator and Township Engineer, who has the authority pursuant to this Ordinance to make a final determination without a decision of the Town Board.
 - 9) “Administrative Appeal Report and Recommendation.” A written report by the Planning Commission, drafted in accordance with

Chapter 740 of this Ordinance, setting forth its recommendation to the Board of Adjustment and Appeals regarding whether or not to grant or deny a Petition for Administrative Appeal.

- 10) “Agricultural Animal.” Any animal raised for home use or profit, including but not limited to cattle, horses, sheep, chickens, turkeys and pigs. Agricultural Animals shall not include any animals maintained as Pleasure Animals.
- 11) “Agricultural Equipment.” Agricultural tractors, self-propelled machines, implements, and combinations thereof designed primarily for Agricultural Land Use purposes.
- 12) “Agricultural Materials.” Materials, including plant, animal, and marine materials, raw materials or residues, used in furthering an Agricultural Land Use.
- 13) “Agricultural and Horticultural Home Occupation.” Agricultural Land Use or Horticultural Use, allowed pursuant to Section 309.8 of this Ordinance, for which the product produced by any such Use is produced for purposes of retail sales directly to customers sold from the Lot and/or Parcel upon which the product is produced.
- 14) “Agricultural Land Uses.” The type of land use where the predominant uses are uses commonly associated with the growing of produce on Farms, including, but not limited to, Livestock raising; crop Farming; fruit growing; bee-keeping; gardening for purposes of commercial sale; tree, plant, shrub and/or flower nurseries when no retail sales are made upon the Lot and/or Parcel.
- 15) “Ambulance Service.” A Place of Business providing out-of-hospital acute care and transport to definitive care, to patients with illnesses and injuries which the patient believes constitutes a medical emergency.
- 16) “Animals, Pleasure.” Dogs, cats, birds, and any domesticated member of the animal kingdom housed principally in a cage, aquarium, or other area within the homestead and kept principally for non-commercial and non-scientific purposes. Pleasure Animals shall not include any animal weighing in excess of 200 pounds.
- 17) “Animal Unit.” A unit of measure used to compare differences in the production of animal wastes which, as a standard, is the amount of waste produced on a regular basis by a slaughter steer or heifer. For purposes of these regulations, the following equivalents apply: 1 slaughter steer or heifer = 1 Animal Unit (AU), 1 mature

dairy cow = 1.4 AU, 1 swine over 55 pounds = .4 AU, 1 sheep = .1 AU, 1 turkey = .018 AU, 1 chicken = .01 AU, 1 duck = .2 AU. For animals not listed, the number of Animal Units shall be defined as the average weight of the animal divided by 1,000 lbs.

- 18) “Annual Meeting.” A meeting held on an annual basis by the Town in accordance with Minnesota Statute §365.51, as amended from time to time, to perform the functions as described in Minnesota Statute §365.10, as amended from time to time.
- 19) “Antenna.” That portion of any equipment used to radiate or receive radio frequency energy for transmitting or receiving radio or television waves. Antennas may consist of metal, carbon fiber, or other electronically conductive rods or elements. It includes, but not limited to directional antennas such as panels, microwave dishes, satellite dishes, and omni-directional antennas such as whip antenna, personal wireless service, microwave, radio and television broadcasting and transmitting and receiving and short wave radio equipment.
- 20) “Antiques and Collectibles Store.” A Place of Business that sells works of art, pieces of furniture, or decorative objects made at an earlier period.
- 21) “Apparel Manufacturing.” A Place of Business that manufactures finished clothing products made from fabric.
- 22) “Apparel Sales.” A Place of Business that sells finished clothing products made from fabric.
- 23) “Applicant.” A Person submitting a Land Use Permit Application pursuant to this Ordinance.
- 24) “Arterial Public Road.” State highways 65 and 27 shall be defined as Arterial Public Roads.
- 25) “Art Gallery.” A Place of Business for the exhibition of art, usually visual art.
- 26) “Art Studio.” A Place of Business where artists create their work, such as paintings, sculptures, multi-media, drawings, and prints.
- 27) “Assisted-Living.” A Place of Business that includes a system of housing and limited care that is designed for Individuals who need some assistance with daily activities but do not require care in a Nursing Home.

- 28) “Athletic Field.” A Lot and/or Parcel prepared for playing a game.
- 29) “Audio Production.” A Place of Business for the purposes of recording and editing sound, typically for purposes of selling copies of the recorded audio for profit.
- 30) “Auto Reduction Yard.” A Lot, Parcel or Yard where four (4) or more Abandoned or Junk Vehicles are kept for the purpose of dismantling, sale of parts, sale of scrap, storage or abandonment or any other premises used for wrecking of motor vehicles not in running condition.
- 31) “Automobile Rental.” A Place of Business that engages in the leasing and/or renting of automobiles.
- 32) “Automobile Repair.” A Place of Business for which general repair, rebuilding or reconditioning of engines, motor vehicles, or trailers, including body work, framework, welding and painting service, as well as the replacement of any part or repair of any part including, but not limited to, the engine head or pan, engine, transmission or differential and incidental body and fender work, when said services as herein described are applied to passenger automobiles and to trucks is performed.
- 33) “Automobile Sales.” A Place of Business for the sale or distribution of new and/or used automobiles, motor vehicles, or trailers.
- 34) “Auto and Vehicle Storage Yard.” A Lot and/or Parcel for which four (4) or more motor vehicles, Boats, Trailers, Recreational Vehicles, Travel Trailers, Campers, ATVs, cars, trucks or any other motorized vehicles, whether operable or inoperable, or any combination of the items as identified in this paragraph, are parked, stored or otherwise kept outside an Accessory Building, but are required to be Screened in accordance with Section 303.6 of this Ordinance. A Use that is specifically allowed pursuant to this Ordinance shall not be considered an Auto and Vehicle Storage Yard.
- 35) “Bakery.” A Place of Business for baking and/or selling baked goods.
- 36) “Bank.” A Place of Business for the custody, loan, exchange, or issue of money, for the extension of credit, and for facilitating the transmission of funds

- 37) “Barber Shop/Beauty Salon.” A Place of Business, offering haircuts and other hair-styling services to the public.
- 38) “Bed and Breakfast.” An Owner occupied Dwelling Unit in which the Owner/operator rents rooms to overnight guests and may offer meals to only those guests. The Dwelling Unit shall be the principal residence of the Owner/operator and the Owner/operator shall live on the premises when the Bed and Breakfast is active.
- 39) “Berm.” An earthen mound designed to screen a view and/or decrease noise.
- 40) “Bicycle Sales and Repair.” A Place of Business that sells new and/or used bicycles and also engages in general repair, rebuilding or reconditioning of bicycles.
- 41) “Basement.” The lowest habitable portion of a Building for which even part of said portion is located below grade.
- 42) “Block.” An area of land within a Subdivision that is (1) entirely bounded by Public Roads; (2) bounded by Public Roads and the Boundary Lot Line of the Subdivision; or (3) bounded by a combination of the Public Roads, Boundary Lot Line of the Subdivision and a body of water.
- 43) “Blood/Plasma Collection Facility.” A Place of Business where blood and/or plasma is removed from a human being for the purpose of administering said blood or any of its components, to any human being.
- 44) “Board and Care Home.” A private house serving as a Place of Business that provides accommodations and meals for paying guests.
- 45) “Board of Adjustment and Appeals.” A board of review comprised of the Town Board which hears Administrative Appeals and other matters pursuant to Chapter 800 of this Ordinance.
- 46) “Bookstore.” A Place of Business where new or used books are the main item offered for sale.
- 47) “Borrow Pit.” A pit or bank from which material is taken for use in filling or embanking.

- 48) “Boundary Lot Line.” The legally described boundaries of a Lot and/or Parcel of real property of record.
- 49) “Buildable.” Any Lot and/or Parcel upon which a Building and/or Structure can be constructed, installed and/or relocated pursuant to this Ordinance.
- 50) “Buildable Area.” A 300 foot by 300 foot area of a Lot, to be measured at right angles, of which at least 40,000 contiguous square feet is at least three (3) feet above the highest known water table of which 20,000 square feet may be approved fill. Any Public Road Right-of-Way shall not be included in said area computation as provided in this definition.
- 51) “Building.” Any Structure, temporary or permanent, for the shelter, support, or enclosure of Persons, animals, chattel, or property of any kind; and when separated by party walls without openings, that portion of such Building so separated shall be deemed a separate Building.
- 52) “Building Material Sales.” A Place of Business engaged in the manufacture, production, or resale of materials used in the construction or production of Buildings and/or Structures.
- 53) “Bulk Liquid.” Any oil, propane, gasoline, and/or liquid fertilizer maintained or stored on a given Lot and/or Parcel.
- 54) “Bus Garage or Maintenance Facility.” A Place of Business where buses are stored, maintained, and/or repaired which typically contain the following: internal parking, external parking, fueling point, fuel storage tank, inspection pits, and a bus wash.
- 55) “Business.” Any occupation, employment or enterprise wherein merchandise is exhibited or sold, or which occupies time, attention, labor and materials, or where services are offered for compensation. See also “Commercial Uses.”
- 56) “Business School.” An institution specializing in providing a business-oriented education to its students in preparation for a career in business.
- 57) “C-1 Commercial Zoning District.” That certain Zoning District so designated on the Zoning Map as the C-1 Commercial Zoning District whereby certain Commercial Uses and Residential Land Uses are permitted in accordance with Chapter 220 of this Ordinance.

- 58) “C-2 Commercial Zoning District.” That certain Zoning District so designated on the Zoning Map as the C-2 Commercial Zoning District whereby certain Commercial Uses are permitted in accordance with Chapter 221 of this Ordinance, and where Residential Land Uses are strictly prohibited.
- 59) “Cabinet Manufacturer.” A Place of Business engaged in the manufacture of furniture resembling a cupboard with doors, shelves and drawers, typically for storage or display
- 60) “Camper” or “Travel Trailer” or “Recreational Vehicle or RV.” A motor vehicle or trailer with space and equipment either built on a truck or bus chassis, in a rear compartment, in an attachment or in an attached trailer, for sleeping and simple housekeeping and is typically used for camping and recreational travel.
- 61) “Carport.” A roofed Structure for vehicle storage which is open on at least two sides, except for roof supports.
- 62) “Car Wash.” A Place of Business equipped with facilities for washing automobiles.
- 63) “Catering.” A Place of Business or operation that provides and supplies food for events or individuals.
- 64) “Certificate of Compliance.” A certificate issued by the Zoning Administrator to an Owner seeking to sell, give, transfer or otherwise convey a Lot and/or Parcel subject to a Written Notice of Violation, Variance, Conditional Use Permit and/or Exemption Permit, upon the Zoning Administrator's satisfaction that any and all obligations of Owner have been successfully completed pursuant to Chapter 910 of this Ordinance.
- 65) “Certificate of Description.” A certificate issued by a Licensed Land Surveyor setting forth and certifying the Legal Description of a given Lot and/or Parcel.
- 66) “Certificate of Survey.” A certificate issued by a Licensed Land Surveyor setting forth and certifying a Survey of a given Lot and/or Parcel.
- 67) “Chair” The officer who presides at the meetings of the Planning Commission or Town Board, as the case may be.

- 68) “Chemical Storage Facility.” A Lot and/or Parcel where chemicals, whether solid, liquid, powder or otherwise, in excess of 5,000 gallons or 5,000 pounds are stored. Chemical Storage Facility shall not include a Fuel Station or Retail Sale of Propane.
- 69) “Child Care Center.” A Place of Business, other than a private home, receiving one (1) or more preschool or school age children for care and supervision.
- 70) “Church.” A Building, together with its Accessory Buildings and uses, where Persons regularly assemble for religious worship and which Building, together with its Accessory Buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.
- 71) “Clinic.” A Place of Business for diagnosis and treatment of outpatients.
- 72) “Club/Lodge.” An association of Persons for some common object usually jointly supported and meeting periodically.
- 73) “Coffee Shop.” A Place of Business that primarily serves coffee.
- 74) “Collector Public Road.” A Public Road which serves or is designated to serve as a traffic way for a designated area to an Arterial Public Road.
- 75) “Commercial Building.” A Building or Structure utilized primarily for Business or Commercial Use.
- 76) “Commercial Driveway.” A Driveway supporting a Commercial Use having a minimum width of twenty (24) feet and a maximum width of twenty-eight (28) feet, and operated and maintained in accordance with Chapter 306 of this Ordinance.
- 77) “Commercial Driveway Access.” Driveway Access of not less than twenty-four (24) feet wide nor more than thirty (30) feet wide, as measured along the edge of the Public Road Right-of-Way or more than a width of sixty (60) feet at the Shoulder of the Public Road, and operated and maintained in accordance with Chapter 306 of this Ordinance.
- 78) “Commercial Driveway Lanes.” The access lane between Commercial Parking Spaces on a Commercial Parking Lot, the minimum width of which shall be twenty (24) feet and the maximum width of which shall be twenty-eight (28) feet.

- 79) “Commercial Laundry.” A Place of Business for laundering clothes or linens.
- 80) “Commercial Parking Lot.” A cleared area used for parking vehicles in conjunction with, or in a support of, a Business or Commercial Use.
- 81) “Commercial Parking Spaces.” Parking Spaces used in conjunction with, or in support of, a Business or Commercial Use.
- 82) “Commercial Storage Building.” A Place of Business consisting of a Building divided into individual compartments having direct access to the outside of the Building and intended to be used principally to provide rental spaces to the general public for storage purposes.
- 83) “Commercial Uses.” The Use of a Lot and/or Parcel where any enterprise, establishment, occupation or employment situated wherein or whereby merchandise is exhibited, traded and/or sold or any service is offered in exchange for compensation or other things of value.
- 84) “Commercial Wind Energy Conversion System.” Any WECS designed and operated at a capacity greater than incidental excess of the amount needed for basic residential use, and/or the purpose of such energy generation is intended for commercial sale.
- 85) ”Common Area Storage Building.” A Place of Business intended to be used principally to provide rental spaces to the general public for storage purposes that is not divided into individual compartments and not having direct access to the outside of the Building.
- 86) “Communication Towers.” Radio and television broadcasting towers and Antennas, cellular phone and communication devices, and transmission and/or receiving towers and Antennas which are subject to licensing requirements of the Federal Communications Commission. This does not include residential radio and/or television reception Antennas and amateur radio station Antennas, all of which are deemed to be incidental to Residential Land Use.
- 87) “Community Center.” A Building or group of Buildings used for a community's educational and recreational activities.

- 88) “Comprehensive Plan.” The Comprehensive Plan for the Town of Ford.
- 89) “Computers and Accessories.” A Place of Business engaged in the manufacture and/or sale of computers and computer accessories, including circuit boards and software.
- 90) “Conditional Use.” A Conditional Use is a use or activity that, if properly controlled or restricted, may be allowed in a Zoning District only upon showing that such use or activity can or will comply with all criteria and standards as outlined in this Ordinance and the Comprehensive Plan.
- 91) “Conditional Use Permit.” A permit specially and individually granted and approved by the Town Board pursuant to provisions of this Ordinance herein. All Conditional Use Permits shall be approved for a limited and specific duration. Upon expiration of the Conditional Use Permit, the Owner shall reapply to obtain approval to continue the Conditional Use.
- 92) “Conditional Use Permit Applicant.” A Person submitting a Conditional Use Permit Application pursuant to Chapter 710 of this Ordinance.
- 93) “Conditional Use Permit Application.” An application provided by the Town of Ford required to be submitted for purposes of requesting a Conditional Use Permit pursuant to Chapter 710 of these Ordinances.
- 94) “Conditional Use Permit Report and Recommendation.” A written report by the Planning Commission, drafted in accordance with Chapter 710 of this Ordinance, setting forth its recommendation to the Town Board regarding whether or not to grant or deny a Conditional Use Permit Application.
- 95) “Conditional Use Permit Revocation.” Written revocation of a Conditional Use Permit that had been approved pursuant to Chapter 710 as a result of an Owner or Applicant’s nonconformance with the conditions set forth in the Conditional Use Permit.
- 96) “Conforming Structure.” A Structure which conforms with the requirements of this Ordinance.
- 97) “Conforming Use.” The Use of a Lot or Parcel which conforms with the Uses permitted in this Ordinance.

- 98) “Contracting Business.” A Place of Business where a Person engaged in a Business activity for which the goods and/or services are provided at the customer’s site.
- 99) “Convenience Store.” A Place of Business selling gasoline at retail pumps and other automotive products, which may also sell groceries and other food products for on or off premises consumption.
- 100) “Consignment Clothing Store.” A Place of Business that offers used goods at a lower cost than new.
- 101) “Convent.” A local community or house of a religious order or congregation, typically housing nuns.
- 102) “Crisis Center/Supportive Housing.” A Place of Business, where people may obtain informed help or advice in a personal crisis.
- 103) “Cul-de-Sac.” A minor Street with only one (1) outlet and having a turnaround at the end.
- 104) “Culvert.” A closed conduit used for the conveyance of surface drainage under a Residential Driveway, Commercial Driveway, Public Road or other impediment.
- 105) “Daycare.” A Place of Business for the care of children or disabled adults that is provided during the day by a licensed Person.
- 106) “Day Labor Industry.” A Place of Business for a Person employing workers, typically unskilled, who work by the day.
- 107) “Decorative Landscaping Features.” Any landscaping improvement that modifies the visible features of a Lot and/or Parcel in a decorative manner, including but not limited to lawn ornaments, ponds, rock gardens, fountains, flower gardens, and fencing other than as provided in Chapter 303.
- 108) “Delicatessen.” A Place of Business that sells cooked or prepared foods ready for serving.
- 109) “Development.” The act of building Structures and installing site improvements.

- 110) “Developmental Achievement Center.” A Place of Business used for tutoring and/or teaching students.
- 111) “Developers Agreement.” A written contract between the Subdivider, Owner and Town that outlines the conditions of approval of a Final Standard Plat, to include but not be limited to the Town’s Development and construction inspection standards and the amount of financial surety to ensure that the improvements are completed as approved and also a deadline for completing all required and approved improvements as well as any requirements established in the Preliminary Standard Plat application process. Each Developers Agreement is different as each Subdivision requires its own unique terms, specifications, obligations and surety requirements.
- 112) “Dilapidated.” In a state of disrepair or ruin and no longer adequate for the purpose or use for which it was originally intended.
- 113) “Domesticated Animal.” A domestic animal is one which has been selectivity bred in captivity and thereby modified from its ancestors for use by humans who control the animals breeding and food supply.
- 114) “Drainage Plan.” A plan outlining how the natural or artificial, whether existing or proposed, removal of surface and sub-surface water from a given area will affect a Parcel.
- 115) “Driveway.” A privately maintained paved or unpaved area allowing vehicular ingress and egress to a given Lot and/or Parcel
- 116) “Drug Store.” A Place of Business where medicines and miscellaneous articles are sold.
- 117) “Dry Cleaning Establishment.” A Place of Business that cleanses fabrics with substantially nonaqueous solvents.
- 118) “Dry Cleaning Pick-Up Station.” A Place of Business where patrons may drop off their fabrics to be sent to a separate location where the actual dry cleaning will occur.
- 119) “Dwelling, Single Family.” A detached dwelling designed exclusively for occupancy by one (1) family and containing not more than one (1) Dwelling Unit.

- 120) “Dwelling Unit.” A Structure consisting of (1) one or more rooms, including a bathroom and complete kitchen facilities, which are arranged, designed or used as living quarters for one (1) family or household.
- 121) “Early Childhood Learning Center.” Educational institution for children in the early stages of childhood, from birth to age 8.
- 122) “Electric Substation.” A subsidiary station of an electricity generation, transmission and distribution system where voltage is transformed from high to low or the reverse using transformers.
- 123) “Electronic Components and Accessories.” A Place of Business that offers a complete package of computer hardware and software, communications systems, power backup, and emergency services, to clients.
- 124) “Electronics Manufacturing.” A Place of Business that manufactures devices or technology associated with or employing low voltage current and solid state integrated circuits or components, usually for transmission and/or processing of analog or digital data.
- 125) “Electronics Sales.” A Place of Business for the Sale or resale of electronic devices.
- 126) “Emergency Meeting of the Planning Commission.” A meeting of the Planning Commission called pursuant to Chapter 851 of this Ordinance because of circumstances that, in the judgment of the Planning Commission, require immediate consideration by the Planning Commission.
- 127) “Emergency Meeting of the Town Board.” A meeting of the Town Board called pursuant to Chapter 850 of this Ordinance because of circumstances that, in the judgment of the Town Board, require immediate consideration by the Town Board.
- 128) “Essential Services.” Underground or overhead utilities including gas, electric, water, sewer and telecommunications including all appurtenances necessary or incidental thereto but excluding Buildings, transmission pipelines and electric transmission lines.
- 129) “Exempted Use.” A Use permitted pursuant to Chapter 751 of this Ordinance by means of issues of an Exemption Permit.

- 130) “Exemption Certificate.” Certificates that are administratively approved by the Zoning Administrator without review by the Planning Commission and Town Board, permitting certain types of Subdivision in accordance with Chapter 510 of this Ordinance.
- 131) “Exemption Certificate Application.” An application provided by the Town of Ford required to be submitted for purposes of requesting an Exemption Certificate pursuant to Chapter 510 of these Ordinances.
- 132) “Exemption Permit.” Permits granted by the Town to exempt certain Uses within a Zoning District pursuant to Chapter 751 of this Ordinance where the proposed Exempted Use meets all of the requirements of this Ordinance or can, with appropriate conditions attached, meet the requirements of this Ordinance.
- 133) “Exemption Permit Application.” An application provided by the Town of Ford required to be submitted for purposes of requesting an Exemption Permit pursuant to Chapter 751 of these Ordinances.
- 134) “Exemption Permit Report and Recommendation.” A written report by the Planning Commission, drafted in accordance with Chapter 751 of this Ordinance, setting forth its recommendation to the Town Board regarding whether or not to grant or deny an Exemption Permit Application.
- 135) “Exemption Permit Revocation.” Written revocation of an Exemption Permit that had been approved pursuant to Chapter 751 as a result of an Owner or Applicant’s nonconformance with the conditions set forth in the Exemption Permit.
- 136) “Existing Use.” A Use already in existence prior to the effective date of this Ordinance.
- 137) “Exterminating Business.” A Place of Business that regularly engages in the practice of complete and immediate extinction by killing off rodents, vermin, and other unwanted or unwelcomed species.
- 138) “Farm.” A single tract of land of not less than ten (10) Acres, the Principal Use of which is for Agricultural Land Use. This definition shall not preclude a small tract from being classified as agricultural if otherwise qualifying under the laws of the State of Minnesota

- 139) “Farming.” To cultivate and/or produce a crop on the land and/or raise, breed or otherwise produce Livestock for home use or profit.
- 140) “Feedlot.” A fenced land area or Building or combination of fenced land area and Buildings for which Agricultural Animals are confined resulting in the accumulation of manure, or any land area having a Gross Acreage of one (1) Acre or more where the concentration of Agricultural Animals is such that a vegetative cover cannot be maintained as a result of the concentration of Agricultural Animals confined thereon.
- 141) “Fence.” A freestanding structure designed to restrict or prevent movement across a boundary or for screening purposes pursuant to Chapter 303 of this Ordinance.
- 142) “Fencing Requirements.” Those requirements pertaining to Fences set forth in Section 303.2 of this Ordinance.
- 143) “Film Developing.” A Place of Business that processes photographic film.
- 144) “Film and Video Production.” A Place of Business that produces and distributes films.
- 145) “Final Standard Plat.” Proposed plans that are submitted after the approval of a Preliminary Standard Plat that meets the requirements of Chapter 540 of this Ordinance.
- 146) “Final Standard Plat Application.” An application provided by the Town of Ford required to be submitted for purposes of requesting a Final Standard Plat pursuant to the provisions of Chapter 540 of this Ordinance after the approval of a Preliminary Standard Plat.
- 147) “Final Standard Plat Report and Recommendation.” A written report by the Zoning Administrator or Planning Commission, drafted in accordance with Chapter 540 of this Ordinance, setting forth its recommendation to the Planning Commission and/or Town Board regarding whether or not the Final Standard Plat should be approved.
- 148) “Financial Institution.” A Place of Business that primarily engages in and provides financial services for its clients or members. Financial Institutions shall include but not be limited to Banks, building societies, credit unions, stock brokerages, asset management firms, and similar Businesses.

- 149) “Firearms Dealer.” A Place of Business that engages in the distribution of firearms for sale.
- 150) “Fire Station.” A Building housing fire apparatus and firefighters.
- 151) “Flag Lot.” A Lot and/or Parcel not meeting minimum Front Lot Line requirements or Front Yard requirements.
- 152) “Food and Beverage Products.” A Place of Business that manufactures or distributes any type of food, beverage, etc. but shall not include live slaughtering, grain milling, cereal, vegetable oil or vinegar.
- 153) “Ford Town Hall.” The Building within the Town where Town meetings and Public Hearings take place.
- 154) “Forestry.” The management, including logging, of a forest, woodland or tree plantation, including related research and educational activities and the construction and maintenance of wood roads and skid roads.
- 155) “Front Lot Line.” Any portion and/or part of a Lot and/or Parcel that abuts and/or is adjacent to a Public Road or Street.
- 156) “Front Setback Space.” The space between the Front Lot Line and the Setback as required pursuant to these Ordinances.
- 157) “Front Yard.” The area between the Front Lot Line and the nearest Building wall.
- 158) “Fuel Station.” A Place of Business at which motor vehicles are refueled.
- 159) “Funeral Home.” A Place of Business for the preparation of the dead for burial or cremation, for the viewing of the body, and for funerals.
- 160) “Furniture Moving and Storage.” A Place of Business engaged in the storage of furniture and/or engaged in the moving of furniture.
- 161) “Furniture Store.” A Place of Business that primarily buys, sells, and/or trades furniture, including, but not limited to household items, such as chairs, couches, tables, etc.
- 162) “Garage.” An Accessory Building or accessory portion of the Principal Building which is intended for and used primarily to

shelter private passenger vehicles of a family or those families residing upon the Lot and/or Parcel.

- 163) “Garage for Public Vehicles.” A Garage used for storage of vehicles owned or operated by a governmental body or governmental agency.
- 164) “Greenhouse.” A Place of Business consisting of a Structure, primarily of glass, in which temperature and humidity can be controlled for the cultivation or protection of plants.
- 165) “Grocery Store.” A Place of Business whose principal business is selling convenience grocery items, health and beauty items, and other items intended for routine use and consumption by the consumer.
- 166) “Gross Acreage.” The total acreage lying within the boundaries of a given Lot and/or Parcel.
- 167) “Guy Wire.” A wire or cable fastened to a utility Structure on one end and the ground or additional utility Structure on the other end used to keep the utility Structure in place.
- 168) “Hardship.” A measure for determining whether or not a given Lot and/or Parcel can, or cannot, be put to a reasonable Use, as determined by the Board of Adjustment and Appeals for purposes of granting or denying a Variance Application, in accordance with the criteria set forth in Section 700.3 of this Ordinance.
- 169) “Hazardous Waste.” Waste that may pose a present or potential hazard to human health or to the environment when improperly treated, stored or disposed of, or otherwise mismanaged, or that may cause or contribute to an increase in mortality, or an increase in irreversible or incapacitating illness, including, but not limited to, those substances deemed hazardous waste by the Environmental Protection Agency.
- 170) “Hazardous Waste Facility.” A Lot and/or Parcel where Hazardous Waste is stored or treated or otherwise disposed of.
- 171) “Headwall.” Rock, concrete, masonry, metal, timber or other similar materials placed on the sides of a Residential Driveway or Commercial Driveway as support, to prevent erosion or for decorative purposes.

- 172) “Health Facility.” A Place of Business where medicine is practiced.
- 173) “Hedge.” A barrier formed by a row of closely planted shrubs or bushes or other vegetation.
- 174) “Heavy Commercial Use.” Any Commercial Use exceeding the lot area requirements set forth in Section 220.6 of this Ordinance.
- 175) “Home Occupation.” Any occupation or profession carried on in the R-1 Residential Zoning District or the R-2 Residential Zoning for which gross sales exceed \$5,000.00 annually and/or a permanent Sign has been erected.
- 176) “Horticultural Use.” Use of the Lot and/or Parcel , Building, or Structures associated with the cultivation of fruit, flowers, vegetables, shrubs and/or ornamental plants.
- 177) “Hospice.” A Place of Business designed to provide a caring environment for meeting the physical and emotional needs of the terminally ill.
- 178) “Hotel.” A Place of Business having provision for nine (9) or more guests in which lodging is provided with or without meals for compensation and which is open to transient or permanent guests and where provision may or may not be made for cooking in any guest room, and in which ingress and egress to and from all rooms is made through an inside lobby.
- 179) “Indoor Recreation.” A Place of Business at which an athletic activity takes place inside a Building or Structure.
- 180) “Industrial Machinery and Equipment Sales, Service and Repair.” A Place of Business that primarily engages in the practice of selling, servicing, and/or repair of new and/or used industrial machines and equipment.
- 181) “Inebriate Housing.” A Place of Business for purposes of housing homeless, chronic alcoholics or drug addicts.
- 182) “Interior Decorating.” A Place of Business that specializes in interior design.
- 183) “Jewelry Store.” A Place of Business that keeps for resale objects of precious metal often set with gems and worn for personal adornment.

- 184) “Junk.” Old or scrap hazard signs, copper, brass, rope, rags, batteries, paper, synthetic or organic, trash, garbage, waste materials, rubbish, rubber debris, appliances, waste, or junked, dismantled, or wrecked automobiles or farm or construction machinery or parts thereof, iron steel, and other old or scrap ferrous or nonferrous material.
- 185) “Junkyard.” A Lot and/or Parcel used for dumping, storing, keeping, buying or selling junk, including but not limited to, garbage, rubbish, refuse, waste, motor vehicles, motor vehicle parts, metal, glass, paper, plastic, biological waste or any other waste whatsoever, whether said items have or do not have any commercial value.
- 186) “Kanabec County Sewer Ordinance.” That certain Kanabec County land use ordinance governing sewage and wastewater treatment, presently titled Sewage and Wastewater Treatment Ordinance.
- 187) “Kanabec County Shore Land Ordinance.” That certain Kanabec County land use ordinance entitled Ordinance for the Management of Shoreland Areas of Kanabec County, Minnesota.
- 188) “Kanabec County Treasurer.” The Kanabec County officer charged with receiving and disbursing funds.
- 189) “Kennel, Commercial.” A Place of Business upon any Lot, Building or Structure where four (4) or more dogs over four (4) months of age are offered for sale, boarded, trained or bred for compensation, in amount exceeding \$5,000.00 annually to include, but not limited to dog racing. Animal hospitals, Veterinary Clinics and/or Pet Shops shall not be included for purposes of this definition.
- 190) “Kennel, Recreational.” Any Lot, Building or Structure where four (4) or more dogs over four (4) months of age are boarded, trained or bred for a hobby or recreational purposes without compensation. Animal hospitals, Veterinary Clinics and/or Pet Shops shall not be included for purposes of this definition.
- 191) “Laboratory, Medical or Dental.” A Place of Business where tests are done on clinical specimens in order to get information about the health of a patient.

- 192) “Landscape or Landscaping.” Planting such as trees, grass and/or shrubs as well as the construction and/or addition of retaining walls, ponds and/or other decorative features.
- 193) “Land Use Permit Application.” An application provided by the Town of Ford required to be submitted for purposes of requesting a Variance pursuant to Chapter 700 of these Ordinances, a Conditional Use Permit pursuant to Chapter 710 of these Ordinances, a Site Permit Application pursuant to Chapter 750 of these Ordinances, and/or an Exemption Permit Application pursuant to Chapter 751 of these Ordinances.
- 194) “Land Use Permit.” A permit issued by the Town for a Variance, Conditional Use, Site Permit, and/or Exemption Permit.
- 195) “Land Use Petition.” A petition provided by the Town of Ford required to be submitted by a Lot and/or Parcel Owner for purposes of requesting a Re-Zoning Petition pursuant to Chapter 720 of these Ordinances, an Ordinance Amendment pursuant to Chapter 730 of these Ordinances, and/or a Petition for Administrative Appeal pursuant to Chapter 740 of these Ordinances.
- 196) “Laundromat.” A Place of Business designed as a self-service laundry facility with coin-operated washing machines, dryers, and sometimes ironing or pressing machines, open to the public for washing clothing and household cloth items.
- 197) “Legal Description.” A description of a Lot, Parcel or tract by government Survey, Metes and Bounds Description, or by Lot and block in a recorded plat including description of any portion thereof.
- 198) “Library.” A Place of Business in which literary, musical, artistic, or reference materials, such as books, manuscripts, recordings, or films, are kept for use but not for sale.
- 199) “Licensed Land Surveyor.” A Person duly licensed as a land surveyor by the State of Minnesota.
- 200) “Light Commercial Use.” Any Use within the C-1 Commercial Zoning District which exceeds the allowed Home Occupation regulations as provided in Chapter 309.
- 201) “Limousine Service.” A Place of Business engaged in the Business of providing chauffeured limousine services.

- 202) “Liquor Store.” A Place of Business which specializes in the sale of alcoholic beverages.
- 203) “Livable Space.” Area within a Dwelling Unit that is finished and suitable for living. Livable Space shall not include Basements, walk-outs, crawl spaces and storage areas.
- 204) “Livestock.” Any animal raised for home use or profit, including but not limited to cattle, horses, sheep, chickens, turkeys and pigs. Livestock shall not include any animals maintained as Pleasure Animals.
- 205) “Livestock Sales.” A Place of Business where the Livestock being sold were not bred and/or raised on the Lot and/or Parcel from which the sale of said Livestock occurred, but rather, where said Livestock was transported to said Lot and/or Parcel for the sole purpose of being sold therefrom.
- 206) “Loading Area.” An architectural fixture or area where trucks or other automobiles may be loaded and unloaded.
- 207) “Locksmith.” A Person who makes or repairs locks.
- 208) “Lot.” A separately described Parcel of land, with or without Buildings.
- 209) “Lot Area.” The Gross Acreage of a Lot.
- 210) “Lot Line.” Any boundary line of a Lot, provided that where any Lot is encroached upon by a Public Street, road or highway, or by any private road easement, the boundary line shall be the Right-of-Way line of any such Public Street, road, highway or private easement.
- 211) “Lot Line Adjustment.” The process of modifying or correcting the location of a Lot Line.
- 212) “Lot Line, Rear.” The boundary of a Lot, other than a Through Lot, which is opposite the Front Lot Line. If the Rear Lot Line is less than thirty (30) feet in length or if the Lot forms a point in the rear, the Rear Lot Line shall determined to be a line thirty (30) feet in length within the Lot, parallel to the Front Lot Line.
- 213) “Lot of Record.” Any Parcel, Lot and/or Platted Lot or other Parcel described by a Metes and Bounds Description which is of

record in the office of the Kanabec County Recorder on the date this Ordinance becomes effective; and any such Lot or Parcel which was the subject of and described in a purchase agreement or option which was binding upon the effective date of the adoption of this Ordinance.

- 214) “Lot Split.” The division of an existing Lot and/or Parcel into two or more separate Lots and/or Parcels.
- 215) “Lot Width.” The frontage of a Lot on an existing Public Road.
- 216) “Lowest Extension of WECS Blades.” The lowest point of the arc created by the rotation of the WECS rotor.
- 217) “Manufactured Home.” A Structure, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a Dwelling Unit 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 Minnesota Secretary of State and complies with the standards established under Minnesota Statute 327.31 et. seq. as amended from time to time.
- 218) “Medical Goods and Equipment Manufacturer.” A Place of Business engaged in the manufacture of medical equipment and supplies, including dental and optical equipment.
- 219) “Medical Goods and Equipment Sales.” A Place of Business engaged in the sales and distribution of medical equipment and supplies, including dental and optical equipment.
- 220) “Memorial Monument Manufacturing.” A Place of Business that produces monuments.
- 221) “Metes and Bounds Description.” A description of real property which is not described by reference to a Lot or block shown on a map, but is described by starting at a known point and describing the bearings and distances of the lines forming the boundaries of the property or delineates a fractional portion of a section, Lot or area by described lines or portions thereof.

- 222) “Minimum Lot Standard.” Any and all Lots and/or Parcels shall have an area of no less than three-hundred (300) feet by three-hundred (300) feet, measured at right angles.
- 223) “Mining Operation” The extraction of sand, gravel, rock, soil or other material from a Lot and/or Parcel in the amount of Two Thousand (2,000) cubic yards or more during any one-hundred eighty (180) day period and the removing thereof from the Lot and/or Parcel from which it was so extracted with or without processing.
- 224) “Minor Public Roads.” A Public Road which is parallel and adjacent to an Arterial Public Road or Collector Public Road which provides access to abutting Lots and/or Parcels.
- 225) “Mission.” A local Church or parish dependent on a larger religious organization for direction or financial support.
- 226) “Modular Home.” A factory-built pre-fabricated Structure delivered to the site in sections with onsite assembly and some onsite construction assembled on foundation walls that is built to meet Minnesota State Building Codes and does not have a chassis.
- 227) “Monastery.” A Building, or complex of Buildings, that houses a room reserved for prayer as well as domestic quarters and workplace(s).
- 228) “Movie Theater.” A Place of Business for showing motion pictures.
- 229) “Museum.” A Place of Business devoted to the procurement, care, study, and display of objects of lasting interest or value and where objects are exhibited.
- 230) “Nightclub.” A Place of Business open at night usually serving food and liquor and providing music and space for dancing and often having a floor show.
- 231) “Non-Buildable” A Lot and/or Parcel that has characteristics that prevent any Building or Structure from being placed, constructed or erected thereon in compliance with this Ordinance.
- 232) “Nonconforming Lot.” Any Lot and/or Parcel established prior to the effective date of this Ordinance but which would not otherwise be permitted under the provisions of this Ordinance.

- 233) “Nonconforming Structure” or “Nonconforming Use.” Any Structure or Use lawfully established prior to the effective date of this Ordinance but which would not otherwise be permitted under the provisions of this Ordinance.
- 234) “Non-livable Space.” Any portion of a Dwelling Unit not considered Livable Space.
- 235) “Notice of Emergency Meeting of the Planning Commission.” Notice providing information regarding the occurrence of an Emergency Meeting of the Planning Commission given in accordance with Chapter 851 of this Ordinance.
- 236) “Notice of Emergency Meeting of the Town Board.” Notice providing information regarding the occurrence of an Emergency Meeting of the Town Board given in accordance with Chapter 850 of this Ordinance.
- 237) “Nursing Home/Assisted Living.” A Place of Business providing maintenance and personal or nursing care for Persons, such as the aged or the chronically ill, who are unable to care for themselves properly.
- 238) “Office Building.” A Place of Business in which Business, clerical, or professional activities are conducted.
- 239) “Office Supplies Sales and Service.” A Place of Business that engages in the sales and/or service of common office supplies and equipment.
- 240) “Official Newspaper.” The newspaper so designated by the Town Board at each respective Annual Meeting.
- 241) “Off-Street Parking.” Parking Spaces located on any Lot and/or Parcel located outside a Public Right-of-Way.
- 242) “Ordinance.” Ford Township’s Zoning, Land Use and Subdivision Ordinance.
- 243) “Ordinance Amendment.” A change or modification to the Ordinance or to the Zoning Map in accordance with Chapter 730 of this Ordinance.
- 244) “Ordinance Amendment Petition.” A Petition provided by the Town of Ford required to be submitted for purposes of requesting

an Ordinance Amendment pursuant to Chapter 730 of these Ordinances.

- 245) “Ordinance Amendment Report and Recommendation.” A written report by the Planning Commission, drafted in accordance with Chapter 730 of this Ordinance, setting forth its recommendation to the Town Board regarding whether or not to grant or deny a Ordinance Amendment Petition.
- 246) “Ordinance Book.” The official book of the Town containing all finalized and implemented Ordinance versions and Ordinance Amendments.
- 247) “Organized Group Camp.” Use of a given Lot and/or Parcel for organized adult or youth groups which have a formal organization to coordinate and carry out its activities, which are generally oriented to utilizing nature and the outdoors, whether in Outdoor Recreation Areas or otherwise, including the use of a given Lot or Parcel for outdoor activities, including but not limited to, hiking, riding trails, primitive campsites, and/or campgrounds.
- 248) “Outdoor Recreation Area.” A Place of Business at which an athletic activity takes place outside on the Lot and/or Parcel.
- 249) “Overhang.” A projection of the roof or upper story of a Building beyond the wall or support posts of the lower part or beyond a point which is perpendicular with the point of intersection of the upper part and the outer-most support Structure.
- 250) “Owner.” A Person having a legal or fee title interest in a Lot and/or Parcel.
- 251) “Owner of Record.” An entity named in the public records as the Owner and/or title holder of a particular Lot and/or Parcel.
- 252) “Package Delivery Service.” A Place of Business engaged in the shipping of packages and parcels as single shipments.
- 253) “Packaging of Finished Goods.” A Place of Business that packages finished and completed goods.
- 254) “Parcel.” A piece of land.
- 255) “Parcel Identification Number.” A unique number provided by Kanabec County for real estate tax purposes to identify a specific Lot and/or Parcel.

- 256) “Parking Space.” A surfaced and maintained area for the temporary parking of one standard automobile.
- 257) “Parking Facility.” A Structure that is designed to accommodate vehicular Parking Spaces that are fully or partially enclosed or located on the deck surface of a Building.
- 258) “Passenger Transit Station.” A facility consisting of the roads and equipment necessary for the movement of passengers or goods.
- 259) “Performing Arts.” A Place of Business for which arts, such as dance, drama, and music, are typically performed before an audience.
- 260) “Permanent Cul-de-Sacs.” Cul-de-Sacs where future extension is unlikely or impractical due to lack of access, existence of a natural feature or undevelopable Lots and/or Parcels, or insurmountable topography.
- 261) “Permitted Use.” A Use which is expressly permitted within a Zoning District established by this Ordinance, provided that such Use conforms with all requirements, regulations and performance standards (if any) applicable thereto.
- 262) “Person.” An individual, to include both male and female, as well as political bodies, corporate and partnership entities, and other unincorporated associations.
- 263) “Pet Store.” A Place of Business which sells different kinds of Pleasure Animals, pet supplies, and pet food.
- 264) “Petition for Administrative Appeal.” A Petition provided by the Town of Ford required to be submitted for purposes of requesting an Administrative Appeal pursuant to Chapter 740 of these Ordinances.
- 265) “Petitioner.” A Person submitting a Land Use Petition pursuant to this Ordinance.
- 266) “Photocopying.” A Place of Business engaged in the practice of making copies of original documents for customers, or for providing customers the tools with which said customers can make photocopies on their own.

- 267) “Picture Framing.” A Place of Business for the construction of frames for pictures, photographs, paintings, or other works of art.
- 268) “Place of Business.” A Lot and/or Parcel where a Business’s primary location is based.
- 269) “Planning Commission” or “Commission.” The duly appointed Planning Advisory Commission of the Town Board.
- 270) “Planning Commission Agenda.” The official work plan for a Planning Commission meeting.
- 271) “Planning Commission Order of Business.” The order in which business of the Planning Commission is to be addressed during a Planning Commission meeting as provided in Chapter 831.
- 272) “Plat” or “Platted.” A map prepared by a licensed Surveyor of area Lots and/or Parcels within the Town, section or Subdivision showing the location and boundaries of individual Lots and/or Parcels of land subdivided with Streets, Alleys and easements shown and usually drawn to scale.
- 273) “Pleasure Animals.” Dogs, cats, birds, and any domesticated member of the animal kingdom housed principally in a cage, aquarium, or other area on a Lot and/or Parcel and kept principally for non-commercial and non-scientific purposes. Pleasure Animals shall not include any animal weighing in excess of 200 pounds.
- 274) “Point of Sale Application.” An application provided by the Town of Ford required to be submitted for purposes of requesting a Certificate of Compliance pursuant to Chapter 910 of these Ordinances.
- 275) “Point of Sale Regulations.” The regulations, requirements and procedures as provided in Chapter 910 of this Ordinance.
- 276) “Police Station.” The headquarters of the police for a locality.
- 277) “Post Office.” A Place of Business for a local branch of a national post office handling the mail for a particular place or area.
- 278) “Preliminary Standard Plat.” A tentative drawing of a proposed Subdivision meeting the requirements of the relevant Ordinances.
- 279) “Preliminary Standard Plat Application.” An application provided by the Town of Ford required to be submitted for purposes of

requesting a Preliminary Standard Plat pursuant to the provisions of Chapter 540 of this Ordinance.

- 280) “Preliminary Standard Plat Report and Recommendation.” A written report by the Zoning Administrator or Planning Commission, drafted in accordance with Chapter 540 of this Ordinance, setting forth its recommendation to the Planning Commission and/or Town Board regarding whether or not the Preliminary Standard Plat should be approved.
- 281) “Preschool.” A school for children younger than those attending elementary school or kindergarten.
- 282) “Principal Use.” The primary or main use of a Lot and/or Parcel and/or Buildings upon same. Principal Uses shall be categorized as Agricultural Land Uses, Residential Land Uses or Commercial Uses in accordance with the provisions of this Ordinance and designated Zoning Districts. If a use is mixed or might qualify under more than one of the general categories, the Planning Commission shall review the Use and shall provide a recommendation to the Board as to which category the Planning Commission deems appropriate for that particular Use. The Board shall then determine which category is ultimately applicable.
- 283) “Principal Building” or “Principal Structure.” The main or primary Building or Structure on a given Lot and/or Parcel. On a Parcel and/or Lot for which the designated use is Residential Land Use, the main or primary Building or Structure shall be considered a Single Family Dwelling. On a Parcel and/or Lot for which the designated use is Agricultural Land Use, the main or primary Building or Structure shall be considered a Single Family Dwelling. On a Parcel and/or Lot for which the designated use is Commercial Use, the main or primary Building or Structure shall be considered a Commercial Building.
- 284) “Printing and Publishing.” A Place of Business for which literature or information is produced and disseminated.
- 285) “Private Approach.” The area of the Public Road Right-of-Way between the traveled surface of the Public Road and the adjacent Lot and/or Parcel that is intended to provide access for vehicles or equipment from the Public Road to the adjacent Lot and/or Parcel.
- 286) “Production and Processing.” A Place of Business for which products, equipment and/or goods are manufactured, created or

modified. This includes Businesses engaged in value added processes.

- 287) “Public Hearing.” A hearing in which Individuals have the right to appear and give evidence, testimony, opinions, concerns, support and/or opposition to resolutions, ordinances, zoning, applications and/or any action proposed to be taken by the Town Board, Planning Commission or any individual.
- 288) “Public Land.” Land owned by Federal, State or local government, or other entities financed by public funds.
- 289) “Public Land Survey.” A method used to identify the Lot Lines of Lots and/or Parcels.
- 290) “Public Nuisance.” Any activity that annoys, interferes, injures, or endangers the safety, health, comfort, or repose of any considerable number of members of the public as set forth and further defined in Chapter 301 of this Ordinance.
- 291) “Public Road” or “Public Street.” Those roads or Streets under the direct authority of the Town, the county, the state or federal government.
- 292) “Public Road Right-of-Way.” All that real property for which the Town maintains a property interest whether by fee title, easement, prescriptive easement, road order or eminent domain that is adjacent to and benefits a Public Road.
- 293) “Publish” or “Published.” The act of preparing and printing a document for public view in accordance with Minnesota law and/or the requirements of this Ordinance.
- 294) “Quarter Quarter.” The quarter of a section of land according to the divisions of a government survey, into four (4) equal parts by North-and-South and East-and-West lines, containing approximately forty (40) Acres.
- 295) “R-1 Residential Zoning District.” That certain Zoning District wherein Lots and/or Parcels are so designated in order to be retained as sensitive natural areas, to protect and preserve open spaces and to allow scattered development, as further described in Chapter 210 of this Ordinance.
- 296) “R-2 Residential Zoning District.” That certain Zoning District wherein Lots and/or Parcels are so designated in order to permit

residential Development in an orderly manner, to manage Subdivision of vacant land proposed for Development and to assure a pleasant and suitable residential environment, as further described in Chapter 211 of this Ordinance.

- 297) “Radio and Television Service and Repair.” A Place of Business that repairs and services radios and or televisions.
- 298) “Radio or Television Station.” A Place of Business that broadcasts both audio and video to television and/or radio receivers in a particular area.
- 299) “Rear Lot Line.” The boundary of a Lot, other than a Through Lot, which is opposite the Front Lot Line. If the Rear Lot Line is less than thirty (30) feet in length or if the Lot forms a point in the rear, the Rear Lot Line shall be a line thirty (30) feet in length within the Lot, parallel to the Front Lot Line. If a Lot and/or Parcel is adjacent and/or abuts a Public Road and/or Street on multiple sides of the Lot and/or Parcel the Lot and/or Parcel shall have no Rear Lot Line or Rear Property Line.
- 300) “Rear Setback Space.” The space between the Rear Lot Line and the Setback as required pursuant to these Ordinances.
- 301) “Rear Yard.” The area between the Rear Lot Line and the nearest Building wall.
- 302) “Reception or Meeting Hall.” A Place of Business for which allows large and/or small group of people to gather and conduct meetings or receptions.
- 303) “Recreational Equipment.” Play apparatus such as swing sets and slides, sandboxes, poles for nets, picnic tables, lawn chairs, barbecue stands, and similar apparatus, but not including tree houses, swimming pools, playhouses exceeding Twenty-five (25) square feet of floor area, or sheds utilized for storage of equipment greater than 100 square feet in size.
- 304) “Recreational Land Use/Recreational Use.” A type of land use where the predominant use is recreation consisting primarily of outdoor activities utilizing the Town’s natural resources, including not limited to, hunting, trapping, fishing, swimming, boating, camping, picnicking, hiking, bicycling, horseback riding, firewood gathering, pleasure driving, including snowmobiling and the operation of any motorized vehicle upon or across a given Lot and/or Parcel in any manner, and also including recreational trail

use, nature study, waterskiing, winter sports, and viewing or enjoying historical, archaeological, scenic, or scientific sites.

- 305) “Recreational Shelter.” A temporary non-permanent shelter typically associated with Recreational Uses to specifically include a Recreational Vehicle, Tent, Travel Trailer or Camper used for Recreational Uses.
- 306) “Recreational Structure.” A Structure or Building constructed on a permanent foundation such as a cabin or hunting shack built for sleeping or simple house keeping purposes used for Recreational Uses.
- 307) “Recreational Vehicle” or “RV” or “Travel Trailer” or “Camper.” A motor vehicle or trailer with space and equipment either built on a truck or bus chassis, in a rear compartment, in an attachment or in an attached trailer, for sleeping and simple housekeeping and is typically used for camping and recreational travel.
- 308) “Recreational Vehicle or RV Rental Facility.” A Place of Business that engages in the leasing and or renting of Campers, Travel Trailers, Recreational Vehicle, mobile homes, ATVs, snowmobiles and/or boats.
- 309) “Regional Financial Service Center.” A Place of Business that services Banks and/or Financial Institutions throughout a given geographical region.
- 310) “Regional Sports Arena.” An enclosed area designed to showcase theater, musical performances, or sporting events.
- 311) “Registrar of Titles.” An officer who has the custody and charge of keeping of a registry or register of titles in Kanabec County.
- 312) “Regular Meeting of the Planning Commission.” Meetings of the Planning Commission, as further discussed in Chapter 831 of this Ordinance, set at the beginning of each calendar year and Published yearly in the Official Newspaper of the Town, a schedule of which are maintained on file at the Ford Town Hall.
- 313) “Regular Meeting of the Town Board.” Meetings of the Town Board, as further discussed in Chapter 830 of this Ordinance, set at the beginning of each calendar year and Published yearly in the Official Newspaper of the Town, a schedule of which are maintained on file at the Ford Town Hall.

- 314) “Religious Retreat Center.” A location where visitors go to experience seclusion for the purpose of deepening their spiritual life through such means as prayer, meditation, study and instruction.
- 315) “Rental of Household Goods and Equipment.” A Place of Business engaged in the practice of renting to customers certain every-day, household items, machinery, and equipment for profit.
- 316) “Residential Driveway.” A Driveway constructed to serve Residential Land Uses, Agricultural Land Uses, and/or Recreational Land Uses.
- 317) “Residential Driveway Access.” Access to Residential Driveways operated and maintained in accordance with Chapter 305 of this Ordinance.
- 318) “Residential Dwelling.” A Building whose construction is completed and is intended for residence by its nature.
- 319) “Residential Fence.” A Fence erected or otherwise installed for purposes of restricting or preventing movement on, across or through a Residential Lot or for purposes of Screening in accordance with Chapter 303.
- 320) “Residential Land Use.” A type of land use where the predominant use is housing. In Residential Land Use areas, Buildings may include Residential Dwellings and/or Accessory Buildings in accordance Chapter 308.
- 321) “Residential Lot.” A Lot and/or Parcel situated within the R-1 Residential Zoning District and/or within the R-2 Residential Zoning District upon which Residential Structures may be constructed.
- 322) “Residential Structure.” A Building or Structure constructed or otherwise situated upon a Residential Lot in accordance with the requirements as set forth in this Ordinance.
- 323) “Restaurant, Fast Food.” A Place of Business engaged in the retail sale of ready-to-consume food and drinks in disposable containers, for consumption on or off the premises, and having a drive-in or drive-through facilities so that patrons may be served while remaining in their automobiles.

- 324) “Restaurant, Sit Down.” A Place of Business at which food and drinks are provided to the public, primarily for on-premises consumption by seated patrons.
- 325) “Retail Sale of Propane.” A Place of Business where propane gas is sold directly to customers for profit.
- 326) “Re-Zoning Petition.” A Petition provided by the Town of Ford required to be submitted for purposes of requesting re-zoning pursuant to Chapter 720 of these Ordinances.
- 327) “Re-Zoning Petition Report and Recommendation.” A written report by the Planning Commission, drafted in accordance with Chapter 720 of this Ordinance, setting forth its recommendation to the Town Board regarding whether or not to grant or deny a Re-Zoning Petition.
- 328) “Right-of-Way.” A path or thoroughfare which one may lawfully use in crossing the Lot and/or Parcel of another, including, but not limited to a Public Road or other land dedicated to public use, utilities, railroad tracks, or other land dedicated for private use.
- 329) “School, K-12.” An institution for the instruction of children or people under college age, generally from kindergarten through twelfth grade.
- 330) “Screen” or “Screening” or “Screened.” A device, situated on a Lot and/or Parcel designed to conceal said Lot and/or Parcel, as well as the Uses occurring on said Lot and/or Parcel, from adjacent and neighboring Lots and/or Parcels or Public Roads.
- 331) “Screening Fence.” A Fence designed and utilized for Screening purposes in accordance with Chapter 303.
- 332) “Secondhand Goods Store.” A Place of Business that engages in the resale of second-hand or used goods that are being purchased by or otherwise transferred to a second or later end user.
- 333) “Service Road.” A Public Road that runs parallel to a state highway or county highway and that provides access to the Lots and/or Parcels bordering it.
- 334) “Setback.” The minimum horizontal distance required between any variation of two (2) or more points, boundaries, lines, perimeters or Buildings.

- 335) “Setback Space.” The space between the minimum horizontal distance required between any variation of two (2) or more points, boundaries, lines, perimeters or Buildings.
- 336) “Shoe Repair.” A Place of Business for the fixing, modifying, tailoring, and/or repairing of new and/or used shoes.
- 337) “Shopping Center.” A Place of Business where a group of retail stores and service establishments usually with ample parking facilities and usually designed to serve a community or neighborhood.
- 338) “Shoreline.” The land at the edge of a body of water, including, but not limited to, a river, lake, or stream, or other protected water ways.
- 339) “Shoulder of the Public Road.” The edge of an improved and traveled surface of a Public Road.
- 340) “Side Lot Line.” Any boundary of a Lot which is not a Front Lot Line or a Rear Lot Line.
- 341) “Side Setback Space.” The space between the Side Lot Line and the Setback as required pursuant to these Ordinances.
- 342) “Side Yard.” The area between the Side Lot Line and the nearest Building wall.
- 343) “Sign” or “Signage.” A board or display used to identify or advertise a Place of Business, goods or services, including electric and neon Signs.
- 344) “Simple Plat.” A Plat representing a tract of land showing the boundaries of the property to create a legal Lot and/or Parcel for a Lot and/or Parcel previously with a Legal Description consisting of a Metes and Bounds Description or an outlot of a Plat.
- 345) “Simple Plat Subdivision.” The procedure allowed pursuant to Chapter 530 utilized to procure a Simple Plat.
- 346) “Single Family Dwelling.” A detached Building or Structure designed exclusively for occupancy by one (1) family and containing not more than one (1) Dwelling Unit.
- 347) “Site Permit.” A permit required from the Zoning Administrator prior to the erection, construction, alteration, or relocation of any

Building or Structure in accordance with Chapter 750 of this Ordinance.

- 348) “Site Permit Application.” An application provided by the Town of Ford required to be submitted for purposes of requesting a Site Permit pursuant to Chapter 750 of these Ordinances.
- 349) “Sketch Plan.” A drawing showing the proposed Subdivision of a Lot and/or Parcel that is not necessarily to scale and where exact accuracy is not a requirement.
- 350) “Small Engine Repair.” A Business or individual that engages in the practice of making small or minor repairs to engines, excluding automobile engines.
- 351) “Special Meeting of the Planning Commission.” A meeting of the Planning Commission that may be called, pursuant to Chapter 841 of this Ordinance, by either the Chair of the Town Board, the Chair of the Planning Commission, the Zoning Administrator or by any two (2) Planning Commission members by the mailing, at least five (5) days in advance, of Written Notice of Special Meeting of the Planning Commission by the Town Clerk to all Planning Commission members setting forth the time, date, and purpose of the Special Meeting of the Planning Commission.
- 352) “Special Meeting of the Town Board.” A meeting of the Town Board that may be called, pursuant to Chapter 840 of this Ordinance, by either the Chair of the Town Board or by any two (2) Town Board members by the mailing, at least five (5) days in advance, of Written Notice of Special Meeting of the Town Board by the Town Clerk to all Town Board members setting forth the time, date, and purpose of the Special Meeting of the Town Board.
- 353) “Sports Facility.” A Place of Business consisting of Buildings for organized areas and equipment for indoor and outdoor sport activities.
- 354) “Standard Plat.” The procedure to obtain a Standard Plat pursuant to Chapter 540.
- 355) “Stop Order.” An order of the Zoning Administrator requiring the cessation of the construction, repair, alteration, renewal, or demolition of any Building or Structure or any work done thereon in violation of this Ordinance or any Use performed in violation of this Ordinance.

- 356) “Street.” A Public Road for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway road, lane, place or however otherwise designated.
- 357) “Street Width.” The shortest distance between the lines delineating the Right-of-Way of a Street.
- 358) “Street and Equipment Maintenance Facility.” A Place of Business that holds equipment needed to maintain and repair Streets and out of which said Street maintenance is performed.
- 359) “Structure.” Any Building or part of a Building, constructed or erected, the use of which requires location on or in the ground or attached to something having a location on or in the ground. “Structure” does not include Accessory Buildings smaller than eighty (80) square feet.
- 360) “Structure, Nonconforming.” Any Structure or Use lawfully established prior to the effective date of this Ordinance but which would not otherwise be permitted under the provisions of this Ordinance.
- 361) “Subdivider.” A Person who Subdivides a given Lot and/or Parcel.
- 362) “Subdivision” or “Subdivide.” The division of a Lot and/or Parcel after the effective date of this Ordinance into two (2) or more Lots and/or Parcels, for the purpose of transfer of ownership or building Development. The term includes re-subdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided. If construction or Development of a new Street, road, or highway is involved, any division of a Parcel of land shall be considered a Subdivision.
- 363) “Subdivision Regulations.” Those regulations set forth in Chapters 500-599 of this Ordinance governing the Subdivision process in the Town.
- 364) “Survey.” A process by which a Lot and/or Parcel is measured and its boundaries and contents ascertained by a Licensed Land Surveyor; also a map, Plat or statement of the result of such survey, setting forth courses and distances and quantities of the land surveyed.
- 365) “Surveyor, Licensed Land.” A Person duly licensed as a land surveyor by the State of Minnesota.

- 366) “SWPPP.” Storm Water Pollution Protection Plan.
- 367) “T-Designed Cul-de-Sac.” A cul-de-sac which is not circular or is in the shape of a T.
- 368) “Tailor.” A Place of Business that repairs or customizes finished clothing products made from fabric.
- 369) “Taxicab Service.” A Place of Business engaged in the Business of providing transportation services to the public, typically by carrying passengers in an automobile for a fare usually determined by the distance traveled.
- 370) “Telephone Exchange.” A Place of Business where a system of electronic components that connects telephone calls is located.
- 371) “Temporary Cul-de-Sacs.” Cul-de-Sacs that are designed to be extended some time in the future to serve adjacent developable Lot(s) and/or Parcel(s).
- 372) “Tent.” A shelter, consisting of sheets of fabric or other material draped over or attached to a frame of poles and/or ropes.
- 373) “Theater.” A Place of Business for the presentation of plays or other dramatic performances.
- 374) “Through Lot.” A Lot with a Front Lot Line on two parallel or approximately parallel Streets.
- 375) “Tobacco Shop.” A Place of Business that primarily supplies all types of tobacco, including both smoking and smokeless tobacco.
- 376) “Total Height.” The distance between ground level at the base of a Structure, Tower, or Antenna and its tallest vertical extension including any attachment thereto.
- 377) “Tower.” Any pole, wire, Structure or combination thereof, including support lines, guy wires, cables, wires, braces, and masts intended primarily for the purpose of mounting antenna or to serve as an antenna, or for the placement of a WECS.
- 378) “Tower Facility.” A Tower and its appurtenant devices including but not limited to Antennae, Buildings, Structures, Fences, gates and related equipment.

- 379) “Town.” The Town of Ford.
- 380) “Town Board.” The Board of Supervisors of the Town of Ford
- 381) “Town Board Agenda.” The official work plan for a Town Board meeting.
- 382) “Town Board Order of Business.” The order in which business of the Town Board is to be addressed during a Town Board meeting.
- 383) “Town Clerk.” A Town Officer elected by Town General Election to carry out those duties as further described in Chapter 820 of this Ordinance.
- 384) “Town General Election.” An election of Town officers held in the Town on the same date as similar elections throughout the United States, generally the Tuesday after the first Monday in November of even-numbered years.
- 385) “Town’s Permit Book.” The official book of the Town in which all granted Land Use Permits and all granted Land Use Petitions are filed and maintained.
- 386) “Town Public Road.” A Public Road that is snow plowed and maintained by the Township.
- 387) “Town Treasurer.” A Town Officer elected by Town General Election to carry out those duties as further described in Chapter 821 of this Ordinance relating to the receipt and disbursement of money on behalf of the Town.
- 388) “Township Attorney.” The attorney or law firm retained by the Town Board to provide legal services on behalf of the Town.
- 389) “Township Engineer.” A licensed engineer engaged by the Town Board on behalf of the Town.
- 390) “Trailer.” A vehicle without motive power, designed for the carriage of cargo and to be towed by a motor vehicle.
- 391) “Travel Trailer” or “Camper” or “Recreational Vehicle” or “RV.” A motor vehicle or trailer with space and equipment either built on a truck or bus chassis, in a rear compartment, in an attachment or in an attached trailer, for sleeping and simple housekeeping and is typically used for camping and recreational travel.

- 392) “Tree.” A tree or woody perennial shrub or vine which is at least six inches in diameter, as measured at a point two feet from the ground.
- 393) “Useable Acre.” An Acre or Acres of land fenced off from the surrounding land, containing grass and other similar vegetation upon which animals and Livestock may graze. For purposes of this definition, if such land is historically covered by a river or other body of water greater than one-quarter (1/4) of an Acre in size with a depth in excess of two (2) feet at any one point for a continuous duration in excess of six months, such portion of the land which is covered by said body of water shall not be included in the calculation of useable acreage. Useable Acre shall be further limited to that fenced portion of the Lot and/or Parcel for which the Livestock actually has uncontrolled access to graze.
- 394) “Use.” The purpose or activity for which the Lot and/or Parcel or Building thereon is designated, arranged or intended, or for which it is occupied, utilized or maintained, and shall include the performance of such activity as defined by the performance standards of this Ordinance.
- 395) “Use, Conditional.” A Conditional Use is a use or activity that, if properly controlled or restricted, may be allowed in a Zoning District only upon showing that such use or activity can or will comply with all criteria and standards as outlined in this Ordinance and the Comprehensive Plan.
- 396) “Use, Horticultural.” Use of a Lot and/or Parcel, Buildings, or Structures associated with the cultivation of fruit, flowers, vegetables, shrubs and/or ornamental plants.
- 397) “Variance.” Written approval waiving the requirements of this Ordinance in accordance with the requirements in Chapter 700 in instances where the strict enforcement of said requirements would cause undue Hardship because of unique circumstances not created by the Owner.
- 398) “Variance Application.” An application provided by the Town of Ford required to be submitted for purposes of requesting a Variance pursuant to Chapter 700 of these Ordinances.
- 399) “Variance Report and Recommendation.” A written report by the Planning Commission, drafted in accordance with Chapter 700 of this Ordinance, setting forth its recommendation to the Board of

Adjustment and Appeals regarding whether or not to grant or deny a Variance Application.

- 400) “Variance Revocation.” Written revocation of a Variance that had been approved pursuant to Chapter 700 as a result of an Owner or Applicant’s nonconformance with the conditions set forth in a Variance.
- 401) “Veterinary Clinic.” A Place of Business that employs physicians for the care of animals and at which animal care is undertaken.
- 402) “Video Store.” A Place of Business that sells, resells, or rents motion picture videos.
- 403) “Visual Arts.” A Place of Business for the creation of art forms that are primarily visual in nature, such as painting, photography, printmaking, and filmmaking.
- 404) “Vocational School.” A school, especially one on a secondary level, that offers instruction and practical introductory experience in skilled trades such as mechanics, carpentry, plumbing, and construction.
- 405) “Watches and Clocks Manufacturing.” A Place of Business engaged in the Business of manufacturing portable timepieces designed to be worn or carried in the pocket or a device other than a watch for indicating or measuring time commonly by means of hands moving on a dial.
- 406) “Watches and Clocks Sales/Repair.” A Place of Business for the sale, repair, or resale of a portable timepiece designed to be worn or carried in the pocket or a device other than a watch for indicating or measuring time commonly by means of hands moving on a dial.
- 407) “Water Pumping and Filtration Facility.” A Place of Business for the process of removing contaminants and other harmful microorganisms from a raw water source is performed.
- 408) “Wholesaling, Warehousing, and Distribution.” A Place of Business for the sale of goods or merchandise to retailers, to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.
- 409) “Wind Energy Conversion System (WECS).” An electrical generating facility comprised of one or more wind turbines and

accessory facilities, including but not limited to: power lines, transmission lines, transformers, converters, substations and meteorological towers that operate by converting the kinetic energy of wind into electrical energy. The energy may be consumed on-site or distributed into the electrical grid.

- 410) “Wood Crafting and Carving.” A Place of Business engaging in the practice of creating decorative products made of wood.
- 411) “Wood Furniture and Upholstery Manufacturing.” A Place of Business engaging in the practice of manufacturing furniture that is produced from wood.
- 412) “Wood Furniture and Upholstery Sales/Repair.” A Place of Business engaging in the practice of repairing and/or reselling furniture that is produced from wood.
- 413) “Written Notice.” A notice, set forth in writing, containing information to be communicated to a Person or Persons in accordance with the provisions of this Ordinance or as otherwise required by Minnesota law.
- 414) “Written Notice of Special Meeting of the Planning Commission.” A notice, set forth in writing, detailing the time, date, and purpose of a Special Meeting of the Planning Commission.
- 415) “Written Notice of Special Meeting of the Town Board.” A notice, set forth in writing, detailing the time, date and purpose of a Special Meeting of the Town Board.
- 416) “Written Notice of Violation.” A Written Notice sent by the Zoning Administrator to the Owner of a Lot and/or Parcel pursuant to Chapter 910 of this Ordinance notifying said Owner that his/her Lot and/or Parcel is in violation of this Ordinance and providing said Owner an opportunity to rectify the same within thirty (30) days of receipt thereof prior to having the same recorded against Owner's title.
- 417) “Yard.” That open space, or those open spaces, on a Lot which does not contain any Buildings.
- 418) “Yard, Front.” The area between the Front Lot Line and the nearest Building wall.
- 419) “Yard, Rear.” The area between the Rear Lot Line and the nearest Building wall.

- 420) “Yard, Side.” The area between the Side Lot Line and the nearest Building wall.
- 421) “Zoning Administrator.” The individual, regardless of job title, designated and authorized to supervise the application of this Ordinance and to enforce the provisions thereof.
- 422) “Zoning District.” An area within the limits of the zoning jurisdiction as identified on the Zoning Map for which the regulations and requirements governing use, height and size of structures and Lot and/or Parcels, are uniform.
- 423) “Zoning Map.” That map incorporated into and being a part of this Ordinance pursuant to Chapter 200 designating Zoning Districts as amended from time to time.

[END OF CHAPTER 120]

Chapter 130. General Provisions.

- 130.1 Minimum Requirement. The provisions of this Ordinance shall be applied and construed to constitute minimum standards for the promotion of the public health, safety and welfare within the Town.
- 130.2 Relation to Other Standards. Where a condition imposed by any provision of this Ordinance is either more or less restrictive than the comparable condition imposed by any other Ordinance, rule or regulation of the Town, county, state or federal government, the more restrictive condition shall prevail. For purposes of this Section, “more restrictive” shall mean the least congestion, the least intrusion and the least intensity of any Use or Development permitted between those provisions which are in conflict. This shall not permit any Use or Development of land which does not meet the minimum requirements of this Ordinance.
- 130.3 Word Tense. Words used in the singular includes the plural and the plural includes the singular; the word “shall” is mandatory, and the word “may” is permissive.
- 130.4 Application. The provisions of this Ordinance shall apply to all land, Lots and/or Parcels within the Town.
- 130.5 Compliance with Ordinance.
- a) No Structure shall be erected, converted, enlarged, reconstructed or altered, and no Structure, Lot and/or Parcel shall be used for any purpose, nor in any manner, which is not in conformity with the provisions of this Ordinance.
 - b) Land Use Applications, Variance Applications, Conditional Use Permit Applications, Site Permit Applications, Ordinance Amendment Petitions, Petitions for Administrative Appeal or any other petition or application as may be allowed and/or required by this Ordinance shall be made to the Zoning Administrator.
 - c) Land Use Applications, Variance Applications, Conditional Use Permit Applications, Site Permit Applications, Ordinance Amendment Petitions, Petitions for Administrative Appeal or any other petition or application as may be allowed and/or required by this Ordinance shall be executed by the Owner of the affected Lot and/or Parcel and Applicant or Petitioner.
 - d) No Owner of any Lot and/or Parcel shall erect, construct, structurally alter, extend, convert, move or use -- nor allow or permit another Person, including a lessee, tenant, agent, employee

or contractor, to erect, construct, structurally alter, extend, convert, move or use on the Owner's Lot and/or Parcel – any Building or Structure in any Zoning District within the Town without first obtaining a Land Use Permit and/or Site Permit therefore.

130.6 Uses Not Provided for Within Zoning Districts. Whenever in any Zoning District a Use of any Lot, Parcel and/or Building is not specifically permitted by this Ordinance or not otherwise specifically permitted by issuance of a Land Use Permit or Conditional Use Permit hereunder, the Use shall be considered prohibited. If such Use is considered prohibited, the Planning Commission, on its own initiative or upon request by the Town Board, or upon request by the Owner of an affected Lot and/or Parcel or a Petitioner in accordance with Chapter 730, may conduct a study to determine if the Use is acceptable, and if so, the appropriate Zoning District and the condition under which said Use may be permitted pursuant to the application, procedure and criteria as provided in Chapter 730.

130.7 Nonconforming Uses and Structures.

- a) Any Nonconforming Use or Nonconforming Structure existing on the effective date of this Ordinance may continue.
- b) Nonconforming Uses and Nonconforming Structures shall not be extended, expanded, enlarged or increased in intensity.
- c) If a Non-Conforming Use or Use of a Nonconforming Structure is discontinued for a period of more than one (1) year, further Use of said Nonconforming Structure or Non-Conforming Use must conform to this Ordinance, unless within said one (1) year period an Owner and/or Applicant is granted an Exemption Permit pursuant to Chapter 751 of this Ordinance.
- d) If a Nonconforming Structure is destroyed by fire or other peril by more than fifty percent (50%) of its market value as indicated by the records of the Kanabec County Assessor during the year the loss occurred, any subsequent use of the Lot and/or Parcel shall be a Conforming Use. Any subsequently erected Structure shall be a Conforming Structure.
- e) Normal maintenance of a Building or other Structure containing or related to a lawful Nonconforming Use, or which is a Nonconforming Structure, is permitted, including necessary non-structural repairs and incidental alterations which do not expand the Nonconforming Structure.

f) No Junkyard or Auto Reduction Yard shall continue as a Nonconforming Use.

130.8 Severability. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

130.9 Repealer. Any previous Town ordinance which has not been repealed is hereby repealed in its entirety.

[END OF CHAPTER 130]

Chapter 140. Ordinance Chapter Designations.

140.1 Reservation of Chapters. The unused Chapters of this Ordinance shall be designated and reserved for purposes of enacting future provisions to this Ordinance as follows:

- a) General Provision Chapters. Chapters 100 through 199 shall be designated and reserved for purposes of enacting general provisions of the Ordinance, including, but not limited to, Ordinance Title, Ordinance Purpose, Ordinance Intent, Ordinance Definitions and other general provisions of the Ordinance.
- b) Zoning District Chapters. Chapters 200 through 299 shall be designated and reserved for purposes of enacting Zoning District classifications.
- c) Performance Standard Chapters. Chapters 300 through 399 shall be designated and reserved for purposes of enacting general performance standards or performance standards for specific Uses within the Town.
- d) Public Road Right-of-Way Chapters. Chapters 400-499 shall be designated and reserved for purposes of enacting Right-Of-Way provisions, requirements and procedures.
- e) Subdivision Chapters. Chapters 500 through 599 shall be designated and reserved for purposes of enacting Subdivision provisions, requirements and procedures.
- f) Permitting Chapters. Chapters 700 through 799 shall be designated and reserved for purposes of enacting permitting provisions, requirements and procedures to include, but not be limited to, Variances, Conditional Use Permits, Ordinance Amendments and Site Permits.
- g) Administration Chapters. Chapters 800 through 899 shall be designated and reserved for purposes of enacting administrative provisions relating to Town officers, Town Board, Planning Commission and Board of Adjustment and Appeals.
- h) Violation and Enforcement Chapters. Chapters 900 through 999 shall be designated and reserved for purposes of enacting provisions, requirements and procedures relating to violations and enforcement of this Ordinance.

[END OF CHAPTER 140]