

## DEFINITIONS

five degree (45°) angle are considered one sign for calculating the area. Sign faces which exceed a forty-five-degree (45°) angle are considered two signs for calculating the area. *(amended by MC16-161-19)*

611. SIGN FACE. The portion of a sign structure upon which advertising is affixed or painted and visible in one direction of a time. *(amended by MC16-161-19)*
615. SIGN (OFF PREMISE). A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.
620. SIGN (ON PREMISE). A sign which directs attention to a business or profession conducted, or to a commodity or service sold, offered or manufactured, or to an entertainment offered on the premises where the sign is located.
621. SIGN STRUCTURE. Any structure which supports or has supported a sign. *(amended by MC16-161-19)*
624. SOLAR ENERGY CONVERSION SYSTEM (SECS). Any mechanism or device designed for the purpose of converting solar energy into electrical or mechanical power. *(amended by MC16-135-14 8/27/14)*
625. SOLID WASTE RECEIVING STATION. A facility where garbage and other refuse material is collected at a central location, compacted and then transported for disposal at a landfill site.
626. SPECIFIED ANATOMICAL AREAS. (1) Less than completely and opaquely covered (a) human genitals, pubic region; (b) buttock; and (c) female breast below a point immediately above the top of the areola. (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered. *(amended by MC16-29-95)*
627. SPECIFIED SEXUAL ACTIVITIES. (1) Human genitals in a state of sexual stimulation or arousal; (2) acts of human masturbation, sexual intercourse, or sodomy; (3) fondling or other erotic touching or undraped human genitals, pubic region, buttock, or female breast. *(amended by MC16-29-95)*
630. STABLE. Any premise or part thereon where horses or any equine animal are maintained, boarded, bred or cared for in return for remuneration, or are kept for the purpose of sale.
635. STATIONARY TANK. An above ground tank which is fixed permanently in place on a foundation, rack, cradle, stilts or on the ground. The term does not include tanks mounted on wheels, trolleys, skids, pallets or rollers.

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640. STORY. That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.
645. STREET. A public right-of-way which affords the principal means of access to abutting property. Also referred to a road or highway.
650. STREET LINE. The line between the public right-of-way and private property.
655. STRUCTURE. A combination of material(s) constructed, erected or placed on, above or below the surface of land or water for use, occupancy or ornamentation. For the purpose of these regulations, retaining walls, concrete slabs and utility poles are not considered structures. *(amended by MC16-85-06)*
660. SUBDIVISION. The division of a parcel of land into two or more lots or parcels for the purpose of transfer of ownership or building developments (whether immediate or future). This term includes resubdivision and, when appropriate to the context, is related to the process of subdividing or to the land subdivided.
665. SURFACE IMPOUNDMENT. A facility, or part of a facility which is a natural topographic depression, man-made excavation, or dike area formed primarily of earthen materials (although it may be lined with man-made materials), which is designed to hold an accumulation of liquid wastes or wastes containing free liquids, and which is not an injection well. Examples of surface impoundments are holding, storage, settling, and aeration pits, ponds, and lagoons.
- 667A. TOWER, BROADCAST. A structure, not including offices or studio, for the transmission or broadcast of radio, television, radar, or microwaves. *(amended by MC16-65-03)*
- 667B. TOWER, GUYED LATTICE. A vertical support structure consisting of a network of crossed metal braces forming a tower which may be three, four, or more sided, requiring support cables or guyed wires. Typically the structure is the same width from bottom to top. *(amended by MC16-65-03)*
- 667C. TOWER, HEIGHT. The vertical distance above grade to the highest point of the tower, including the base pad and any antenna. *(amended by MC16-65-03)*
- 667D. TOWER, MONOPOLE. A vertical support structure consisting of single vertical metal, concrete or wooden pole, pipe, tube or cylindrical structure, typically polygon, round or square, and planted into the ground or mounted upon or attached to a foundation. *(amended by MC16-65-03)*
- 667E. TOWER, SELF SUPPORT LATTICE. A vertical support structure consisting of a network of crossed metal braces forming a tower which may be three, four, or more sided. Typically constructed with a wide base which gradually narrows toward the top. *(amended by MC16-65-03)*

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- 667F. TOWER, TELECOMMUNICATIONS. A self support lattice, guyed lattice, or monopole structure which supports communications facilities. The term includes new and existing towers that are used for services such as microwave, common carrier, cellular telephone, personal communication services, two-way radio paging, and other similar services. The term telecommunications tower does not include amateur radio operators' equipment, as licensed by the Federal Communications Commission. *(amended by MC16-65-03)*
670. TRAILER. Means any of the following:
- 1). TRAVEL TRAILER. A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses. permanently identified "travel trailer" by the manufacturer of the trailer and, when factory equipped for the road, it shall have a body width not exceeding eight (8) feet, and a body length not exceeding thirty (30) feet.
  - 2). PICK-UP COACH. A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation.
  - 3). MOTOR HOME. A portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.
  - 4). CAMPING TRAILER. A canvas, folding structure, mounted on wheels and designed for travel, recreation and vacation use.
675. TRUCK STOP. Any building, premises, or land in which or upon which a business, service or industry involving the maintenance, servicing, storage, or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into motor vehicles, the sale of accessories or equipment for trucks and similiar commercial vehicles. A truck stop also may include overnight accommodations and restaurant facilities.
677. Reserved. *(amended by MC16-16-19)*
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679. INTERSECTION SAFETY ZONE TRIANGLE. A triangular area on corner properties within which the placement of certain structures, materials and the like are imposed under the provisions of this ordinance. *(amended by MC16-19-07)*
680. VEHICLE. A vehicle shall include, but not be limited to, any motor vehicle which is designed to be driven, and which is self-propelled, or is intended to be self-propelled. This definition shall also include all vehicles, whether or not self-propelled, that are intended to be attached, pulled or fixed to a vehicle. *(amended by MC16-108-10 on 3/16/10)*
681. VEHICLE AND EQUIPMENT, AGRICULTURAL. Any tool, implement, piece of equipment or machinery that is presently used in an agricultural operation or which is used in the regular or ongoing maintenance of the property; which includes but is not limited to equipment used for planting, harvesting, spraying,

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fertilizing, haying, livestock and manure handling, and other farming functions, or for property maintenance. *(amended by MC16-108-10 on 3/16/10)*

682. VEHICLE AND EQUIPMENT, COMMERCIAL. A commercial vehicle and equipment is defined as any of the following:
1. Any vehicle operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, for-hire or not-for-hire or has commercial vehicle identification.
  2. Vehicles including but not limited to any solid waste collection vehicle, semi-tractor, semi-trailer, dump truck, concrete mixer truck, box truck, towing or recovery vehicle, and any construction equipment whether located on the ground or on a truck, trailer, or semi-trailer.
  3. Any vehicle having three or more axels, or exceeding twenty-two feet in length.
  4. Any vehicle or equipment that has a gross vehicle weight of more than 10,000 pounds.
  5. Any equipment or trailer (open or closed) which is towed by another commercial vehicle.
- (amended by MC16-108-10 on 3/16/10)*
683. VEHICLE, RECREATIONAL. Any vehicle designed for, used or capable of use for sport or recreation, whether or not eligible to be licensed for use upon streets and highways, including but not limited to campers, pickup campers, tent trailers, and motor homes, boats and boat trailers, snowmobiles, motor bikes, or all terrain vehicles, but excluding vehicles designed for commercial, industrial or agricultural use. *(amended by MC16-108-10 on 3/16/10)*
684. WAREHOUSE. A building used primarily for the storage of goods and materials. *(amended by MC16-108-10 on 3/16/10)*
685. WASTE. Any garbage, refuse, manure, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded materials, including solid, liquid, semi-solid or contained gaseous material resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include solid or dissolved materials in domestic sewage or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act, as amended to January 1, 1986, or source, special nuclear or by-product materials as defined by the Atomic Energy act of 1954, as amended to January 1.
690. WATER TABLE. The upper surface of a zone of saturation where the body of ground water is not confined by an overlying impermeable zone.
695. WATER SOURCE PROTECTION AREA. A geographical area overlying a geologic formation, group of formations or part of a formation capable of yielding, storing, or transmitting a usable amount of groundwater to wells or springs for domestic or animal use. Any deposition of sand and gravel that is connected to water bearing strata or is not isolated.



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700. WHOLESALE MERCHANDISING/TRADE. Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.
705. WIND ENERGY CONVERSION SYSTEM(WECS). Any mechanism or device designed for the purpose of converting wind energy into electrical or mechanical power.
- 705A. ACCESSORY WECS. A WECS which is an accessory use to the principal use of the site, in that the power production is no more than twice the annual site need.  
*(amended by MC16-19-07)*
- 705B. COMMERCIAL WECS. More than one WECS which are the principal use of the site. *(amended by MC16-19-07)*
- 705C. WECS TOTAL HEIGHT. The height of the tower and the furthest vertical extension of the WECS. *(amended by MC16-19-07)*
- 705D. WECS TOWER. The primary structural support of the WECS. *(amended by MC16-19-07)*
- 709A. WELL. An artificial excavation or opening in the ground with a depth at least twice as large as the largest surface dimension, made by means of digging, boring, drilling, jetting, or any other artificial method for the purpose of obtaining groundwater. For regulatory purposes, a well is also registered with the State of South Dakota or has well logs on file with the South Dakota Department of Environment and Natural Resources or has been used for more than one week for water production on a quarterly basis within the past two years as established by sworn affidavit. *(amended by MC16-150-17)*
- 709B. WELL, PUBLIC. Active well in which water is obtained for domestic or municipal use by a common distribution system, including a municipality as defined by SDCL 9-1-1, a nonprofit rural water supply company as defined in SDCL 10-36A-1, a water user district as defined in SDCL 46A-9-2, a sanitary district as defined in SDCL 34A-5. *(amended by MC16-150-17)*
710. [Reserved.] *(amended by MC16-55-01)*
715. YARD, FRONT. A yard across the full width of the lot extending from the front line of the main building to the front line of the lot.
717. YARD LINE. See (Building Line). *(amended by MC16-55-01)*
720. YARD, REAR. A yard extending the full width of the lot between a principal building and the rear lot line.

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721. YARD, REQUIRED FRONT. The required front yard shall extend across the front of a lot between the property lines. There shall be a required front yard on each street side of a corner lot. The required front yard with the smallest required front yard may be referred to as the side-street-side front yard. *(amended by MC16-55-01)*
722. YARD, REQUIRED REAR. The required rear yard shall extend across the rear of a lot between the property lines. On corner lots, the required rear yard may be to the rear of either street. On interior lots, the required rear yard shall, in all cases, be at the opposite end of the lot from the front yard. *(amended by MC16-55-01)*
723. YARD, REQUIRED. A required yard shall mean the required open space between a property line and a building line. The open space shall be unoccupied and unobstructed from the ground upwards except as otherwise provided in this ordinance. *(amended by MC16-55-01)*
724. YARD, REQUIRED SIDE. The required side yard shall extend between the required front yard line and the required rear yard line. There shall only be one required side yard on a corner lot. *(amended by MC16-55-01)*
725. YARD, SIDE. A yard between the main building and the side line of the lot, and extending from the front yard line to the rear yard line.
730. ZONING DISTRICT. A specifically delineated area within which regulations and requirements uniformly govern the use, placement, spacing, and size of land and buildings.
735. ZONING PERMIT. A document signed by the Planning Director or an authorized representative as a condition precedent to the commencement of a use or the erection, construction, reconstruction, restoration, alteration, conversion, or installation of a building, which acknowledges that such use or building complies with the provisions of the zoning regulations or an authorized variance therefrom.