

CHAPTER 2

DEFINITIONS AND INTERPRETATIONS

SECTION 1: INTERPRETATIONS OF CERTAIN TERMS AND WORDS

- a) The singular includes the plural and vice versa.
- b) The masculine includes the feminine and neuter and vice versa.
- c) The present tense includes the future.
- d) The word “shall” is mandatory and the word “may” is permissive
- e) The word “person” includes an individual, child, firm, association, joint venture, partnership, estate, trust, syndicate, fiduciary, corporation, and all other groups or combinations.
- f) The word “writing” includes handwriting, printing, typewritten, and all other methods and means of forming letters and characters upon paper.
- g) The word “lot” includes the words parcel of land, plot, or tract.
- h) The word “land” includes the words avenue, highway, road, boulevard, land, thoroughfare, easement, public right-of-way, private right-of-way, or other similar words.
- i) The word “street” includes the words avenue, highway, road, boulevard, land, thoroughfare, easement, public right-of-way, private right of way, or other similar words.
- j) All words and terms defined in any Code adopted by reference are hereby incorporated in this Code. However, if a word is also defined in this Chapter, the latter definition shall apply in all cases except when interpreting the referenced Code.
- k) All words not defined in this Code shall carry their customary meaning as found in Webster’s latest Dictionary.

SECTION 2: DEFINITIONS

ABANDON – To cease actively using a structure. In making the determination that a structure has been abandoned, non-use of a structure for six (6) consecutive months shall be prima facie evidence for abandonment. The Code Enforcement Officer shall consider the existence or absence of a current business tax receipt (occupational license), utility service deposit or account, use of premises, and relocation of the use, so that temporary or short term interruption to an activity shall not be subject to inclusion under this term.

ABANDONED SIGN – A sign which no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, product or activity conducted or product available on the premises where such sign is displayed.

ABUTTING PROPERTY – Any property that is immediately adjacent or contiguous to property or that is located immediately across any road or public right-of-way.

ACCESSORY BUILDINGS – A subordinate or incidental use to the principal use. An accessory building may not exceed fifteen (15) percent of the total living area and may not house pets or humans.

ACCESSORY DWELLING UNIT - living quarters that may house non-paying guests or family members and may either be attached to the principal structure, detached or an apartment within the principal structure. Accessory dwelling units may not be rented or sold.

ACT – The federal Water Pollution Control Act as amended, also known as the Clean Water Act, as amended, Title 33 USC, Section 1251 et seq.

ADDRESS - the house number of a physical location of a specific property. This includes “rural route” numbers but excludes post office box numbers. If a lot number in a mobile home park or similar community is used by the U.S. Postal Service to determine a delivery location, the lot number shall be the property’s address. An “even numbered address” means an address ending in the numbers 0, 2, 4, 6, 8 or the letters A-M. An “odd numbered address” means an address ending in the numbers 1, 3, 5, 7, 9 or the letters N-Z.

ADMINISTRATIVE OFFICIAL – The municipal official appointed by the City Manager to administer the Land Development Code.

ADULT CARE CENTER – A caretaking arrangement, whether operated for profit or not, where care is provided for a part of the 24 hour day to 3 or more adults that are unrelated by blood or marriage to the owner/operator of the facility. This care may include, but not be limited to, providing a protective setting, social activities, leisure time activities, self-care training, rest, nutritional services, speech or physical therapy. Such a facility must be licensed by the Florida Department of Health and Rehabilitative Services, in accordance with Section 400.55 of the Florida Statutes.

ADULT ENTERTAINMENT – An establishment where a substantial portion of the stock-in-trade and/or presentation time offered for any form of consideration, are devoted to materials which are distinguished or characterized by the emphasis in depicting, describing, or relating sexual matters from which minors would be excluded by virtue of their age, pursuant to Sections 847.012, 847.0125, and 847.013 of the Florida Statutes. This term may include, but not be limited to, adult bookstore, adult cabaret, and adult theater.

ADULT/VOCATIONAL EDUCATION – An establishment for the instruction or guidance in an occupation, profession, civic activity or art form, and may include, but not be limited to, the teaching of a trade apprenticeship, acting-drama, citizenship, cooking, and music and voice.

ADVERTISING MESSAGE – That copy on a sign describing products or services being offered to the public.

AGRICULTURE: FIELD CROPS/WHOLESALE NURSERY – The production, keeping or maintenance for sale, lease, or personal use, of plants useful to man, and may include, but not be

limited to, forage and sod crops, grain and seed crops, fruits of all kinds, vegetables, and nursery, floral, ornamental, and greenhouse products.

AGRICULTURE: PROCESSING/HATCHERIES – The production, keeping, maintenance, or processing for sale, lease, or personal use, of animals and plants useful to man, and may include, but not be limited to, dairy animals and dairy products, grain mills, poultry and poultry products, and sawmills.

ALLEY – A public or private way which is not designed for general travel but is used primarily as a means of secondary access to a lot abutting thereon.

ALTERATION – Any change in a building’s structural parts, stairways, type of construction, kind or class of occupancy, means of ingress and egress, wiring, plumbing, heating or cooling system, or other changes affecting or regulated by the City of Umatilla Building Codes or this Land Development Code, except for minor changes or repairs not involving the aforesaid features. The word alteration may include but not be limited to the words alternated, repaired, modified or reconstructed.

ALTERED WETLANDS – Wetlands which have been substantially affected by man, but which continue to be dominated by wetland or transitional vegetation.

ANIMATED SIGN – Any sign which includes action or motion. For purposes of this code, this term does not refer to changing indexing, all of which are separately defined.

APPEAL – A request for a review of the City of Umatilla’s interpretation of any provision of this Code or action upon a request for a variance.

APPLIANCE/ELECTRONIC REPAIR SHOP – A retail establishment offering for sale the repair services of small appliances and electronic equipment, with such repair generally occurring on the premises.

APPROVAL AUTHORITY – The director in an NPDES state with an approved state pretreatment program and the administrator of the USEPA in a non-NPDES state without an approved state program.

APPROVED TREE – Trees listed in Chapter 15 of this Code under Approved Species.

AREA OF SHALLOW FLOODING – A designated AO or VO zone on a community’s flood insurance rate map (FIRM) with base flood depths from one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminable, and where velocity flow may be evident.

AREA OF SPECIAL FLOOD HAZARD – The land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year.

ARTISAN/CRAFTSMAN SHOP – A trade type of establishment where products are made based on a specific skill or art, and may include, but not limited to, painting, pottery, stained glass, and woodworking within an enclosed structure.

ATHLETIC/SPORTS FACILITY – A site or building where competitive athletic pursuits are carried out, generally on a schedule basis through direct participation. This type of facility may include, but not limited to, golf course, golf driving range, handball and racquetball courts, swimming activities, and tennis activities.

AUCTION HOUSE – Land or a building where items are sold to the highest bidder. Such activity could be private or public and may include, but not be limited to, the sale of antiques, art and jewelry.

AUTHORIZED REPRESENTATIVE OF INDUSTRIAL USER – A principal executive officer of at least the level of vice-president if the industrial user is a corporation. A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively. A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

AWNING – A roof-like cover, securely fastened on one side or end to a building, the balance of which extends over or before a place (such as a walkway or window) as a shelter.

AWNING/ILLUMINATED – A structure, as described above, which is illuminated from the reverse side with artificial light emanating from a minimum 800 milliamp high output florescent fixture, to the extent that such artificial light is visible through to the exterior.

BALLOON SIGN – Any inflated, floating object when used as a sign.

BANNER SIGN – A temporary sign composed of lightweight material either enclosed or not enclosed in a rigid frame, secured or mounted so as to allow movement of the sign caused by movement of the atmosphere.

BARS, LOUNGES, AND NIGHT CLUBS – An establishment devoted primarily to the selling, dispensing, serving or providing of alcoholic beverages for consumption on the premises, where dancing or floor shows may be permitted. The term bars, lounges, and night clubs may include, but not be limited to, the terms barroom, cabaret, cocktail lounge, discotheque, pub, saloon, and tavern, but shall not include those premises where alcoholic beverages are sold in conjunction with the sale of food for consumption on the premises, and the sale of said beverages comprises less than 49% of the gross receipts.

BASE FLOOD – The flood having a one (1) percent chance of being equaled or exceeded in any given year.

BASEMENT – That portion of a building having its floor subgrade (below ground level) on all sides.

BED AND BREAKFAST INN – A house or portion thereof where short-term lodging rooms are provided and meals may be provided. The operator of the Inn shall utilize their site as the primary residence and in their absence designate an agent to reside on-site for a period not to exceed thirty (30) days or the operator’s permit will become null and void.

BEST MANAGEMENT PRACTICES – Design, construction, operational, or maintenance techniques for stormwater pollution control, which have been developed by the St. Johns River Water Management District (SJRWMD).

BILLBOARDS, OFF-PREMISE SIGN – Any sign or framework thereof used or installed to attract attention to a place other than at the location of such sign or framework.

BOARDWALK – An elevated structure made of boards usually placed over land or wetlands.

BOD (DENOTING BIOCHEMICAL OXYGEN DEMAND) – The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees centigrade, expressed in milligrams per liter. The BOD shall be determined in accordance with procedures set forth in “Standard Methods”.

BREAKAWAY WALL – A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

BUFFER – An area of land, landscape materials, wall or combination thereof between two (2) parcels of land intended to reduce the impacts between the two (2) parcels.

BUILDABLE AREA – That portion of a lot remaining after required building setbacks have been established in the lot front, rear and side yards.

BUILDING – Any structure built for support, shelter, or enclosure for any occupancy or storage.

BUILDING COVERAGE – That portion of a lot which is occupied by principal and accessory buildings.

BUILDING DRAIN – That part of the lowest horizontal piping of a sewage or drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to a point five (5) feet outside the outer face of the building wall to the building sewer.

BUILDING FACE OR FRONTAGE – The face of the building meeting front setback requirements towards the principal road, street, highway or easement serving the building.

BUILDING FACE OF WALL – All window and wall area of a building in one (1) plane or elevation.

BUILDING HEIGHT – The vertical distance measured from the proposed finished grade along the front of the building to the highest point of a flat roof, or to the deck line of a mansard roof, or to average height level between eaves and ridge for gable, hip and gambrel roofs.

BUILDING SETBACK – The minimum required distance a building must be set back from the property line, as measured perpendicular to the property line, or from mean high water along rivers, lakes, or other water bodies.

BUILDING SETBACK LINES – The lines established by setback requirements beyond which no principal building shall extend.

BUILDING SEWER – The extension from the building drain to the public sewer or other place of disposal, beginning five (5) feet outside the outer face of the building wall.

BUILDING SIGN – A sign lettered to give the name of a building itself, as opposed to the name of the occupants or services.

BULKHEAD – A man-made wall or encroachment, parallel to the shoreline, made to protect the shore from erosion and to retain the earth or fill behind it.

BUSINESS SERVICE – An establishment where the performance of duties related to business operations are provided within or outside of the confines of such an establishment and may include, but not be limited to, business machine repair, computer service and repair, microfilming, secretarial and typing service, and telephone answering service.

CALIPER – The minimum trunk diameter of a tree as measured at a predetermined point. Trunk diameter for trees up to four (4) inches are to be measured six (6) inches above the soil line. All trees over four (4) inches in diameter will be measured twelve (12) inches above the soil line.

CANOPY OR MARQUEE – A permanent roof-like shelter extending from part or all of the building face over a public and/or private right-of-way and constructed of some durable material such as metal, glass, plastic, or combination thereof.

CANOPY OR MARQUEE SIGN – Any sign attached to or constructed in or on a canopy or marquee.

CANOPY COPY SIGN (MANUAL) – A sign or which copy is changed manually in the field, i.e., reader boards with changeable pictorial panels.

CARPORT – An attached or freestanding structure primarily used to shelter motor vehicles, having a roof structure supported by two (2) or four (4) posts or a combination of posts and wall structure, provided that no elevation shall be enclosed in any manner above three (3) feet above the finished floor elevation of the structure.

CATEGORICAL STANDARDS – The national categorical pretreatment standards or pretreatment standard.

CEMETERY – Land where burial of the deceased occurs, whether persons or pets. This term shall include mausoleums where they are within the boundaries of a cemetery.

CHANGE OF OCCUPANCY – A discontinuance of an existing use and the substitution of a different kind or class of use. Change of occupancy is not intended to include a change of tenants or proprietors unless accompanied by a change of use.

CHANGING SIGN (AUTOMATIC) - A sign such as an electronic or electrically controlled public service time, temperature and date sign, message sign or reader board, where different copy changes are shown on the same lamp bank.

CHILD CARE CENTER – An arrangement or establishment which provides child care for more than five (5) children unrelated to the operator, for compensation, and for a period of less than twenty-four (24) hours. Such a facility must be licensed by the Florida Department of Health and Rehabilitative Services and Comply with their requirements, pursuant to Section 402.305 of the Florida Statutes. This term may include, but not be limited to, day-care center, day-care services, day nurseries, kindergartens, nursery school, play-school and preschool.

CITY – City of Umatilla, Florida.

CITY OF UMATILLA WASTEWATER SYSTEM – All facilities and interests in the real and personal property owned, operated, managed or controlled by the city now and in the future and used to provide wastewater service to existing and future customers within the service area of the city.

CLEARING – The removal of any trees or vegetation from the land, but shall not include mowing of lawn and field grasses.

CLUBS, LODGES, AND FRATERNAL ORGANIZATIONS – A building or facility owned or operated by a corporation or association for a social, educational, civic, or recreational purpose, but not primarily for profit or to render a service that is customarily carried on as a business.

COASTAL HIGH HAZARD AREA – The area subject to high velocity waters caused by, but not limited to, hurricane wave wash. The area is designated on a FIRM as zone V1-30, VE or V.

COMMERCIAL/INDUSTRIAL EQUIPMENT AND SUPPLIES – An establishment which offers the wholesale or retail sale or rental of goods and merchandise used in commerce or industry and not generally purchased by the individual consumer, and may include, but not be limited to, air or gas compressors, backhoes, bricks, chemicals, food processing equipment, hoists, manufactured building components, medical supplies, traffic signs, valves, and waterproofing material.

COMMERCIAL/INDUSTRIAL SERVICE – An establishment which provides work performance related to commerce and industry, and may include, but not be limited to, linen

supply, machine shop, medical waste removal service, publishing plant, screen printing, tool and die shop and welding.

COMMERCIAL/INDUSTRIAL WAREHOUSE – A building used primarily for the dead space storage of goods and materials used by, or in association with, commerce and industry.

COMMERCIAL STABLE – A facility where horses are boarded and cared for and may include, but not be limited to, provision for instruction of riding, jumping, showing, and the hiring to the public of riding horses for a fee.

COMMUNITY RESIDENTIAL HOMES – A dwelling unit providing a living environment for 1-6 residents if unlicensed, or 7-14 residents if licensed that have no family to live with or are in need of assistance with daily living and who operate as the functional equivalent of a family. Supervision and care by support staff may be necessary to meet the physical, emotional and social needs of the residents. These facilities are licensed by the Florida Department of Health and Rehabilitative Services and include adult congregate living facilities, residential treatment facilities – levels II and IV, residential child care agency facility, intermediate care facility for the mentally retarded/developmentally disabled, foster care facility, and group homes pursuant to Chapter 419 of the Florida Statutes.

COMPREHENSIVE DESIGN PLAN – Building design and signs integrated into one (1) architectural plan, the comprehensive design plan being complete in all other building, structural and electrical requirements.

COMPREHENSIVE PLAN – The “City of Umatilla Comprehensive Plan Update” adopted by the City Council by Ordinance and amendments thereto in compliance with the requirements of the Local Government Planning and Local Development Regulation Act, Chapter 163, Florida Statutes.

CONGREGATE LIVING FACILITY – A residential facility for more than three (3) persons unrelated to the owner, where shelter and services are provided and may include meals, housekeeping, and personal care assistance. Residents shall not be under in-house nursing/medical care. This term shall include, but not be limited to, adult congregate living facility, child care agency facility, community residential home, drug and alcohol treatment facility, and shelters for abused and unwed mothers.

CONNECTION CHARGE – A charge paid to the city by a developer, or consumer or customer as reimbursement to the city for the actual cost of furnishing and installing the meter and all other facilities at a water or wastewater service connection either at the time of initial installation or whenever a change in size or capacity is performed.

CONSERVATION EASEMENT – An easement precluding future of additional development of the land and the removal or disturbance of any vegetation without the permission of the easement holder. Such an easement is typically used to preserve significant natural features such as wetlands, specimen trees, required tree preservation areas and other required natural buffer areas.

CONSTRUCTION CONTRACTOR'S YARD AND STORAGE – Land or building where construction materials are kept in association with such contracting businesses and may include, but not be limited to, air conditioning and heating, aluminum, building construction, hauling, machine construction, roofing, solar energy systems, utility system installation, and wallcovering.

CONSTRUCTION, START OF, - The placing of construction materials in permanent position and fastened in a permanent manner, except that when demolition, excavation, or removal of an existing structure has been substantially begun preparatory to new construction, such excavation, demolition, or removal shall be deemed to be the start of construction provided that work shall be continuously carried on until the completion of the new construction involved. Start of construction shall include only work begun under a valid development permit. The phrase start of construction shall include the term erected.

CONTROL AUTHORITY – Refers to the approval authority as defined earlier, or the director if the city has an approved pretreatment program under the provisions of Title 40 CFR, Section 403.11.

CONVENIENCE STORE – An establishment which offers for sale a limited line of food and household goods and is designed for quick service to customers with small purchases. Such an establishment may or may not offer for sale fuel by way of self-service gasoline/diesel pumps or LP gas tanks.

COOLING WATER – The water discharged from any use, such as air conditioning, cooling or refrigeration, to which the only pollutant added is heat.

COPY (PERMANENT AND TEMPORARY) – The wording and embellishments on a sign surface either in permanent or removable letter form.

COPY AREA – The actual area of the sign copy applied to any background. The copy is computed by straight lines drawn closest to copy extremities encompassing individual letters or words.

CREMATORIUM – An establishment in which a deceased body is reduced to ashes in a furnace. This type of facility must be licensed with the Florida Department of Professional Regulation and meet the criteria of the Florida Department of Professional Regulation and meet the criteria of the Florida Department of Health and Rehabilitative Services and the Florida Department of Environmental Regulation, pursuant to Section 470.025 of the Florida Statutes.

CULTURAL FACILITY – Land, a building, or a group of buildings which affords the pursuit of arts, letters, manners, professional and scholarly matters, and may include, but not be limited to, an auditorium, convention/lecture hall, and museum.

CUSTOMER – The individual or corporate entity responsible for payment of the security deposit and monthly service charges. This shall be either the owner of the property or an individual or corporate entity authorized by the owner to open the utility account.

DENSITY – The total number of dwelling units per acre within a project site.

DEVELOPER – Any person who engages in or proposes to engage in a development either as the owner or as the agent of an owner of property.

DEVELOPMENT – Any significant man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, permanent storage of materials, or the dividing of land into two or more parcels. Development includes, but is not limited to, the following:

- a) A reconstruction, alteration of the size, or structural change in the external appearance of a structure on land.
- b) A change in density or intensity of use of the land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units on the land, as may be determined by the local government.
- c) Alteration of a shore or bank of a river, stream, lake, pond, canal, or stormwater management facilities.
- d) Mining or excavation on a parcel of land.
- e) Demolition or removal of a structure.
- f) Clearing of land as an adjunct of construction.
- g) Deposit of refuse, solid or liquid waste, or fill on a parcel of land.

DIAMETER AT BREAST HEIGHT (DBH) – The trunk diameter of a tree measured four and one-half (4 ½) feet above the average ground level at the base of the tree. Provided, however, if the tree forks at four and one-half (4 ½) feet above the ground level, it is measured below the swell resulting from the double stem. Stems that fork below four and one-half (4 ½) feet above the ground level should be considered separate trees.

DIRECT DISCHARGE – The discharge of untreated or treated sewage or wastewater directly to the waters of the State of Florida.

DIRECTIONAL SIGN – Any sign which serves solely to designate the location or direction to any place or area.

DIRECTLY ILLUMINATED SIGN – Any sign designed to provide artificial light either through exposed lighting on the sign face or through transparent or translucent material from a light source within the sign.

DIRECTOR – The City of Umatilla director of utilities or his authorized deputy, agent or representative.

DISSOLVED SOLIDS OR DISSOLVED MATTERS – The solid matter in solution in the wastewater. It shall be obtained by evaporation of a sample from which all suspended matter has been removed by filtration as determined by the procedures in “Standards Methods”.

DISTRICT - the St. Johns River Water Management District.

DOCK – A fixed or floating structure, including moorings, used for the purpose of harboring boats.

DOMESTIC SEWAGE – The sewage produced from noncommercial or nonindustrial activities, which results from normal human living processes, and is of substantially similar origin and strength to those typically produced in households, including sewage from sanitary conveniences.

DREDGING – Excavation by any means in water or wetland. It also means the excavation or creation of a water body which is, or is to be, connected to waters directly or via excavated water bodies or a series of excavated water bodies.

DRIP LINE – The ground area surrounding the trunk of a tree that is described by the vertical plane enclosing the outermost branches of the tree. For asymmetrical specimens, or those with unusually small crown spread, the drip line area shall in no case be less than that area described by a radial dimension of one (1) foot for each one (1) inch of trunk radius.

DRIVEWAY OR DRIVE – A vehicular accessway serving one (1) or more properties.

DWELLING – A building or part thereof with cooking, sleeping, and sanitary facilities that is designed in whole or part as the separate and independent residence or living quarters for one or more persons, but which does not include the terms bed and breakfast inn, hotel, mobile home, motel, recreational vehicle, or tent. This term does include the following categories:

- a) Dwelling, Single Family – A building containing one (1) dwelling unit which would include the following types:
 - Single Family Attached
 - Single Family Detached

- b) Dwelling, Two-Family – A building containing two (2) dwelling units which would include the following types:
 - Single Family Attached (two units per building)
 - Duplex

- c) Dwelling, Multi-Family – A building containing three (3) or more dwelling units which would include the following types:
 - Single Family Attached
 - Apartments, Low and Mid-Rise
 - Townhouses

ELECTRICAL SIGN – Any sign containing electrical wiring which is attached or intended to be attached to an electrical energy source. A permit shall be required for electrical installation.

ELEVATED BUILDING – A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls or breakaway walls.

EMBELLISHMENTS – The placement of ornamentation, extra details or extensions of a main subject to the sign, but off the copy area.

ENVIRONMENTAL PROTECTION AGENCY (USEPA) – The United States Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the administrator or other duly authorized official of said agency.

EQUIVALENT RESIDENTIAL UNIT (ERU) – An average single-family detached residence. This definition is intended to reflect the annual average consumption per unit for all detached single-family residences without regard to actual consumption.

ERECTED – Attached, altered, built, constructed, reconstructed, enlarged or moved, and shall include the painting of walls signs but does not include copy changes on any sign.

ESSENTIAL SERVICES – Public utility facilities either underground or overhead and related to the transmission or distribution system of water, sanitary sewer or storm sewer, telephone, gas electricity, public safety, including poles, wires, mains, hydrants, drains, pipes, conduits, police or fire callboxes, traffic signals and other similar equipment necessary for the furnishing of adequate service, but not including buildings.

EXEMPT SIGNS – Signs exempted from normal permit requirements.

FACE OF SIGN – The entire area of a sign on which copy could be placed.

FASCIA SIGN OR WALL SIGN – A sign attached to or erected against a wall of a building with the face horizontally parallel to the building wall.

FAMILY – One (1) or more persons all living together and interrelated by blood, marriage, or legal adoption, and occupying one (1) dwelling unit. Boarding of no more than three (3) unrelated persons with a family shall be permitted.

FAMILY CHILD CARE HOME – An occupied residence in which child care is provided for a period of less than twenty-four (24) hours a day on a regular basis, for no more than five (5) preschool children including those related to the resident care giver. An additional five (5) elementary school age children may also be cared for during after-school hours.

FARMERS/FLEA MARKET – An occasional or periodic sales activity held within a building or structure where groups or individual sellers offer goods – new and used, for sale to the public, not to include private garage sales or similar activities held by churches or other non-profit organizations.

FEMA – The Federal Emergency Management Agency.

FDER – The Florida Department of Environmental Regulation.

FDNR – The Florida Department of Natural Resources.

FDOT – The Florida Department of Transportation.

FINANCIAL SERVICE – An establishment engaged in the management of money and credit, and may include, but not limited to, accounting, bookkeeping, investment securities, money transfer, mortgage loans, pension plans, stocks and bond brokerage and tax planning. This term would not include the term bank.

FINGER PIER – A narrow walkway extending over water to provide access between docked boats and the main access pier connection to land.

FINISHED GRADE – The completed surface of lawns, walks, and driveways brought to grade as shown on building plans or designs relating thereto.

FIRE FLOW – The quantity of water measured in gallons per minute (gpm) that is needed to extinguish a fire involving a particular building, block, area or material.

FLAG LOT – A lot with access provided to the bulk of the lot by means of a narrow corridor.

FLASHING SIGN – Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source. Automatic changing signs such as public service items, temperature and date signs or an electronically controlled message center are classified as “changing signs” and not “flashing signs”.

FLOOD OR FLOODING – A general and temporary condition of partial or complete inundation of normally dry land areas from:

- a) The overflow of inland or tidal waters;
- b) The unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD HAZARD BOUNDARY MAP (FHBM) – An official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as zone A.

FLOOD INSURANCE RAGE MAP (FIRM) – An official map of a community on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY – The official report by the Federal Emergency Management Agency. The report contains flood profiles, as well as the flood boundary floodway map and the water surface elevation of the base flood.

FLOODWAY – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

FLOOR – The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood-frame construction. The term does not include the floor of a garage used solely for parking vehicles.

FLOOR AREA, GROSS – The sum of the gross horizontal area of all floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings.

FREESTANDING SIGN – A sign which is supported by one (1) or more columns, uprights or braces anchored into the ground independent of support from any building, including ground signs and pole signs.

FRONTAGE – The length of the property line of any one (1) premises parallel to and along each public right-of-way it borders.

FRONT-FOOT, BUILDING – Each lineal foot, or major portion thereof, measured along the main entry side of a building. Where buildings form an “L” or “U”, all main entry sides are measured.

FRONT-FOOT, PROPERTY – Each lineal foot, or major portion thereof, measured along the public right of way where the subject property abuts said right-of-way.

FRONT-FOOT, TENANT – Each lineal foot, or major portion thereof, measured along the main entry side of a tenant space.

GAME/RECREATION FACILITY – An establishment which provides indoor or outdoor opportunities for casual entertainment by patrons of all ages, and may include, but not be limited to, amusement park, bingo club, bowling alley, game room, go-kart track, miniature golf, pool hall, skateboard park, skating rink and video arcade.

GARAGE – An accessory building designed or used for the storage of motor-driven vehicles used by the occupants of the building to which it is an accessory.

GARBAGE – Solid wastes from the domestic and commercial preparation, cooking, and dispensing of food or other processes, and from the handling, storage, and sale of produce.

GRAB SAMPLE – A sample which is taken from a waste stream on a one-time basis, with no regard to the flow in the waste stream and without consideration of time.

GROSS DENSITY – The total land area of the subject property excluding water bodies divided by the proposed number of dwelling units.

GROUND COVER – Plants other than turf grass normally reaching an average maximum height of not more than twenty-four (24) inches at maturity.

GROUND LEVEL – Means at street grade.

GUEST APARTMENT – Attached living quarters to the principal building with entrance not having the same frontage as principal structure.

GUN AND HUNTING CLUBS – An outdoor facility, including accessory buildings, for shooting and hunting by sportsmen, where little disturbance to the property occurs in association with such pursuits.

HAZARDOUS MATERIAL – Any material defined, listed, characterized, or classified as a hazardous material, hazardous substance, hazardous waste, or toxic substance according to any of the following State or Federal codes or regulations:

- a) Chapter 38F-41, Florida Administrative Code (Florida Substance List).
- b) Title 40 Code of Federal Regulation part 261 (Identification and Listing of Hazardous Wastes).
- c) Title 40 Code of Federal Regulations part 302.4 (Designation of Hazardous Substances).
- d) Title 40 Code of Federal Regulations part 355, Appendices A and B (List of Extremely Hazardous Substances).
- e) Title 49 Code of Federal Regulations parts 172.101 and 172.102 (Hazardous Materials Tables).

Hazardous materials includes any solution, mixture, or formulation containing such material, and any material which, due to its chemical or physical characteristics, is determined by the City Fire Department to pose a substantial threat to life, health, or safety of persons or property or to the environment. The term includes, but is not limited to, explosives, radioactive materials, petroleum products, gases, poisons, biological agents, flammables and corrosives.

HEALTH/EXERCISE CLUB – An establishment which provides for athletic and physical force training or health and recreational exercise. This term may include, but is not limited to, the terms aerobics instruction, dance instruction, fitness center, gymnasium (private), gymnastics school, karate, martial arts, self defense instruction, and weight room.

HEIGHT OF SIGN – The vertical distance measured from the adjacent street grade which permits the greatest height to the highest point of the sign.

HIGHEST ADJACENT GRADE – The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

HOLDING TANK WASTE – Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump trucks.

HOME OCCUPATION - Any use conducted entirely within a dwelling and carried on by an occupant thereof, which use is clearly incidental and secondary to the use of the dwelling thereof. Home occupations shall not be construed to include those uses listed as prohibited in Chapter 8 of this code.

IDENTIFICATION SIGN – A sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or institution, or the occupancy of the person.

ILLUMINATED SIGN – Any sign which emanates light either by means of exposed tubing or lamps on its surface, or by means of illumination transmitted through the sign face.

INCOMPATIBLE POLLUTANT – All pollutants other than compatible pollutants. Specifically, it means any pollutant other than BOD, suspended solids, pH, and fecal coliform bacteria or additional pollutants identified in the NPDES permit or state permit to discharge, which the sewage treatment plant and facilities were not designed to treat and do not remove to a substantial degree.

INDIRECT DISCHARGE – The discharge or the introduction of pollutants from any source regulated under Section 307(b) or Section 307(c) of the Act into the City of Umatilla wastewater system.

INDIRECTLY ILLUMINATED SIGN – Any sign which reflects light from a source intentionally directed upon it, for example, by means of floodlights, gooseneck reflectors or externally mounted fluorescent light fixtures.

INDUSTRIAL SEWAGE – All liquid wastes and sewage, excluding domestic wastewater, including all wastewater from any producing, manufacturing, processing, institutional, commercial, agricultural, or other operations from which the wastewater discharged includes wastes of nonhuman origin, and is not otherwise classified as domestic sewage.

INDUSTRIAL USER – A source of indirect discharge of industrial sewage which does not constitute a “discharge of pollutants” under regulations issued pursuant to Section 402 of the Act (Title 33 USC, Section 1342).

INTERFERENCE – The inhibition or disruption of the POTW treatment processes or operations which is the cause of and significantly contributes to a violation of any requirement of the city’s NPDES permits. The term includes prevention of sewage or more stringent state or local criteria (including those contained in any state sludge management plan prepared pursuant to Title IV of the SEDA) applicable to the method of disposal or use employed by the POTW.

INTERIOR PROPERTY LINE – Property lines other than those fronting on streets, roads or highways.

ISOLATED WETLANDS – Wetlands that have no hydrological or vegetative connection with “waters of the state” as defined in Section 403.031(3), Florida Statutes.

KENNEL – A premises which provides for the boarding, breeding, buying, grooming, rearing or selling of more than four (4) animals, whether for profit or for personal use. This Code however is not to preclude the breeding and rearing of small household pets which may include, but not be limited to, dogs, cats, fish, reptiles, rodents, and birds.

LABORATORY/RESEARCH AND DEVELOPMENT – An establishment engaged in the investigation, testing and experimentation of the natural, physical or social sciences, or engaged in engineering and development as an extension of investigation with the object of creating products. This type of facility may include, but not be limited to, asphalt and concrete testing, foundation testing, material testing, and soils, geology and groundwater testing.

LANDSCAPE – To plant vegetation such as trees, shrubs, groundcover, etc. so as to make an area more attractive.

LANDSCAPE IRRIGATION - The outside watering of plants in a landscape such as shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens and other such flora that are situated in such diverse locations as residential areas, public, commercial, and industrial establishments, and public medians and rights-of-way. “Landscape irrigation” does not include agricultural crops, nursery plants, cemeteries, golf course greens, tees, fairways, primary roughs, and vegetation associated with recreational areas such as playgrounds, football, baseball and soccer fields.

LANDSCAPED AREA – Areas designated for vegetation.

LAUNDRY AND DRY CLEANING PLANT – A building where the washing, drying, ironing, and/or dry cleaning of laundry occurs on a large scale and without retail transactions on the premises.

LAUNDRY AND DRY CLEANING RETAIL SERVICE – An establishment where washing, drying, ironing, and/or dry cleaning machines are available for rental by the public for their use on the premises, or are available for use by the establishment’s personnel in cleaning laundry for the public patrons. Such an establishment might also involve the intake of laundry from public patrons to be sent off the premises to a laundry and/or dry cleaning plant.

LISTED SPECIES – Any plant species or animal species (vertebrate) indicated as endangered, threatened, or a species of special concern as found in the Regulated Plan Index of Section 581.185(5), Florida Statutes, the Designation of Endangered Species, Designation of Threatened Species and the Designation of Species of Special Concern of Sections 39-27.003-27.005, Florida Administrative Code, and the list of endangered and threatened wildlife and plants issued by the U.S. Fish and Wildlife Service, 50 CFR 17.11-17.12.

LISTED SPECIES EVIDENCE – Indication of the presence of a listed species, including sightings, signs, tracks, trails, or suggestions of feeding.

LIVESTOCK – Domestic animals raised in an agricultural or rural setting to produce labor or commodities. “Livestock” shall include, but not limited to, all animals of the equine, ratite, caprine, ovine, or bovine family, including goats, sheep, mules, horses, cattle, ostriches and other grazing animals. The term livestock as used in these land development regulations shall specifically exclude swine, hog, pig, and exotic animals.

LIVING AREA – Space in a structure in which the air is conditioned by heating and/or air conditioning and the space is habitable or enclosed.

LOT – A designated parcel, tract, or area of land established by plat, subdivision or otherwise permitted by law, to be used, developed or built upon as a unit.

LOT DEPTH – The distance between the midpoints of the front and rear lot lines.

LOT LINE – A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

LOT LINE, FRONT – Any side of a lot which fronts upon a street, be it public or private. The primary front lot line is that frontage on which the address is given.

LOT LINE, REAR – The lot lines(s) most distant from, and most nearly parallel to, the primary front lot line.

MAIN ACCESS PIER – A walkway extending over water from land, used as the means of access to boat docking facilities.

MAINTAIN – To permit a sign, structure or any part of each to continue or to repair or refurbish a sign, structure or any part of either.

MAINTENANCE CONTRACTOR – An establishment which provides routine business and residential maintenance activities at the place of business or residence needing such treatment. This type of contractor may include, but not be limited to, exterminators, janitors, house cleaners, and swimming pool service.

MANUFACTURED BUILDING – A building made or assembled in manufacturing facilities away from a building site for the installation or the assembly and installation on the building site. These buildings must meet all of the Building Code requirements of the City of Umatilla and may include residential, commercial, industrial, institutional and storage structures, but shall not include mobile homes.

MANUFACTURING, CRAFTSMAN SHOP – A trade type of establishment where products are made based on a specific manual skill or art, and may include, but not be limited to, cabinetmaking, fireworks, painting, pottery, stained glass, upholstery and woodworking.

MANUFACTURING, FABRICATION – An establishment engaged in the making of a finished product by means of the assembly of standard parts or sections, and may include, but not limited to, audio/video equipment, boxes, fiberglass materials, hardware, home furnishings, robots, septic tanks, and telephone equipment and supplies.

MANUFACTURING, PROCESSING – An establishment engaged in the making of a finished product by means of changing materials into a different form through a series of actions and may include, but not be limited to, chemical production, fish cleaning and preparation, food products (packaging, canning, bottling, or processing), paint production and tire production.

MARINA – An establishment with a waterfront location for docking pleasure boats or providing services to pleasure boats and the occupants thereof, including minor servicing and repair to boats while in the water, sale of fuel and supplies, and provisions for food, beverages, and entertainment as accessory uses. Boat docks associated with a private residence shall not be considered a marina.

MARQUEE OR CANOPY – A permanent roof –like shelter extending from part or all of the building face over a public right-of-way and constructed of some durable material such as metal, glass or plastic or a combination thereof.

MARQUEE SIGN OR CANOPY SIGN – Any sign attached to or constructed in or on a canopy or marquee.

MASS EMISSION RATE – The weight of material discharged by the City of Umatilla wastewater system during a given time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of the particular constituent or combination of constituents.

MAXIMUM CONCENTRATION – The maximum permissible amount of a specified pollutant in a volume of water or wastewater.

MEAN LOW WATER – The average height of all low waters recorded at a given place over nineteen (19) year period.

MEAN HIGH WATER – The average height of all high waters recorded at a given place over a nineteen (19) year period.

MEAN SEA LEVEL – The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this Code, this term is synonymous with National Geodetic Vertical Datum (NGVD).

MEDICAL OFFICE/CLINIC – An establishment where the diagnosis and treatment of human patients occurs without the provision of overnight car facilities and may include, but not be limited to, the services of acupuncture, alcoholism counseling, chiropractor, dental office and clinic, family planning, medical doctor office, mental health clinic, occupational or physical therapist, speech and language pathologist, walk-in medical center, and weight control service.

MESSAGE – The wording or copy of a sign.

MINI-WAREHOUSE – A self-service storage facility in a building consisting of individual self-contained units of varying sizes that are leased or owned for the storage of business and household goods, or for contractor's supplies.

MITIGATION – Actions including, but not limited to, restoration, enhancement, or creation of wetlands, required to be taken by a person to offset environmental impacts of permitted activities.

MOBILE HOME – A manufactured housing unit built on a chassis, subject to all regulations applying thereto, including vehicle registration and title issued by the Florida Department of Motor Vehicles, whether wheels, axles, hitch, or other appurtenances of mobility are removed, and regardless of the nature of the foundation provided. A mobile home shall not be construed to be a travel trailer or other form of recreational vehicle.

MOBILE HOME PARK – A single parcel or tract of land where lots are rented to accommodate mobile homes.

MOTOR VEHICLE – An automobile, motorcycle, truck tractor and semi trailer combination, or any other vehicle legally operated on the roads of this State, used to transport persons or property, and propelled by power other than muscular power, but not including tractor engines, road rollers, such vehicles that run only upon a track, bicycles, or mopeds, in accordance with Chapter 320 of the Florida Statutes.

MOTOR VEHICLE, BOAT SALES – An area used for the display, sale, or rental of new or used motor vehicles and boats in operable condition and where no repair work is done.

MOTOR VEHICLE AND BOAT STORAGE FACILITY – Land where the long term parking of motor vehicles and boats is accommodated.

MOTOR VEHICLE BODY REPAIR FACILITY – An establishment engaged in paint and body work within an enclosed building. No motor vehicle engineer repair shall be conducted on the site.

MOTOR VEHICLE CLEANING/DETAILING FACILITY – An establishment engaged in furnishing automobile washing, waxing, polishing, detailing, tinting and/or similar services. No vehicle engineer repair shall be conducted on the site.

MOTOR VEHICLE DEALER SALES – An establishment for the sale of new or used vehicles together with on premises repair facilities, including pant and body shop.

MOTOR VEHICLE FUEL SERVICE FACILITY – An establishment where fuel, oil, and other accessories are sold. These facilities may be incorporated with convenience store sales.

MOTOR VEHICLE PARTS RETAIL FACILITY – An establishment engaged in the selling of automotive, motorcycle, or other motor vehicle parts and accessories are sold.

MOTOR VEHICLE SERVICE AND REPAIR FACILITY – An establishment where mechanical repairs and service is performed similar to tune ups, oil changes, brakes, transmissions, wheel alignment, electrical repairs, exhaust systems, tire sales and services, motor repair and the like.

NAMEPLATE – A nonelectric sign identifying only the name and occupation or profession of the occupant of the premises on which the sign is located. If any premises includes more than one (1) occupant, nameplate refers to all names and occupants or professions as well as the name of the building and directional information.

NATIONAL CATEGORICAL PRETREATMENT STANDARD OR PRETREATMENT STANDARD – Any regulation containing pollutant discharge limits promulgated by the USEPA in accordance with Section 307(b) and Section 307(c) of the Act (Title 33 USC, Section 1317) which applies to a specific category of industrial users.

NATIONAL GEODETIC VERTICAL DATUM (NGVD) – As corrected in 1929, is a vertical control used as a reference for establishing varying elevations within the floodplain.

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT – A permit issued pursuant to Section 402 of the Act (Title 33 USC, Section 1342).

NATIONAL PROHIBITION DISCHARGE STANDARD OR PROHIBITED DISCHARGE STANDARD – Any regulation developed under the authority of Section 307(b) of the Act and Title 40 CFR, Section 403.5.

NATIVE VEGETATION – Plants that are indigenous to the State of Florida.

NATURAL COMMUNITY – An association of plant and animal species which inhabit and interact within the same environment characterized by certain hydrological, biological, ecological and chemical qualities.

NATURAL OUTLET – Any outlet into a watercourse, pond, ditch, lake, groundwater, or other body or surface.

NEW SOURCE – Any source, the construction of which is commenced after the publication of proposed regulations prescribing a Section 307(c) (Title 33 USC, Section 1317) categorical pretreatment standard which will be applicable to such source, if such standard is thereafter promulgated in accordance with Section 306(a)(2) (Title 33 USC, Section 1316(a)(2)).

NON-CONFORMING SIGN – Any advertising structure or sign which was lawfully erected and maintained prior to such time as it came within the purview of this code and any amendments

thereto, and which fails to conform to all applicable regulations and restrictions of this code, or a nonconforming sign for which a special permit has been issued.

NON-ELECTRICAL SIGN – Any sign that does not contain electrical wiring or is not attached or intended to be attached to any electrical energy source.

NON-PORTABLE SIGN – A sign designed or manufactured to be anchored or affixed to the ground, building, or other structures in a manner restricting easy movement from place to place. Non-portable signs do not include signs that have had wheels removed or have been modified in such a way as to be anchored to the ground or other structures by means of chains, cables, stakes, or similar devices unless such modifications will prohibit removal of the sign and reinstallation at another location.

NON-RESIDENTIAL LANDSCAPE IRRIGATION - The irrigation of landscape not included within the definition of “residential landscape irrigation,” such as that associated with public, commercial and industrial property, including commercial or transient housing units, hotel and motel units, and public medians and rights-of-way.

NURSING HOME – An extended or intermediate care facility which provides full time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves. This type of facility shall be licensed by the Florida Department of Health and Rehabilitative Services and meet their criteria, pursuant to Chapter 400 of the Florida Statutes and shall provide nursing services as defined in Chapter 464 of the Florida Statutes. This term may include, but not be limited to, the terms extended care facility, intermediate care facility and long term care facility.

OFFICE – An establishment where services are performed involving predominantly administrative, professional, or clerical operations for a business, government, industry, profession or service.

OFFICE COMPLEX – Any office development containing three (3) or more tenant spaces that are under common land ownership or that share common property frontage.

OFFICE SUPPLY – An establishment which offers the sale of materials predominately used by the office community and may include, but not be limited to, the sale of accounting and bookkeeping materials, beepers-pagers, business forms, systems and machines, computer equipment and supplies, inserting and mailing machines, office furniture, and typewriters.

OFFICE/WAREHOUSE FACILITY – An establishment where an office building will provide an attached warehouse to accommodate the office use.

OFF-SITE SIGN – Any sign located upon real estate which reflects any activity not being conducted upon the real estate where the sign is located. Exception: This definition shall not apply to public information signs erected by the municipality.

ON-SITE OR ON-PREMISE SIGN – Any sign identifying or advertising a business, person, activity, goods, products, or service located on the premises where the sign is installed and maintained, also known as an “appurtenant” or “accessory” sign.

OPEN SPACE – Those areas within a development set aside for conservation, including wetlands, active and passive recreation, landscaped common areas, preservation of undisturbed green space, preservation of wildlife corridors, and preservation of non-intensive agricultural uses for the purpose of meeting minimum open space requirements contained in the Land Development Regulations. Waterbodies and water retention areas (dry or wet) shall not be used to meet open space requirements, provided that dry retention areas and the land above the design water elevation on wet retention ponds may be used to meet open space requirements if designed as an amenity. (Ord. 2020-H adopted 09/01/2020)

OUTPARCEL – A parcel of land generally related to and subdivided from a larger surrounding tract, which contains a freestanding structure when developed and is primarily accessed within the surrounding tract.

OVERLOAD – The imposition of any constituent or hydraulic loading on any treatment, collections, transmission or effluent disposal facility which is a part of the City of Umatilla wastewater system in excess of said facility’s designed or legally authorized capacity.

OWNER – A person recorded as such on official records and including duly authorized agent or judiciary; any person having a vested or contingent interest in the property in question.

PASS THROUGH – The discharge of pollutants through the POTW or any other portion of the City of Umatilla wastewater system into waters of the state or nation in quantities or concentrations which are a cause of or significantly contribute to a violation of any requirement of any NPDES permit or DER permit issued for and applicable to the City of Umatilla wastewater system (including an increase in the magnitude or duration of a violation of any contract, resolution, law, rule, regulation, permit or approval applicable to the industrial, commercial or agricultural reuse of reclaimed water).

PERSON - Any person, firm, partnership, association, corporation, company, or organization of any kind.

PERSONAL SERVICE – An establishment which provides for the care of a person or a person’s apparel, and may include, but not be limited to, beauty/barber shop, nail salon, tanning salon, laundry, dry cleaning, retail store, garment service and shoe repair.

pH – A symbol for expressing the degree of acidity or alkalinity, meaning the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions in grams per liter of solution.

POLE SIGN - A freestanding with visible support structure.

POLLUTANT – Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or

discharged equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water.

POLLUTION – The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

PORTABLE SIGN – Any sign not permanently anchored to a building, or to a structure, or permanently anchored in the ground and set in concrete..

POTW TREATMENT PLANT – That portion of a POTW designed to provide treatment to wastewater.

PREMISES – an area of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

PRETREATMENT – The reduction of amount of pollutants, the elimination of pollutants, the alteration of the nature of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or by other means, except as prohibited by Title 40 CRF, Section 403.6(d).

PRETREATMENT REQUIREMENTS – Any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard imposed on an industrial user.

PRINCIPAL USE OF STRUCTURE – The primary use of any structure on any land which is allowed as a permitted use, special exception or conditional use in the zoning district, or allowed as a continuing nonconforming use under provisions of this Code.

PRIVATE SEWAGE DISPOSAL SYSTEM – A sewage collecting, treating, and disposal facility installed, maintained and owned by persons other than the city and not connected to the public sewer.

PROJECTING SIGN – A sign, other than a wall sign, which is attached to and projects from a structure or building face. The area of double-faced projecting signs is calculated on one (1) face of the sign only.

PROPERTY SHREDDED GARBAGE – The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch in any dimension. The installation and operation of any garbage grinder equipped with a motor three-fourths horsepower or greater shall be subject to the review and approval of the city.

PROTECTED TREE – Any tree designated as historic or specimen.

PUBLIC RIGHT-OF-WAY – A particular distance across a public street, measured from are not parallel, the public right-of-way width shall be determined by the City Engineer.

PUBLIC SERVICE INFORMATION SIGN – Any signs intended primarily to promote items of general interest to the community such as time, temperature and date, atmospheric conditions, news or traffic control, etc.

PUBLIC SEWER – A sanitary sewer, other than a building sewer, that is owned and/or controlled by the city.

PUBLIC UTILITY STATION – Equipment and structures necessary for the conducting of service by a publicly owned or regulated agency, and may include, but not be limited to, electric power plants, stations, substations, gas transfer stations, municipal water system well and tanks, sewage and water treatment plants, buildings and lift stations, and telephone exchanges and repeater stations.

PUBLICLY OWNED TREATMENT WORKS (POTW) – A treatment works as defined by Section 212 of the Act (Title 33 USC, Section 1292) which is owned in this instance by the city. This definition includes any sewers (effluent transmission and disposal facilities) that convey wastewater to a POTW treatment plant or conveys effluent from a POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For purposes of this code, POTW shall also include any sewers that convey sewage or wastewaters to the POTW from persons who are, by contract or agreement with the city, users of the city's various POTWs.

REAL ESTATE SIGN – A sign erected by the owner, or his agent, advertising the real property where the sign is located for sale, lease or rent.

RECLAIMED WATER – Water or treated wastewater which, as a result of treatment of the water, is suitable for direct beneficial uses or a controlled use by the public, agricultural, commercial, residential, industrial or institutional projects or development that would not occur otherwise.

RECREATIONAL VEHICLE – The term shall include:

- a) Travel trailer – A vehicular portable structure built on a chassis, designed and constructed to provide temporary living quarters for recreation, travel or camping purposes, of such size and weight not to require special highway movement permits when drawn by a passenger vehicle, but does not exceed eight (8) feet in width.
- b) Camping trailer – A vehicular portable structure mounted on wheels, constructed with collapsible partial side walls of fabric, plastic or other material for folding compactly while being drawn by another vehicle, and when unfolded at the site or location, providing temporary living quarters, and which is designed for recreation, travel or camping purposes.

- c) Truck camper – A portable structure, designed to be loaded onto, or affixed to, the bed or chassis of a truck, constructed to provide temporary living quarters for recreation camping and travel use.
- d) Motor homes – A structure built on, and made an integral part of, a self-propelled motor vehicle chassis, designed to provide temporary living quarters for recreation camping and travel use.

RESIDENTIAL LANDSCAPE IRRIGATION - The irrigation of landscape associated with any housing unit having sanitary and kitchen facilities designed to accommodate one or more residents, including multiple housing units and mobile homes.

RESTAURANT – An establishment where meals are prepared and food, including beverages and confections, is served to customers, with the food and non-alcoholic beverage sales amounting to at least 51% of the total food sales.

RETAIL HOME BUILDING MATERIALS – An establishment which offers for retail sale materials and equipment for home and garden construction and maintenance and may include, but not be limited to, aluminum, cabinets, caulking material and equipment, garden supplies, and topsoil. Plant materials sold at such an establishment could be grown on the premises in a field or greenhouse.

RETAIL NURSERIES AND GARDEN SUPPLIES- An establishment which offers to the public for retail sale, plants, and/or associated materials and may include, but not be limited to, fences, fill material, firewood, gravel, sand, and rock products, lawn and garden supplies, and topsoil. Plant materials sold at such an establishment could be grown on the premises in a field or greenhouse.

RETAIL SALES AND SERVICES – an establishment engaged in the selling of products and service to the public for personal or household consumption, including but not limited to, beauty/barber shop, laundry and dry cleaning store, newsstand/bookstore, xerographic printing, clothing stores, drug stores, home electronic equipment, food/grocery stores, and sporting goods.

RIPRAP – A retaining wall made to protect from erosion and consisting of unconsolidated boulders, rocks, or clean concrete rubble with no exposed reinforcing rods or similar protrusions.

ROAD – All roads within the City shall be classified as follows:

- a) Local Road – A route of relatively low traffic volume and travel speed that provides primary access to the majority of individual lots in subdivisions, and connects those lots to the collector or arterial system.
- b) Minor Collector Road – A route that provides primary access to or through a subdivision or subdivisions, and connects those developments to the major collector and arterial system.

- c) Major Collector Road – A route providing service which is of moderately average traffic volume, moderately average trip length, and moderately average operating speed. Such a route also collects and distributes traffic between local roads or arterial roads and serves as a linkage between land access and mobility needs.
- d) Minor Arterial Road – A route which generally interconnects with, and augments, principal arterial routes and provides service to trips of shorter length and a lower level of travel mobility. Such a route would include any arterial not classified as “principal” and containing facilities that place more emphasis on land access than the higher system.
- e) Principal Arterial Road – A route which generally serves the major centers of activity of an urban area, the highest traffic volume corridors, and the longest trip purpose and carries a high proportion of the total urban area travel on a minimum of mileage. Such a route would be integrated, both internally and between major rural connections.

ROOF-MOUNTED – Any appurtenance or equipment attached to any building in such a manner that the height of the appurtenance or equipment exceeds the height of the wall elevation of the structure.

ROOF-SIGN – Any sign or portion of a sign which is attached to the roof.

SANDWICH BOARD SIGNS – A moveable sign not secured or attached to the ground or surface upon which it is located, but supported by its own frame and most often forming the cross-sectional shape of an A. The sandwich board sign is to be constructed of polyethylene plastic, painted wood, aluminum frame or similar professional construction.

SANITARY SEWER – A pipe which carries sewage and to which storm, surface or groundwaters are not intentionally admitted.

SCREEN ROOM – An addition to a structure or integral part of a structure which is enclosed with screen, permitting unobstructed flow of air in and out of the addition. A screen room may have a permanent floor and roof structure integral to the principal structure, however, for purposes of this Code, no elevation of any wall of the room shall have less than sixty (60) percent open screen area.

SEWAGE OR WASTEWATER – A combination of water-carried wastes from residences, business buildings, institutions and industrial establishments.

SEWAGE TREATMENT PLANT – An arrangement of devices and structures used for treating sewage or wastewater.

SEWAGE WORKS – All facilities for collecting, pumping, treating and disposing of sewage.

SEWER – A pipe or conduit for carrying sewage or wastewater.

SHALL – When used, it is mandatory, but the term may, when used, means that it is permissive.

SHOPPING CENTER – Any commercial building or development housing three (3) or more tenants on one (1) ownership parcel.

SHORELINE – A line marking the edge of a body of water.

SIGN – Any identification, description, illustration or device illuminated or nonilluminated which is visible from any public place or is located on private property and exposed to the public and which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painted banner, pennant, placard or temporary sign designated to advertise displays, bunting and national flags. For the purpose of removal, signs shall also include all sign structures.

SIGN STRUCTURE – Any structure which supports, has supported or is capable of supporting a sign, including decorative cover.

SIGNIFICANT INDUSTRIAL USER – Any industrial user of the City of Umatilla wastewater system who:

- a) Has a discharge flow of ten thousand (10,000) gallons or more per day during any day during any calendar year; and
- b) Discharges one (1) or more of the federally defined “priority pollutants”; or
- c) Has in its wastes, toxic pollutants as defined pursuant to section 307 of the Act, Florida Statutes, or any applicable state or federal rules; or
- d) Is found by the city, the Florida Department of Environmental Regulation (FDER) or the USEPA to have significant impact, either singularly or in combination with other contributing industries, on the system, the quality of sludge, the county-wide system’s effluent quality, or air emissions generated by the City of Umatilla wastewater system.

SLUG – Any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quality of flow exceeds more than five (5) times the average twenty-four (24) hour concentration or quantity of flow during normal operation.

SNIPE SIGN - Any sign of any size, made of any material, including paper, cardboard, wood and metal, when such sign is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, fences or other objects, and the advertising matter appearing thereon is not applicable to the premises upon which said sign is located.

SPECIAL PURPOSE SIGN – Any sign other than a business, nonaccessory, identification sign, including but not limited to traffic signs.

STANDARD INDUSTRIAL CLASSIFICATION (SIC) – A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

STANDARD METHODS – The current edition of “Standard Methods for the Examination of Water and Wastewater”, as published or republished from time to time by the American Public Health Association.

START OF CONSTRUCTION – The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns or any work beyond the stage of excavation or the placement of a manufactured home on a foundation.

STATE – The State of Florida.

STATE WATER QUALITY STANDARDS – Criteria set forth in Chapter 17-3 of the Florida Administrative Code as the minimum levels of ambient water quality parameters permissible in a water body to protect the designated uses of a water body.

STORM DRAIN/STORM SEWER – A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial waters, other than unpolluted cooling water.

STORMWATER – Any flow occurring during or following any form of natural precipitation and resulting therefrom.

STREET – A public highway, road or thoroughfare which affords the principal means of access to adjacent lots, measured from the property line to property line.

STUDIO – A workroom for, or place of study of, an art, including but not limited to, painting, sculpting, photography, dancing, and music. A Studio as used in this Code is not included to include places for public performance or public display of art. (Ordinance 2020-H, adopted 09/01/2020)

SUBDIVISION – The division or redivision of a parcel of land, whether improved or unimproved, into two (2) or more lots or parcels of land either by plat, or by metes and bounds description for the purpose, whether immediate or future, of transfer of ownership or building development or any division of a parcel of land if a public street or change in an existing public street or other public facilities or improvements are involved. Residential subdivisions of two (2) lots may be approved without the submittal of a preliminary and final plat as set forth in Chapter 9 of these regulations.

SUBSTANTIAL IMPROVEMENT – Any combination of repairs, reconstruction, alteration or improvements to a structure, taking place during a one (1) year period, in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure. The market value of the structure shall be that prior to the start of the initial repair or improvement or, in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this

definition “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any improvements of a structure required to comply with existing health, sanitary or safety code specifications which are solely necessary to assure safe living conditions.

SUSPENDED SOLIDS – Solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by various filtering and settling techniques.

SWIMMING POOL – Any constructed pool over twenty-four (24) inches in depth or with a surface area exceeding two hundred fifty (250) square feet used for swimming.

TEMPORARY SIGN – A sign which is not permanently affixed. All devices such as banners, pennants, flags (not intended to include flags of any nations), searchlights, twirling or sandwich type signs, sidewalk or curb signs and balloons or other air or gas filled figures.

TEMPORARY WINDOW OR BUILDING SIGN – A sign painted on the interior of a window or constructed of paper, cloth or other like material and attached to the interior side of a window or displayed on the exterior of a building wall in order to direct attention of persons outside the building to a sale of merchandise or a change in the status of the business.

TENANT – One who is in possession of a premise under title, lease, or rental plan. Such premises, for purposes of the Code, is referred to as a tenant space.

TOXIC POLLUTANT – Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the administrator of the USEPA under the provision of Section 307(a) of the Act, or other acts.

TRANSPORTATION SERVICE – An establishment which provides transportation for animals, automobiles and other motor vehicles, and persons, and may include, but not be limited to, air ambulance, airport and motel transport, armored car security transport, boat transport, bus line service, horse and pet transport, and limousine service. The parking and storing of vehicles associated with the business shall occur on the premises.

TREE – Any living, self-supporting, woody perennial plant which has a trunk diameter of at least one and one-half (1 ½) inches.

TRUCKING TERMINAL – Land or buildings where trucks, including tractor or trailer units, are parked, stored, or serviced (to the extent permitted at a Motor Vehicle Service Center) including the transfer, loading or unloading of goods. A trucking terminal may include facilities for the temporary storage of loads prior to transshipment and may include, but not be limited to, businesses of armored truck delivery and pick up, freight forwarding, motor freight and local cartage trucking and parcel shipping.

TWENTY-FOUR (24) HOUR FLOW PROPORTIONAL COMPOSITE SAMPLES – A sample consisting of several effluent portions collected during a twenty-four (24) hour period in which

the portions of sample are proportionate to the flow and combined to form a representative sample.

UNDER CANOPY OR MARQUEE SIGN – A sign suspended below the ceiling or roof of a canopy or marquee.

UNLAWFUL SIGN – A sign which contravenes this code or which the administrator may declare as unlawful if it becomes dangerous to public safety by reason of dilapidation or abandonment, or a nonconforming sign for which a permit required under a provision of this code was not obtained.

UNPOLLUTED WATER – Water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable to any person having jurisdiction thereof for disposal to storm or natural drainages or directly to surface waters of the state.

UPLAND NATURAL COMMUNITIES – Lands with some topographic relief which are identified by infrequent inundation by surface water, and soils with high permeability and a low water table, so that xeric types of vegetation are supported in such systems.

USACOE – The United States Army Corp of Engineers.

USE – The purpose for which a building, lot, sign or other structure is arranged, intended, designed, occupied or maintained.

USED MOTOR VEHICLE PARTS YARD – Land on which inoperative motor vehicles and parts are stored, salvaged, or sold.

USER – Any person who contributes, causes or permits the contribution of sewage or wastewater into the City of Umatilla wastewater system.

UTILITY SHED – An all-weather, permanent or temporary, fixed or moveable accessory building used for the sole purpose of storage.

VARIANCE – A grant of relief from the requirements of this Code which permits construction in a manner otherwise prohibited by this Code where the specific enforcement would result in unnecessary hardship.

VARIETY MARKET – An indoor bazaar with a wide variety of items for sale.

VEHICULAR USE AREA – An area used for traffic circulation, parking, and/or display of motorized vehicles.

VETERINARY CLINIC – An establishment for the medical and surgical treatment of sick or injured animals, where limited overnight facilities are provided in association with such treatment. This term may include, but not be limited to, veterinarian office, veterinary hospital, and animal clinic, but shall not include the term kennel.

WALL SIGN – A sign attached to or erected against the wall of a building with the face in a parallel plane of the building wall.

WALL SIGN:FASCIA SIGN – A sign attached to or erected against the wall of a building with the face in a parallel plane of the building wall.

WASTEWATER CONSTITUENTS AND CHARACTERISTICS – The individual chemical, physical, bacteriological, and radiological parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the contents, quality, quantity, and strength of wastewater.

WATERCOURSE – A channel in which a flow of water occurs, either continuously or intermittently.

WETLANDS – Lands which are identified by being inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do or would support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The definition includes all contiguous and non-contiguous or isolated wetlands to waters, water bodies, and watercourses. Wetlands include, but are not limited to, swamp hammocks, hardwood hybrid hammocks, riverine cypress, cypress ponds, bayheads, bogs, wet prairies, and freshwater marshes.

Dominant wetland vegetation shall be determined as provided in Rules 17-3.022, Florida Administrative Code. In circumstances where the natural boundary of wetland vegetation is unclear, the line of demarcation may be approximated at a surveyed elevation measured at a location in the same wetland where the natural line is clear. In the event an undeveloped area has been recently cleared of all vegetation, the wetland boundary may be determined by a study of the soils, aerial mapping, photography, hydrology, and other historical information as appropriate.

WETLAND VEGETATION – As defined in Rule 17-3.022, Florida Administrative Code.

WHOLESALE AND DISTRIBUTORS – An establishment engaged in the storage, wholesale, and distribution of manufactured products, supplies, and equipment, and incidental retail sales, exclusive of bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions.

WINDOW SIGN – A sign installed inside a window for purposes of viewing from outside the premises. This term does not include merchandise located in a window.

YARD – The open space between the primary structure and lot line that may include pavement, landscaping, accessory structures or other improvements as allowed by this Code. The terms front, side and rear yards refer to the yards adjacent to the front, side and rear property lines.