

SECTION 15. DEFINITIONS

15.1 Usage

(1) For the purpose of these regulations, certain numbers, abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth in this section.

(2) Unless the context clearly indicates to the contrary, the present tense include the future tense; the plural number include the singular; the means "in these regulations"; the word means "these regulations."

(3) A "person" includes a corporation, a partnership, and an incorporated association of persons such as a club; "shall" is always mandatory; a "building" includes a "structure"; a "building" or "structure" includes any part thereof; "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

15.2 Words and Terms Defined

Accessory Building. Any building except the principal building on a lot. In the case of a house and unattached garage, the garage shall be deemed part of the principal building and shall not be counted as an accessory building.

Accessory Use. Any of the following uses on a *farm*:

(1) A building, structure, or improvement that is an integral part of, or is incidental to, an *agricultural use*. This may include, for example:

(A) A facility used to store or process raw agricultural commodities, all of which are produced on the *farm*.

(B) A facility used to keep *livestock* on a *farm*.

(C) A facility used to store or process inputs primarily for *agricultural uses* on the *farm*.

(D) A facility used to keep or service vehicles or equipment primarily employed in *agricultural uses* on the *farm*.

(E) A wind turbine or solar energy facility that collects wind or solar energy on the *farm*, and uses or transforms it to provide energy primarily for use on the *farm*.

(F) A manure digester, bio-fuel facility, or other facility that produces energy primarily from materials grown or produced on the *farm* primarily for use on the *farm*.

(G) A waste storage or processing facility used to store or process animal waste produced solely from *livestock* kept on the *farm*.

(2) An activity or business operation that is an integral part of, or incidental to, an *agricultural use*.

(3) A *farm residence*, including normal residential appurtenances.

(4) A *farm owner/operator business*.

Accessory Structure. A structure constructed on a mobile home lot apart from the basic mobile home unit, including awnings, cabanas, storage cabinets (or sheds), carports, windbreaks, attached porches and garages.

Adjacent. Located on land parcels that touch each other, or on land parcels that are separated only by a river, stream or transportation or utility right-of-way.

Agricultural Use. Any of the following activities conducted for the purpose of producing an income or livelihood:

(1) Crop or forage production.

(2) Keeping *livestock*.

(3) Beekeeping.

(4) Nursery, sod, or Christmas tree production.

(5) Floriculture.

(6) Aquaculture.

(7) Fur farming.

(8) Forest management.

(9) Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program.

Agriculturally Related Residence. A residence which is occupied by (1) a person who, or a family at least one member of which, earns a substantial part of his or her livelihood from farm operations on the land, or (2) a parent or child of the owner of the farm.

Agricultural Processing and Packaging. An establishment primarily engaged in refining, processing or otherwise adding value to raw agricultural goods, including but not limited to washing, sorting, cutting, bagging, freezing, canning, packing, bottling, or butchering.

Agricultural Research and Development. The use of land or buildings for agriculture research and the cultivation of new agricultural products.

Agricultural Sales and Service. An establishment primarily engaged in (1) the sale or rental of farm tools and implements, feed and grain, tack, animal care products, farm

supplies and the like, or (2) performing agricultural or horticultural services on a fee or contract basis, including but not limited to crop dusting and spraying services, harvesting and plowing services, agricultural land grading services, farm equipment service and repair, and large animal veterinary services.

Agricultural Storage. Grain elevators and other facilities for the warehousing and storage of agricultural products.

Agriculture-related use. A facility, whether or not located on a *farm*, that has at least one of the following as a primary and not merely incidental purpose:

(1) Providing agricultural supplies, agricultural equipment, agricultural inputs or agricultural services directly to *farms*, including *farms* in the farmland preservation zoning district.

(2) Storing, processing or handling raw agricultural commodities obtained directly from *farms*, including *farms* in the farmland preservation zoning district.

(3) Slaughtering *livestock*, including *livestock* from *farms* in the farmland preservation zoning district.

(4) Marketing *livestock* to or from *farms*, including *farms* in the farmland preservation zoning district.

(5) Processing agricultural by-products or wastes received directly from *farms*, including *farms* in the farmland preservation zoning district.

Airport Not Open to the Public. Any airport on privately owned land used solely by the property owner.

Alley. A street or thoroughfare less than 21 feet wide and affording only secondary access to abutting properties.

Animal Unit. Has the meaning that was given in s. NR 243.03(3) as of April 27, 2004. A horse or pony shall constitute one animal unit. For any animal unit not named in the above-cited Chapter of the Wisconsin Administrative Code, the equivalent of an animal unit shall be determined by the Town Board (after review and recommendation by the Planning & Zoning Committee) in a manner so as to be generally consistent with the above-specified standards, depending upon the size and use of the animal.

Applicant. The owner of the land or his representative. If the owner's representative is the applicant, consent shall be required in writing from the legal owner of the premises.

Arterial Roads and Highways. A street serving or designated to serve the rapid movement of concentrated volumes of vehicular traffic over relatively long distances. It provides primarily for movement between rather than within activity areas.

Automotive Vehicle. A vehicle that is self-propelled except a snowmobile unless specifically referred to as a motor vehicle herein.

Basement. A story partly underground.

Boarding House. A building other than a hotel where meals or lodging and meals are provided for compensation for three or more persons not members of the owner's family.

Building. Any structure used, designed or intended for the protection, shelter, enclosure or support of persons, animals, or property.

Building Area. Total ground coverage in square feet of all buildings and structures including garages, carports, and other attached or accessory structures.

Building Height. The vertical distance from the top of the building roof to the top of the basement or to the finished grade at the building line, whichever is greater.

Building Permit. A written building permit or certification issued by the Building Inspector or the Planning and Zoning Committee permitting the construction, alteration and/or extension of a building under the provisions of this Ordinance.

Center Pivot Waste Distribution Systems. A system for spreading lagoon wastewater or other liquid by-products of animal waste which involves spraying liquid form through nozzles attached to a pivoting arm located in a farm field.

Collector Roads and Highways. A street serving or designated to serve in the capacity of carrying moderate amounts of traffic between local streets and arterial streets and also providing access to individual lots. It provides for movement within, rather than between, activity areas such as neighborhoods.

Commercial. The offering or purchase of goods and services with the intention of making a profit.

Committee. The Planning and Zoning Committee for the Town of Rock.

Common Area. An area or space designed for joint use of tenants or owners residing in a Planned Unit Development.

Common Ownership. Ownership by the same *person* or *persons*, or by *persons* that are all wholly owned by the same *person* or *persons*. "Common Ownership" includes joint tenancy and tenancy in common. Solely for purposes of this definition, a parcel owned by one member of a married couple is deemed to be owned by the married couple.

Common Sewerage. A legal sewage system that serves two or more dwelling units.

Community. A legal entity organized under appropriate statutory authority as a body corporate which represents a town, village, city, or county such as the case may be.

Complete Application for Local Approval. An application that contains everything required under ss. ATCP 51.30(1) to (4).

Conditional Use. A use of land which, while appropriate for inclusion within a given district, possesses a high likelihood of creating problems with regard to nearby parcels of land or the occupants thereof, and which are therefore permitted only subject to the fulfillment of conditions which effectively insure that no such problems will be created.

Confinement Operation. An animal confinement facility used or designed for the feeding or holding of 500 animal units, for 30 days or more.

Contiguous. Adjacent to or sharing a common boundary. "Contiguous" land includes land that is separated only by a river, stream, section line, public road, private road, railroad, pipeline, transmission line, or transportation or transmission right-of-way. Parcels are not "contiguous" if they meet only at a single point.

Department. The Department of Agriculture, Trade, and Consumer Protection.

Dependent Mobile Home. A mobile home which does not have complete bathroom facilities.

Density. The number of living units per acre allowable under a schedule of district regulations.

Developer. The owner of land proposed for subdivision or his representative. If the owner's representative is the developer, consent shall be required from the legal owner of the premises.

Development Guide. The Town's Smart Growth Comprehensive Plan (segment of the County Comprehensive Plan) (Section 59.97) or the incorporated municipality's Master Plan (Section 62.23).

Drive-in Establishment. A place of business in which patrons can be served while remaining in their automobiles.

Driveway. A minor private way used by vehicles and pedestrians for common access to a lot, small group of lots, or facilities.

Dwelling, Single-Family. A building designed for, or occupied exclusively by, one family or household.

Dwelling, Two-Family. A building designed for, or occupied exclusively by, two families or households.

Dwelling, Multiple-Family. A building or portion thereof designed for, or occupied by, three or more families or households.

Earthwork. The moving of more than 2 cubic yards of any type of soils.