

**16.04**

**GENERAL PROVISIONS AND DEFINITIONS**

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**16.04.010 Definitions.**

For the purposes of this title, the following words and phrases shall have the meanings respectively ascribed to the by this section:

“Council” means the town council.

“Develop” any man made change to improved or unimproved real estate including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations. (Amended December 13, 2012)

“Developer” means the person, persons, corporation or partnership who is the owner of the real estate, building or structure, or the representative of the owner that is responsible for undertaking, review, approval and/or completion of the development. (Amended December 13, 2012)

“Development” means the process by which one or more persons undertake(s) either:

1. To subdivide land into three or more parcels for the purpose, whether immediate or future, of sale; or
2. To construct buildings on three or more parcels for the purpose, whether immediate or future, of sale; or

3. To sell any platted lot on which a building has not been constructed to another person or persons while owning three or more contiguous lots on which no buildings have been constructed, except those portions of town that have existing water mains, sewer mains, streets and alleys.

“Final plans” means the final map, drawing or chart on which the developers’ plan of development is presented to the council through the mayor.

“Lot” means a portion of a subdivision of land used for development. (Amended December 13, 2012)

“Master plan” means a plan with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality which will best promote the general welfare as well as the efficiency and economy in the process of development.

“Mayor” means the town mayor or his designated representative.

“Official map” means the map established by the town council showing the streets, highways and parks theretofore laid out, adopted and established by law and any amendments thereto adopted by the tow council or additions thereto resulting from the approval of development plans by the town council and the subsequent filing of such approved plans.

“Preliminary plan” means the preliminary map, drawing or chart Indicating the proposed layout of the development to be submitted to the mayor and the town council for considerations.

Streets and alleys:

1. "Alley" means any public or private right-of-way designed to provide access to the rear or side of a parcel of land and less than thirty (30) feet wide.

2. "Collector street" means a street which carries traffic from minor streets to major arterial streets, including the principal entrance streets of a residential development and streets for circulation within such a development.

3. "Cul-de-sac" or "dead-end street" means a minor street with only one outlet.

4. "Local street" means a street used primarily for access to the abutting properties.

5. "Major arterial street" is a fast or heavy traffic street of considerable continuity and used primarily as a traffic artery for intercommunication among large areas.

6. "Marginal access street" means a minor street which is paralleled and adjacent to the arterial streets and which provides access to abutting properties and protection from through traffic.

7. "Street" means any road, highway, avenue or boulevard, public or private, set aside and commonly used by the public for travel or access purposes, and shown upon the town map or upon a file plat.

8. "Street width" means the shortest distance between the lines delineating the right-of-way of a street.

This title shall not apply when a person sells all lots he owns in the town to the same person or when a person sells one block or more to a single person. (Prior code § 16-101)

**16.04.020 Compliance with title and state law prerequisite to approval.**

No plan of any development shall be accepted by the town council until it shall have been approved in the manner prescribed in this title and also shall be in compliance with the law of the state. (Prior code § 16-106)

**16.04.030 Changes, erasures, etc., after approval by the town council.**

No changes, erasures, modifications or revisions shall be made in any plan of a development after approval has been given by the town council and endorsed in writing and approved by the town council as a revised plan. (Prior code § 16-107)