

**INTERPRETATION OF ORDINANCE REQUIREMENTS****Section 201—Interpretation:**

The standards and requirements of this Ordinance shall be:

1. Construed in favor of the City.
2. Deemed to neither limit nor repeal any other powers granted by the Act, or any other State or Federal statutes.
3. The following rules shall be observed in the application and interpretation of this Ordinance, except where the context clearly requires otherwise:
  - 3.1. The word “shall” or “must” are mandatory. The words “should” and “may” are permissive.
  - 3.2. Words used or defined in one tense or form shall include other tenses or derivative forms.
  - 3.3. Words used in the singular shall include the plural; words used in the plural shall include the singular.
  - 3.4. Words referencing a gender shall extend and be applied to the other gender and shall be considered gender neutral.
  - 3.5. In the event of a conflict between the text of this Ordinance and any maps, illustrations, captions, figures, or other material, the text of this Ordinance shall apply.
  - 3.6. The word “includes” shall not limit a term to the specified examples, but is intended to provide guidance and to be illustrative only.
  - 3.7. The word “and” indicates that all connected items, conditions, provisions, or events shall apply.
  - 3.8. The word “or” indicates that one (1) or more of the connected items, conditions, provisions, or events shall apply.

- 3.9. The words “either or” indicates that the connected terms, conditions, provisions, or events shall apply singly but not in combination.

**Section 202—Administrative Interpretations:**

1. **Purpose.** To promote day-to-day efficiencies in the administration and implementation of this Ordinance, and where ambiguity, conflicting provisions, or confusion may exist in any standard or requirement of this Ordinance, this Section is provided to allow the Zoning Administrator to make interpretations of this Ordinance, on an as-required basis, guided by the purposes of this Ordinance and the Act, applied to the specific circumstance.
2. **Authority.** The Zoning Administrator is authorized to render interpretations of this Ordinance.
3. **Initiation.** Any person may request an administrative interpretation of a standard or requirement of this Ordinance by presenting an Application for an Administrative Interpretation.
4. **Procedure.** An Application for an Administrative Interpretation shall be considered and processed as follows:
  - 4.1. A complete Administrative Interpretation Application shall be submitted to the City Recorder.
  - 4.2. After the Application is determined complete, by the City Recorder, the Zoning Administrator shall review the Application and shall make an interpretation in accordance with the standards set forth in this Chapter.
  - 4.3. After making a decision, the Zoning Administrator shall provide written notice of the administrative interpretation to the applicant. A record of the administrative interpretation of the Zoning Administrator shall be maintained in the office of the City Recorder.
5. **Standards for Making Administrative Interpretations.** The Zoning Administrator shall apply the following standards in making an administrative interpretation:
  - 5.1. The administrative interpretation shall not have the effect of adding or removing any standard or requirement of this Ordinance.
  - 5.2. An administrative interpretation shall be consistent with the purposes of this Ordinance and the Act and any previously rendered administrative interpretations, based on similar facts.
  - 5.3. An administrative interpretation concerning a use interpretation shall not allow the establishment of a use that is substantially different from an allowed use or is a prohibited use in the Zoning District.

- 5.4. No use interpretation shall permit the establishment of any use that would be inconsistent with the purposes of the Zoning District in which it would be located.
6. **Effect of Interpretation.** An administrative interpretation shall apply only to the property for which an interpretation is given. A use interpretation finding a use to be a Temporary (T-1) Use, Seasonal (S-1) Use, Permitted (P-1 or P-2) Use or Conditional (C-1 or C-2) Use shall not authorize the establishment of such use, but merely authorizes the filing of the Land Use Application necessary for any approvals, permits, or licenses, as may be required by this Ordinance.
7. **Appeal.** Any person adversely affected by an administrative interpretation rendered by the Zoning Administrator may appeal the decision to the Richfield City Planning Commission, as provided herein.

**Section 203—Authority and Rules for Interpretation of Zoning District Boundaries:**

1. **Authority.** In the event of the need to determine the boundary of a Zoning District, the Zoning Administrator shall have the authority and jurisdiction to render a written determination of the boundary of a Zoning District.
2. **Initiation.** Any person may request an interpretation of a Zoning District boundary by presenting an Application for an Interpretation of a Zoning District Boundary.
3. **Procedure.** An Application for an Interpretation of a Zoning District Boundary shall be considered and processed as follows:
  - 3.1 A complete Interpretation of a Zoning District Boundary Application shall be submitted to the City Recorder.
  - 3.2 After an Application is determined to be complete, by the City Recorder, the Zoning Administrator shall review the application and make an interpretation in accordance with the standards set forth in this Chapter.
  - 3.3 After making a decision, the Zoning Administrator shall provide written notice of the boundary interpretation to the applicant. A record of the zoning district boundary interpretation of the Zoning Administrator shall be maintained in the office of the City Recorder.
4. **Standards for Making Zoning District Boundary Administrative Interpretations.** The Zoning Administrator shall apply the following standards in making an interpretation of a Zoning District boundary:

The standards and requirements applying to such Zoning District.

- 4.1. In areas divided into lots, a Zoning District boundary shall follow the boundary of a lot, unless clearly intended to divide a lot for reasons of topography, landform, or other physical constraints.
- 4.2. In areas not subdivided into lots, wherever a Zoning District is indicated as a strip adjacent to and paralleling a right-of-way, the depth of such strips shall be in accordance with dimensions measured at right angles from the center line of the right-of-way, and the length of frontage shall be in accordance with dimensions measured from section, quarter section, or division lines, or center lines of rights-of-way, unless otherwise indicated.
- 4.3. Where a Zoning District boundary follows a natural or man-made feature such boundary shall be deemed to be the centerline of natural or man-made feature.
- 4.4. Where a Zoning District boundary follows the right-of-way of any road, street, trail, or other public or private right-of-way or easement such boundary shall be deemed to be the center line of such road, street, trail, or other public or private right-of-way or easement.
5. **Effect of Interpretation.** A Zoning District boundary interpretation shall apply only to the property for which an interpretation is given. A Zoning District boundary interpretation shall not authorize the establishment of any use, but merely authorize the filing of the Land Use Application necessary for any approvals, permits, or licenses, as may be required by this Ordinance.
6. **Appeal.** Any person adversely affected by a Zoning District boundary interpretation rendered by the Zoning Administrator may appeal the decision to the Richfield City Planning Commission, as provided herein.