
Sec. 34.07. Definitions.

Unless otherwise expressly stated, the following terms shall, for the purpose of this Code, have the meanings indicated in this section.

Words used in the present tense include the future; the singular number includes the plural and the plural the singular.

Where terms are not defined in this section and are defined in the state building code (as adopted by the city under Chapter 33 of the Legislative Code), they shall have the meanings ascribed to them in said building code.

Where terms are not defined under the provisions of this chapter or under the provisions of the building code, they shall have ascribed to them their ordinarily accepted meanings and/or such as the context herein may imply.

Approved. "Approved," as applied to a material, device or method of construction, shall mean approved by the enforcement officer under the provisions of this chapter, or approved by other authority designated by law to give approval in the matter in question.

Basement. That portion of a building partly below grade but so located that the vertical distance from grade to floor is not greater than the vertical distance from the grade to the ceiling. Provided, however, that if the vertical distance from the grade to the ceiling is five (5) feet or more, such basement shall be counted as a story.

Bathroom. A room containing plumbing fixtures, that includes a toilet and sink, and may include a bathtub or shower.

Bedroom. Any room or space used or intended to be used for sleeping purposes.

Boarding care home. This type of use is licensed and regulated by other city and state laws. For purposes of this Code, a boarding care home shall be defined the same as contained in the regulations of the state board of health.

Building. Any structure used or intended for supporting or sheltering any use or occupancy.

Building code. The Minnesota State Building Code as adopted by the city under Chapter 33 of this Legislative Code.

Code compliance inspection. A comprehensive inspection conducted by the code compliance inspection team at the department of safety and inspections.

Dead bolt lock. A lock with a single cylinder, minimum one-inch throw, case-hardened cylinder guard, all metal parts and tie screws facing the inside of the home only.

Deterioration. To weaken, disintegrate, corrode, rust or decay and lose its intended effectiveness.

Dwelling unit. A single unit providing complete, independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation within the unit.

Easement. A grant by a property owner to the use of land by the public, a corporation or persons for specific purposes as the construction of utilities, drainage ways and roadways.

Electrical code. The National Electrical Code, as adopted by the State of Minnesota and the City of Saint Paul Legislative Code, Chapter 33.

Enforcement officer. The director of the department of safety and inspections or his/her designee.

Exterior property areas. Open space on the premises, on adjoining property and all sidewalks, walkways and exterior stairs under the control of the owners or operators of such premises.

Extermination. The control and/or elimination of insects, rodents or other pests by recognized programs of integrated pest management which includes sanitation, harborage control and the use of approved pesticides, trapping and other legal pest elimination methods.

Garbage. Discarded material resulting from the handling, processing, storage, preparation, serving and consumption of food.

Glazed area. The area composed of glass or other suitable materials required under the provisions of the Minnesota State Building Code as adopted pursuant to section 33.02 of the Saint Paul Legislative Code.

Grade. The elevation established for the purpose of regulating the number of stories and the height of buildings. Grade shall be the mean level of the finished surface of the ground adjacent to the exterior walls of the buildings.

Gross floor area. The total area of all habitable space.

Guards. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower elevation.

Guest room. A room or a group of rooms in a licensed bed and breakfast facility forming a single habitable unit which is located within the walls of a residential structure and which is used or intended to be used for sleeping and living, but not for cooking or eating purposes and which is let individually as a unit.

Habitable room. A room occupied by one (1) or more persons used or intended for living, cooking, eating or sleeping purposes, but does not include bathrooms, closets, water closet compartments, laundries, serving and storage pantries, corridors, cellars and spaces that are not used frequently or during extended periods.

Hotel. A hotel, resort, boarding house, bed and breakfast, furnished apartment or other building, which is kept, used or advertised as, or held out to the public to be, a place where sleeping or housekeeping accommodations are supplied for pay to guests for transient occupancy.

Infestation. The presence, within or contiguous to a structure or premises, of insects, rodents, vermin or other pests.

Let for occupancy or let. To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded agreement of contract for the sale of land whether or not for compensation.

Mechanical code. The Minnesota State Mechanical Code as adopted by the city under Chapter 33 of the Legislative Code.

Mixed municipal solid waste. Applied as defined in section 357.02 of this Code.

Motel. This type of use is licensed and regulated by other city and state laws. For purposes of this Code, a "motel" shall be defined the same as "hotel." (See Chapter 407 of the Saint Paul Legislative Code.)

Nursing home. For purposes of this Code, a "nursing home" shall be defined as in the regulations of the state board of health.

Occupancy. The purpose for which a building or a portion thereof is utilized or occupied.

Occupant. Any person over one (1) year of age (including owner or operator). An individual living or sleeping in a building or having possession of a space within a building.

Openable or openable area. That part of a window or door which is available for unobstructed ventilation or escape and which opens directly to the outdoors.

Operator. Any person who has charge, care or control of a premises which is let or offered for occupancy.

Owners. Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the recorded contract for deed, the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

Outdoor swimming pool. Any structure designed, constructed or intended to be used for outdoor swimming, either above or below grade, with a capacity of twenty-four (24) or more inches deep and having one hundred fifty (150) or more square feet of surface area.

Person. An individual, firm, corporation, association or partnership.

Plumbing. "Plumbing" or "plumbing fixture" shall mean water heating facilities, water pipes, gas pipes, garbage and disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, or other similar equipment, catch basins, drains, vents or other similarly supplied fixtures, together with all connection to water, gas, sewer or vent lines.

Plumbing code. The Minnesota State Plumbing Code, as adopted by the city under Chapter 33 of the Legislative Code.

Premises. A lot, plot or parcel of land, easement or right-of-way, including any buildings or structures thereon.

Professional state of maintenance and repair. Whenever the words "professional state of maintenance and repair" are used in this chapter, they shall mean that such maintenance and repair shall be complete and made in a reasonable and skillful manner. For example, generally plumb, level, square, sound, in line, undamaged and without marring adjacent work.

Refuse. Putrescible and nonputrescible solid waste, except body waste, and includes garbage, rubbish, ash, incinerator residue, street cleanings, and solid industrial and market wastes.

Residential structure. A "residential structure," except when classified as an institution under the building code, shall mean a building in which sleeping accommodations or sleeping accommodations and cooking facilities as a unit are provided.

Rest home. For purposes of this Code, a "rest home" shall be defined the same as contained in the regulations of the state board of health.

Right-of-way or public right-of-way. The area in, on, below, or above a public roadway, highway, street, cartway, bicycle lane and public sidewalk in which the city has an interest, including other dedicated rights-of-way for travel purposes and utility easements of the city. A right-of-way does not include the airwaves above a public right-of-way with regard to cellular or other nonwire telecommunications or broadcast service.

Roominghouse. Any residential structure or dwelling unit, supervised or not, which provides living and sleeping arrangements for more than four (4) unrelated individuals for periods of one (1) week or longer, any residential structure or dwelling unit which provides single room occupancy (SRO) housing, as defined in the Federal Regulations CFR 882.102, to more than four (4) unrelated individuals, or any building housing more than four (4) unrelated individuals which has any one (1) of the following characteristics shall be considered and regulated as a roominghouse:

- (a) Rental arrangements are by the rooming unit rather than the dwelling unit.
- (b) Rooming unit doors are equipped with outer locks or chains which require different keys to gain entrance.
- (c) Kitchen facilities are provided for joint or common use by the occupants of more than one (1) rooming unit.

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- (d) Rooming units are equipped with telephones having exclusive phone numbers.
 - (e) Rooming units are equipped with individual intercom security devices.
 - (f) Each rooming unit has a separate assigned mailbox compartment for receipt of U.S. mail.

Rooming unit. Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes. This definition includes, but is not limited to, guest rooms as defined in this section.

State building code. The building code currently adopted by the state.

Structure. "Structure" shall mean that which is built or constructed, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Supplied. "Supplied" shall mean installed, furnished or provided by the owner or operator.

Ventilation. The natural or mechanical process of supplying conditioned or unconditioned air to or removing such air from any space.

Yard. All ground, lawn, court, walk, driveway or other open space constituting part of the same premises as a structure.

Zoning code. The "zoning code" consists of Chapters 60 through 69 of the Saint Paul Legislative Code.
(C.F. No. 05-740, § 1, 9-14-05; C.F. No. 07-149, § 6, 3-28-07; Ord 15-49, § 1, 10-14-15; Ord 16-58, § 1, 1-4-17)