

## **SECTION 1-800 INTERPRETATION OF THIS CODE**

### **1-801 Rules of Construction and Word Usage**

#### **1-801.01 Meanings and Intent**

All provisions, terms, phrases and expressions contained in this Land Development Code shall be construed according to the general purposes set out in Section 1-103.

#### **1-801.02 Minimum Requirements**

The requirements of this Land Development Code shall be regarded as the minimum requirements necessary for the protection of the public health, safety, and general welfare, and for the protection of the natural environment.

#### **1-801.03 Headings, Graphics and Text**

In case of any difference of meaning or implication between the text of this Land Development Code and any heading, drawing, table, figure or graphic, the text shall control. Graphics may include photographs or drawings and are intended to be illustrative of the text, indicating suggested design solutions that would be appropriate or inappropriate, and are not regulatory.

#### **1-801.04 Lists and Examples**

Unless otherwise specifically indicated, lists of items or examples that use terms such as "for example," "including," and "such as," or similar language are intended to provide examples, not to be exhaustive lists of all possibilities.

#### **1-801.05 Computation of Time**

The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday or holiday observed by the County, the deadline or required date of action shall be the next day that is not a Saturday, Sunday, or holiday observed by the County. References to days are calendar days unless otherwise stated.

#### **1-801.06 References to Other Regulations, Publications and Documents**

Whenever reference is made to a resolution, ordinance, statute, regulation, or document, it shall be construed as a reference to the most recently adopted edition of such regulation, resolution, ordinance, statute, regulation, or document, unless otherwise specifically stated.

#### **1-801.07 Delegation of Authority**

Whenever a provision appears requiring the head of a department or another officer or employee of the County to perform an act or duty, that provision shall be construed as authorizing the department head or officer to delegate that responsibility to others over whom they have authority.

#### **1-801.08 Technical and Nontechnical Terms**

Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning

#### **1-801.09 Public Officials and Agencies**

All public officials, bodies, and agencies to which references are made are those of Arapahoe County, unless otherwise indicated.

## **1-801.10. Mandatory and Discretionary Terms – Standards and Guidelines**

### **1-801.10.01 Standards**

Standards mandate the specific course of planning and design action that the applicant must incorporate in its project application. Compliance with standards is mandatory. Statements of standards are indicated by use of the words “shall,” “will,” and/or “must” in the rule or directive. A failure to meet a mandatory standard may be used as a basis for the County’s denial of a project application.

### **1-801.10.02 Guidelines**

Guidelines may follow the standards and are indicated by the words “may” or “should.” Guidelines provide additional direction as to appropriate or inappropriate means to comply with the standards. Guidelines are voluntary and not mandatory; however, compliance is strongly encouraged to fulfill the intent of the section. A failure to meet a guideline cannot be used by the County as a basis for denial of a project application.

## **1-801.11 Conjunctions**

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

**1-801.11.01 "And"** indicates that all connected items, conditions, provisions or events apply; and

**1-801.11.02 "Or"** indicates that one or more of the connected items, conditions, provisions or events apply.

## **1-801.12 Tenses and Plurals**

Words used in one tense (past, present or future) include all other tenses, unless the context clearly indicates the contrary. The singular includes the plural, and the plural includes the singular.

## **1-801.13 Gender**

A word importing either the masculine or feminine gender shall extend and be applied to both the masculine and feminine genders, and to firms, partnerships and corporations.

## **1-801.14 Code Interpretations and Determination of Unlisted Uses**

**1-801.14.01 Exclusion of Uses:** Uses not specifically listed or reasonably similar to those uses listed in any particular zone district shall be deemed excluded from the particular zone district. Uses listed in a particular zone district shall be deemed to be excluded from any other zone district, unless such use is specifically listed in the other zone district.

**1-801.14.02 Inclusion of a Use Not Listed:** Uses not listed may be interpreted for inclusion in a specific zone district by the Zoning Administrator pursuant to Chapter 2 when such use is reasonably similar to those uses listed and is not contrary to the intent of the particular zone district.

## **1-801.15 Trash, Junk, and Inoperable Vehicles**

No land shall be used as an outdoor storage area for the purpose of collecting, dismantling, storing, or selling of junk, trash, rubbish, refuse of any kind, remnants of wood, metal, or plastic, discarded materials, inoperative vehicles or dismantled machinery, whether or not the same could be put to any reasonable use, unless allowed in the underlying zone district or approved in a PUD which specifically authorizes such use.

## Chapter 1: General Provisions

### **1-801.16 Building Permit Required**

It shall be unlawful to erect, construct, reconstruct, alter, or change the use of any building or structure, including surface and subsurface structures, or to move a structure from one property to another within the unincorporated area of Arapahoe County without first obtaining a building permit from Arapahoe County. The plans submitted with the building permit application for the proposed erection, construction, reconstruction, alteration, or use shall conform to all applicable provisions of these Regulations and shall be constructed in accordance with the Arapahoe County Building Code as adopted.

### **Section 1-802 Correction of Obvious Errors**

Nothing in this Code shall be construed as a limitation upon the power of the Director of Public Works to correct obvious typographical or compositional errors, provided:

**1-802.01** Such corrections shall not change the legal effect of this Code or any part thereof.

**1-802.02** Such corrections will be reported to the Planning Commission and the Board of County Commissioners.

**1-802.03** An Erratum supplement shall be attached to all copies of this Code distributed subsequent to the making of such corrections.