

CHAPTER 4
DEFINITIONS

Article 1. Definitions.

Sec. 4-101.

- (a) Words and phrases defined in this or any chapter of The Code shall be applicable and shall have the same meaning throughout The Code.
- (b) Undefined terms shall be assigned their plain and ordinary meaning.
- (c) Definitions in Indiana Code § 13-11-2, 327 IAC 2-6, 1-4, and 410 IAC apply throughout The Code.

[Gen.Ord. 2-2023 Passed 5/16/23 Effective Date 7/1/23]

Sec. 4-102.

- (a) “Accessory building or accessory structure” means an uninhabited detached building or structure secondary to the main structure on a premises.
- (b) “Approved” means authorized by the Director of Public Health or the director’s designated representative.

[Gen.Ord. 7-2004 Passed 12/21/04 Effective Date 1/1/05]

Sec. 4-103.

- (a) “Asbestos” means the asbestiform varieties of: Chrysotile (serpentine); crocidolite (riebeckite); amosite (cummingtonitegrunerite); anthophyllite; tremolite; and actinolite.
- (b) “Asbestos-containing material” or “ACM” means asbestos or any material containing more than one percent (1%) asbestos as determined using methods specified in 40 CFR 763, Subpart E, Appendix E, Section I, Polarized Light Microscopy, including Category I and Category II asbestos-containing material and all friable material.
- (c) “Asbestos manager” means one who is capable of identifying existing asbestos hazards and has the authority to take prompt corrective actions to eliminate them.
- (d) “Friable” means asbestos-containing material that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure.

[Gen.Ord. 2-2023 Passed 5/16/23 Effective Date 7/1/23]

Sec. 4-104.

“Business day” means any day other than a Saturday, a Sunday, or a public holiday for the Division of Public Health

[Gen.Ord. 7-2004 Passed 12/21/04 Effective Date 1/1/05]

Sec. 4-105.

(a) "The Code" means ordinances adopted by the board constituting The Code of the Health and Hospital Corporation of Marion County.

(b) "Commercial" means of or relating to the manufacture, storage, distribution, provision or sale of commodities or services, regardless of whether the entity intends to realize a profit.

(c) "Corporation" means the Health and Hospital Corporation of Marion County.

[Gen.Ord. 7-2004 Passed 12/21/04 Effective Date 1/1/05]

Sec. 4-106.

"Division" means the Division of Public Health of the Corporation.

[Gen.Ord. 7-2004 Passed 12/21/04 Effective Date 1/1/05]

Sec. 4-107.

"Emergency" means situations when a failure to act immediately could lead to serious harm to public health or safety.

[Gen.Ord. 3-1996(C) Passed 9/18/96 Effective Date 9/18/96]

Sec. 4-108.

"Garbage" shall have the meaning contained in Indiana Code § 13-11-2-88 and means dead animals, parts of dead animals and all other putrescible materials.

[Gen.Ord. 3-2006 Passed 6/20/06 Effective Date 7/1/06]

Sec. 4-109.

(a) "Hazardous material" means any material present in large enough quantity to pose a significant physical or health hazard to public health, public safety or the environment due to its chemical composition. For the purpose of this ordinance, a hazardous material can be a pure chemical substance or a mixture, a raw material, a product or a waste material.

(b) "Health Officer" means the Director of Public Health, the director's authorized representative, a supervisor in the division or an environmental health specialist.

[Gen.Ord. 7-2004 Passed 12/21/04 Effective Date 1/1/05]

Sec. 4-110.

"Indoor air contaminant" means any chemical, physical or biological, agent that affects the health and well-being of building occupants.

[Gen.Ord. 2-2023 Passed 5/16/23 Effective Date 7/1/23]

Sec. 4-111.

(a) "Junk vehicle" means:

(1) A motor vehicle, racing vehicle, recreational vehicle, trailer, camper, boat, airplane, bus, truck, or similar vehicle from which has been removed engine, transmission or differential parts or that is otherwise partially dismantled or mechanically inoperable;

(2) Any motor vehicle, racing vehicle, recreational vehicle, trailer, camper, boat, airplane, bus, truck, or similar vehicle, which cannot be driven, towed or hauled

on a city street without being subject to the issuance of a traffic citation by reason of its operating condition or the lack of a valid license plate; or

(3) An abandoned vehicle as defined by Indiana Code § 9-13-2-1.

[Gen.Ord. 1-2008 Passed 3/18/08 Effective Date 3/18/08]

Sec. 4-113.

(a) "Law" means statutes, ordinances, regulations, and administrative rules.

(b) "Litter" means any post-consumer solid waste not deposited in an authorized storage, transfer, processing or land disposal facility.

[Gen.Ord. 3-2006 Passed 6/20/06 Effective Date 7/1/06]

Sec. 4-114.

(a) "Marion County" means Marion County, Indiana.

(b) "Multi-unit" means a dwelling with more than two individual apartments or living units.

[Gen.Ord. 7-2004 Passed 12/21/04 Effective Date 1/1/05]

Sec. 4-116.

(a) "Owner", unless otherwise indicated, means ownership of real property which ownership may take any one or more of the following forms:

(1) A person holding an interest in fee simple, life estate, joint tenancy, tenancy by the entireties and/or life estate.

(2) The title holder as recorded in the Office of the Marion County Recorder.

(3) The purchaser of real property under a contract for its conditional sale.

(4) The person in control of the property as executor, executrix, trustee, receiver, successor, assignee or guardian of the person specified in 1), 2) or 3).

[Gen.Ord. 7-2004 Passed 12/21/04 Effective Date 1/1/05]

Sec. 4-117.

(a) "Person" means any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint-stock company, trust, estate or any other legal entity or his or its successors, assigns, agents or legal representatives.

(b) "Plumbing" means the following facilities and equipment: natural gas pipes, equipment fueled by natural gas or oil, water pipes, garbage disposal units, waste pipes, water closets, sinks, dishwashers, lavatories, bathtubs, showers, clothes washing machines, catch basins, drains, vents, and any other similar installed fixtures together with all connections to water, sewer and gas lines.

(c) "Premises" shall mean a platted or unplatted lot, plat or parcel of land either occupied or unoccupied by any dwelling or other structure, and includes any such building, other structure, adjoining alley, easement and drainage way.

[Gen.Ord. 2-2023 Passed 5/16/23 Effective Date 7/1/23]

Sec. 4-119.

“Rubbish” means non-putrescible solid waste including combustible waste such as paper, cardboard, plastic containers, yard clippings and wood and noncombustible waste such as cans, glass, metal, and bottles.

[Gen.Ord. 7-2004 Passed 12/21/04 Effective Date 1/1/05]

Sec. 4-120.

(a) “Solid waste” shall have the meaning contained in Indiana Code §13-11-2-205(c).

(b) “Solid waste storage container” means a receptacle used for the temporary storage of solid waste while awaiting collection. A refuse bin is considered to be a solid waste storage container.

[Gen.Ord. 3-2006 Passed 6/20/06 Effective Date 7/1/06]

Sec. 4-123.

"Vector" means any rodents, mosquitoes or other animals including insects capable of harboring and transmitting micro-organisms and disease to humans and other animals.

[Gen.Ord. 7-2004 Passed 12/21/04 Effective Date 1/1/05]

Sec. 4-124.

“Waste tire” shall have the meaning contained in Indiana Code § 13-11-2-250.

[Gen.Ord. 1-2007 Passed 7/24/07 Effective Date 7/17/07]

Sec. 4-125.

“Weeds” means vegetation twelve inches or more in height. The term does not include trees, shrubs, cultivated flowers or plants, or crops.

[Gen.Ord. 1-2007 Passed 7/24/07 Effective Date 7/17/07]