

CHAPTER 4

GENERAL AND MISCELLANEOUS PROVISIONS

Article 1. General Definitions.

Sec. 4-101.

- (a) Words and phrases defined in this or any chapter of The Code of The Health and Hospital Corporation of Marion County shall be applicable and shall have the same meaning throughout The Code.
- (b) Undefined terms shall be assigned their plain and ordinary meaning. In that case, reference may be made to a standard American dictionary.

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

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 of The Health and Hospital Corporation of Marion County, Indiana or his designated representative.

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

Sec. 4-103.

- (a) "Business day" means any day other than a Saturday, a Sunday or a public holiday under the laws of the State of Indiana.

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

Sec. 4-104.

- (a) "Code" means the ordinances adopted by the Corporation, as amended.
- (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, Indiana.

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

Sec. 4-105.

- (a) "Division" means the Division of Public Health of The Health and Hospital Corporation of Marion County, Indiana.

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

Sec. 4-106.

- (a) "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. 4-107.

(Reserved)

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

Sec. 4-108.

- (a) "Garbage" shall have the meaning contained in 329 IAC 10-2-76. The term "garbage" shall also include dead animals, parts of dead animals and all other putrescible materials.

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

Sec. 4-109.

- (a) "Hazardous material" shall mean 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 of The Health and Hospital Corporation of Marion County, Indiana or his authorized representative.

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

Sec. 4-110.

(Reserved)

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

Sec. 4-111.

- (a) "Junk vehicle" means any vehicle which is not operable or a vehicle which does not display a current license.

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

Sec. 4-112.

(Reserved)

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

Sec. 4-113.

- (a) "Law" means state and local statutes, ordinances and rules.

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

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

Sec. 4-114.

- (a) "Marion County" means the County of Marion in the State of Indiana.

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

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

Sec. 4-115.

(Reserved)

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

Sec. 4-116.

- (a) "Owner", unless otherwise indicated, shall refer to 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. 17-1996(A) Passed 11/20/96 Effective Date 11/1/96]

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

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" shall mean and include all of 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. 3-1996(C) Passed 9/18/96 Effective Date 9/18/96]

Sec. 4-118.

(Reserved)

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

Sec. 4-119.

- (a) "Rubbish" shall mean non-putrescible solid waste including combustible waste such as paper, cardboard, plastic containers, yard clippings and wood and non-combustible waste such as cans, glass, metal and bottles.

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

Sec. 4-120.

- (a) "Solid waste" shall have the meaning contained in 329 IAC 10-2-174.
- (b) "Solid waste storage container" shall mean 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. 3-1996(C) Passed 9/18/96 Effective Date 9/18/96]

Sec. 4-121.

(Reserved)

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

Sec. 4-122.

(Reserved)

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

Sec. 4-123

(a) The term "vector" shall mean any living animal capable of harboring and transmitting micro-organisms from one animal to another animal or human.

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

Sec. 4-124.

(a) "Weeds" shall mean vegetation which is twelve inches or more in height and which provides rat harborage or other public health or safety hazard.

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

Article 2. Rules of Construction.

Sec. 4-201. Any chapter or section titles contained in The Code are included for convenience only and do not define, limit or describe the chapter or section contents.

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

Sec. 4-202. Words of the masculine gender used in The Code shall extend and be applied to females as well.

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

Sec. 4-203. Any reference contained in The Code to a law of another jurisdiction or entity shall be construed to include any amendment to the cited provision which occurred after the date that the reference is adopted by the Board of Trustees.

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

Article 3. Repealer: Impairment Of Obligations.

Sec. 4-301. Administrative Policy. All ordinances, resolutions, bylaws, policies and procedures previously adopted by the Board of Trustees which are inconsistent with the provisions of this ordinance are repealed to the extent inconsistent with this ordinance. Nothing in this ordinance shall be construed as impairing the rights or obligations of the Corporation or third parties under contracts entered into prior to the effective date of this ordinance. Administrative offices and positions which are not created or preserved in the ordinance or subordinate to an office so preserved or created are hereby abolished.

[Gen.Ord. 10-1983 Passed 12/14/83 Effective Date 1/1/84]

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