

17.02.030 – Applicability and Interpretation

- A. **Territorial Application** This Title shall apply to all development and use, public or private, within the corporate limits of the City of St. Charles, unless specifically exempted in this Title.
- B. **Zoning of Annexed Land** Unless requested otherwise, land being annexed shall automatically be zoned RE-1 Single Family Estate District upon annexation.
- C. **Minimum Requirements** The provisions of this Title are the minimum requirements deemed necessary to carry out its stated purpose and intent.
- D. **Conflicting Provisions** Where the provisions of this Title contain two or more conflicting requirements applicable to a lot or part thereof, the most restrictive requirement shall apply.
- E. **No Development Without Conformance** Except as otherwise provided by this Title, no land, building, structure or part thereof shall be improved, erected, constructed, reconstructed, moved, enlarged or structurally altered, used or occupied unless it conforms with the applicable provisions of this Title. (Ord. 1960-16 § IV (A).)
- F. **Private Agreements** This Title is not intended to abrogate any easement, covenant, deed restriction or other agreement between private parties. Where the provisions of this Title are more restrictive or impose higher standards or requirements than a private agreement, the requirements of this Title shall govern. The City does not enforce or maintain a record of private agreements.
- G. **Other Laws and Regulations** If the provisions of this Title are inconsistent with those of the state or federal government, the more restrictive provision shall control, to the extent permitted by law. The more restrictive provision is the one that imposes greater restrictions or more stringent controls on development.
- H. **Meanings and Intent** The language of the Title must be read literally. Regulations are no more or less strict than stated. Words defined in Chapter 17.30 and 17.32 have the specific meaning assigned. Words that are not defined in Chapter 17.30 or 17.32 have the meaning given in the latest editions of the Illinois Compiled Statutes, and if not defined therein, Black's Law Dictionary, or Webster's Third International Dictionary, unless the context expressly indicates another meaning.
- I. **Tenses and Usage:**
- Words used in the singular include the plural. The reverse is also true.
 - Words used in the present tense include the future tense. The reverse is also true.
 - The words "must," "will," "shall" and "may not" are mandatory.
 - The word "may" is permissive, and "should" is advisory, not mandatory or required.
 - When used with numbers, "Up to X," "Not more than X," and "a maximum of X" all include X.
 - The masculine gender includes the feminine and neuter.
- (Ord.1988-Z-8 § 1; Ord. 1960-16 III (part).)
- J. **Conjunctions**
Unless the context otherwise clearly indicates, conjunctions have the following meanings:
- "And" indicates that all connected items or provisions apply; and
 - "Or" indicates that the connected items or provisions may apply singularly and in combination.
- K. **Fractions**
1. **Minimum Requirements** When a regulation is expressed in terms of a minimum requirement, any fractional result of 0.5 or more must be rounded up to the next consecutive whole number. For example, if a minimum requirement of one tree for every 30 linear feet is applied to a 50-foot dimension, the resulting fraction of 1.67 is rounded up to 2 required trees.
 2. **Maximum Limits** When a regulation is expressed in terms of maximum limits, any fractional result will be rounded down to the next lower whole number. For example, if a maximum limit of one dwelling unit for every 2,500 square feet is applied to a 6,250 square foot lot, the resulting fraction of 2.5 is rounded down to 2 (allowed dwelling units).
- L. **Headings and Illustrations** Headings and illustrations are provided for convenience and reference only and do not define or limit the scope of any provision of this Title. In case of any difference of meaning or implication between the text of this Title and any heading, drawing, table, figured, photograph, or illustration, the text controls.
- M. **References to Other Regulations** All references in this Title to other city, county, state, or federal regulations are for informational purposes only, and do not constitute a complete list of such regulations. These references do not imply any responsibility by the city for enforcement of county, state, or federal regulations.
- N. **Current Versions and Citations** All references to other city, county, state, or federal regulations in this Title refer to the most current version and citation for those regulations, unless expressly indicated otherwise. When the referenced regulations have been repealed and not replaced by other regulations, the requirements of this Title for compliance are no longer in effect.
- O. **Lists and Examples** Unless otherwise expressly indicated, lists of items or examples that use "including," "such as," or similar terms are intended to provide examples only. They are not to be construed as

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exhaustive lists of all possibilities.

- P. Delegation of Administrative Authority Whenever a provision appears requiring an officer or employee of the city to perform an act or duty, that provision shall be construed as authorizing the officer or employee to delegate that responsibility to others over whom they have authority. Delegation of authority is not allowed when the provisions of this Title expressly prohibit such a delegation.
- Q. Public Officials and Agencies All employees, public officials, bodies, and agencies to which references are made are those of the City of St. Charles unless otherwise expressly stated.
- R. Zoning of Property Outside of the City For the purposes of this Title, zoning of properties not within but adjoining the corporate limits of the City of St. Charles shall be deemed to be characterized as the St. Charles zoning district that most closely approximates the uses and intensity of development permitted by the County or Municipal zoning regulations applicable thereto, or the uses and intensity of development contemplated in the applicable Comprehensive Plan of the jurisdiction in which it is located, whichever is more intensive.

(Ord. 2008-Z-32 § 2.)

(2006-Z-26 : § 1)