**[BCZR 1955]**

§ 101.1. - Word usage; definitions.

[Bill No. 149-1987]

Words used in the present tense include the future; words in the singular number include the plural number; the word "shall" is mandatory. For the purposes of these regulations, certain terms and words are defined below.

Any word or term not defined in this section shall have the ordinarily accepted definition as set forth in the most recent edition of Webster's Third New International Dictionary of the English Language, Unabridged.

ACCESSORY APARTMENT — A second living quarters within a principal single-family detached dwelling or within an accessory building situated on the same lot as the principal single-family detached dwelling and in compliance with Section 400, with dedicated bathing and cooking facilities, and located on owner-occupied property, subject to the following:

[Bill No. 49-2011]

A. The owner may occupy either the principal dwelling or the accessory apartment;
B. The occupant(s) of the accessory apartment and the occupant(s) of the principal single-family detached dwelling shall be immediate family, related as grandparents, parents, or parents' children by blood, marriage or adoption;
C. The accessory apartment is provided without compensation; and
D. The accessory apartment, whether located within the principal dwelling or in the accessory building, shall comply with all laws, regulations, and codes affecting residential occupancy.

ACCESSORY BUILDING — One which is subordinate and customarily incidental to and on the same lot with a main building. A trailer shall not be considered an accessory building. A structure connected to a principal building by a covered passageway or with one wall in common shall not be considered an accessory building.

ACCESSORY USE OR STRUCTURE — A use or structure which: (a) is customarily incident and subordinate to and serves a principal use or structure; (b) is subordinate in area, extent or purpose to the principal use or structure; (c) is located on the same lot as the principal use or structure served; and (d) contributes to the comfort, convenience or necessity of occupants, business or industry in the principal use or structure served; except that, where specifically provided in the applicable regulations, accessory off-street parking need not be located on the same lot. An accessory building, as defined above, shall be considered an accessory structure. A trailer may be an accessory use or structure if hereinafter so specified. An ancillary use shall be considered as an accessory use; however, a use of such a nature or extent as to be permitted as a "use in combination" (with a service station) shall be considered a principal use.

[Bill Nos. 100-1970; 26-1988] [6]

AGRICULTURE, COMMERCIAL — The use of land, including ancillary structures and buildings, to cultivate plants or raise or keep animals for income, provided that the land also qualifies for farm or agricultural use assessment pursuant to § 8-209 of the Tax-Property Article of the Annotated Code of Maryland, as amended. Commercial agriculture includes the production of field crops, dairying, pasturage agriculture, horticulture, floriculture, aquiculture, apiculture, viticulture, forestry, animal and poultry husbandry, the operation of an equestrian center, horse breeding and horse training and also includes ancillary activities such as processing, packing, storing, financing, managing, marketing or distributing, provided that any such activity shall be secondary to the principal agricultural operations.

[Bill Nos. 51-1993; 24-2002]

AIRPORT — Any area of land or water designed and set aside for landing or taking off of aircraft.

ALLEY — A right-of-way 20 feet or less in width, designated as an alley on either an unrecorded or recorded plat or dedicated as such by deed, which provides service access for vehicles to the side or rear of abutting property.

a heating element that vaporizes a substance that releases nicotine, tobacco, flavored vapor or other substances, through one or more electronic or battery-operated delivery devices, including any device known as an electronic cigarette (also commonly referred to as e-cig, e-cigarette, e-pipe, electronic cigarillo, hookah pen, e-hookah, vape pen, vape pipe or any other electronic cigarette product), including but not limited to establishments known variously as vape bars, vape lounges, e-cigarette bars or vape cafes. A vapor lounge may only operate from 6:00 a.m. to 12:00 midnight. **[Bill No. 16-2014]**

VETERINARIAN — A person licensed to engage in the practice of veterinary medicine. **[Bill No. 85-1967]**

VETERINARIAN'S OFFICE — An office which is maintained by a veterinarian for the treatment of animals and in which no animal is kept overnight. **[Bill No. 85-1967]**

VETERINARIUM — Any building or portion thereof which is used, intended to be used or arranged primarily for treatment of animals by a veterinarian, where overnight care is allowed, and where all areas used for treatment or housing of animals are odorproofed and soundproofed. **[Bill No. 85-1967]**

WAREHOUSE — A building or part of a building used or intended to be used primarily for the storage of goods or chattels that are to be sold retail or wholesale from other premises or sold wholesale from the same premises; for the storage of goods or chattels to be shipped on mail order; for the storage of equipment or materials to be used or installed at other premises by the owner or operator of the warehouse; or for similar storage purposes. (The term "warehouse" does not include a retail establishment whose primary purpose is for the sale of goods or chattels stored on the premises; however, nothing in this definition is meant to exclude purely incidental retail sales in warehouses. Further, the term does not include a truck terminal, at which any storage is minor, transitory and merely incidental to the purpose of facilitating transportation of goods or chattels.) **[Bill No. 18-1976]**

WATER-SUPPLY SYSTEM, PUBLIC — A water-supply system which is operated by the county or a public agency of metropolitan or regional jurisdiction and which is owned by or meets design and performance standards whereby it is eligible for ownership by the county or such agency, whether or not it is part of or connected with the physical facilities of the metropolitan or regional water-supply system. **[Bill No. 100-1970]**

WETLAND (NONTIDAL) — Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support and that, under normal circumstances, do support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation. The determination of whether an area is a nontidal wetland shall be made in accordance with the publication known as the "Federal Manual for Identifying and Delineating Jurisdictional Wetlands," published in 1987 and as may be amended. **[Bill No. 9-1996[33]]**

WETLAND (TIDAL) — All state and private tidal wetlands, marshes, submerged aquatic vegetation, lands and open water affected by the daily and periodic rise and fall of the tide within the Chesapeake Bay and its tributaries and additional tidal wetlands identified through site inspection by the Department of Environmental Protection and Sustainability that are

33. **Editor's Note**—This bill also repealed the former definition of "wetland."