

ARTICLE III. APPLICATION

Sec. 40 – 20. Relation to Comprehensive Plan.

It is the policy of the City of Wyoming that the enforcement, amendment, and administration of this Ordinance be accomplished in harmony with the City's Comprehensive Plan.

Sec. 40 – 21. Standard Requirement.

Where the conditions imposed by any provisions of this Ordinance are either more or less restrictive than comparable conditions imposed by other ordinance, rule, or regulation of the City, County, State, or Federal governments, the ordinance, rule or regulation which imposes the more restrictive condition standard or requirements, shall prevail. In the event of any conflict between this Ordinance with any private restrictions, protections, and covenants, the provisions of this Ordinance shall apply.

Sec. 40 – 22. Minimum Requirements.

In their interpretation and application, the provisions of this Ordinance shall be at least the minimum requirements for the promotion of the public health, safety, and welfare.

Sec. 40 – 23. Conformity with Provisions.

No structure shall be erected, converted, enlarged, reconstructed, altered, or placed, and no structure or land shall be used for any purpose nor in any manner which is not in conformity with the provisions of this Ordinance.

Sec. 40 – 24. Building Permits.

Except as herein provided, no building, structure, or premises shall hereinafter be used, occupied, or moved, and no building permit shall be granted that does not conform to the requirements of this Ordinance.

Sec. 40 – 25. Conditional Uses, Variances, and Amendments.

Nothing within this Ordinance shall be construed so to deny any property owner his right to apply for a conditional use permit, variance, or amendment to this Ordinance.

Sec. 40 – 26. Uses Not Provided for Within Zoning Districts.

Whenever in any zoning district a use is neither specifically permitted nor denied, the use shall be considered prohibited. In such case the City Council or the Planning Commission, on their own initiative or upon request, may conduct a study to determine the appropriate zoning district and conditions and standards for the development of the use, the cost of the study will be borne by those making the requests. The City Council, the Planning Commission, or property owner shall, if appropriate, initiate the amendment to the Zoning Ordinance to provide for the particular use under consideration or shall find that the use under consideration is not compatible for development within the City.

Sec. 40 – 27. Separability.

It is hereby declared to be the intention of the City that the separate provisions of this Ordinance are separable in accordance with the following:

- (1) If any court of law shall judge any provision of this Ordinance to be invalid, such judgment shall not affect any other provision of this Ordinance not specifically included in said judgment.
- (2) If any court of competent jurisdiction shall judge invalid the application of any provision of the Ordinance to a particular property, building, or structure, such judgment shall not affect the application of said provision to any other property, building, or structure not specifically included in said judgment.

Sec. 40 – 28. Rules.

The language set forth in the text of this Ordinance shall be interpreted in accordance with the following rules of construction.

- (1) The singular number includes the plural, and the plural the singular.
- (2) The present tense includes the past and the future tenses, and the future the present.
- (3) The word "shall" is mandatory while the word "may" is permissive.
- (4) The masculine gender includes the feminine and neuter.

Secs. 40 - 29—40 - 39. Reserved.