

12 - ABBREVIATIONS AND DEFINITIONS (PRIVATE DEVELOPMENT)

12.1 SCOPE

This section defines the abbreviations and definitions of words and phrases used in the technical specifications.

12.2 GENERAL

a. Abbreviations.

References made to the following abbreviations refer to the specifications, standards, or methods of the respective national association. All references to these specifications, standards, or methods shall, in each instance, be understood to refer to the latest issue in effect (including all amendments).

AASHTO	American Association of the State Highway and Transportation Officials
ACI	American Concrete Institute
AI	The Asphalt Institute
AISC	American Institute of Steel Construction
AISI	American Iron and Steel Institute
ANSI	American National Standards Institute (Succeeding ASA)
API	American Petroleum Institute
APWA	American Public Works Association
ASCE	American Society of Civil Engineers
ASTM	American Society for Testing Materials
CRSI	Concrete Reinforcing Steel Institute
EPA	Environmental Protection Agency
IBC	International Building Code
KCMMB	Kansas City Metro Materials Board
KDOT	Kansas Department of Transportation
KDHE	Kansas Department of Health and Environment
MUTCD	Manual on Uniform Traffic Control Devices
OSHA	Occupational Safety and Health Act of 1970
OPMC	Overland Park Municipal Code
PIP	Public Improvement Permit
PCA	Portland Cement Association
PCI	Pre-stressed Concrete Institute
PVC	Polyvinyl Chloride
ROW	Right-of-Way

b. Definitions.

The following words and phrases whenever used in the ordinances of the City of Overland Park, Kansas, shall be constructed as defined in this section unless from the context a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

- (1) "City" means the City of Overland Park, Kansas, or the area within the territorial limits of the City of Overland Park, Kansas, and such territory outside of the City over which the City has jurisdiction or control by virtue of any constitutional or statutory provision;
- (2) "City Engineer" is the professional engineer employed by the City and designated by the City Council as the "City Engineer." In this document, "City Engineer" also refers to the City Engineer's official designated representative.
- (3) "Computation of time" means the time within which an act is to be done. It shall be computed by excluding the first day and including the last day; and if the last day be Sunday or a legal holiday, that day shall be excluded;
- (4) "Council" means the City council of the City of Overland Park, Kansas. "All its members" or "all councilmen" mean the total number of councilmen provided by the general laws of the State of Kansas;
- (5) "County" means the county of Johnson, Kansas;
- (6) "Easement" is an interest in land that entitles its holder to a definite and limited use of land owned by another.
- (7) "Engineer" is the Professional Engineer, registered in the State of Kansas, who is responsible for the design of the improvements.
- (8) "Final Inspection" is the physical inspection by the City Engineer that is conducted after all the work is fully completed and prior to the acceptance of the work by the City as a public improvement.
- (9) "Law" denotes applicable federal law, the Constitution and Statutes of the State of Kansas, the ordinances of the City of Overland Park, and when appropriate, any and all rules and regulations which may be promulgated thereunder;
- (10) "Liquid Limit" is the water content of the soil at the change between the liquid and the plastic states and shall be tested in accordance with ASTM D 4318-05;
- (11) "Month" means a calendar month;
- (12) "Must" and "Shall" is mandatory;
- (13) "Oath" includes an affirmation or declaration in all cases in which, by law, affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" are equivalent to the words "affirm" and "affirmed";
- (14) "Or" may be read "and" and "and" may be read "or" if the sense requires it;
- (15) "Ordinance" means a law of the City; provided that a temporary or special law, administrative action, order or directive, may be in the form of a resolution;
- (16) "Owner" applied to a building or land includes any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or a part of such building or land;
- (17) "Person" means natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them;
- (18) "Personal property" includes money, goods, chattels, things in action and evidences of debt;
- (19) "Plasticity Index" is the numerical difference between the liquid limit and the plastic limit;
- (20) "Preceding" and "following" mean next before and next after, respectively;
- (21) "Property" includes real and personal property;
- (22) "Public Improvement Permit" is a permit issued by the City Engineer after the review and approval of designs, plans and specifications that is required prior to commencing any work on or for a public improvement.
- (23) "Real property" includes lands, tenements and hereditary property;
- (24) "Right-of-Way" means the area on, below or above the present and future City streets, alleys, bridges, bikeways, parkways and sidewalks.
- (25) "Sidewalk" means that portion of a street between the curb line and the adjacent property line intended for the use of pedestrians;

(26) "Standard Specifications" means the "Standard Specifications for State Road and Bridge Construction," Kansas Department of Transportation, current edition.

(27) "State" means the State of Kansas;

(28) "Street" includes all streets, highways, avenues, lanes, alleys, courts, places, terraces, squares, curbs, or other public ways in this City which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this State;

(29) A "street name sign" in these specifications means a complete four-way assembly including mounting brackets, two extruded aluminum blades double faced with reflective sheeting and legend, mounted on a galvanized steel post;

(30) "Tenant" and "occupant," applied to a building or land, includes any person who occupies whole or a part of such building or land, whether alone or with others;

(31) Title of Office. Use of the title of officer, employee, board or commission means that officer, employee, department, board or commission of the City;

(32) "Will" is mandatory; dispositive of intent.

(33) "Written" includes printed, typewritten, e-mail and photocopy;

(34) "Year" means a calendar year;

c. Grammatical Rules.

The following grammatical rules shall apply in the ordinances of the City of Overland Park, Kansas:

(1) Gender. Any gender includes the other genders;

(2) Singular and plural. The singular number includes the plural and the plural includes singular;

(3) Tenses. Words uses in the present tense include the past and the future tenses and vice versa;

(4) Use of Words and Phrases. Words and phrases not specifically defined shall be construed according to the context and approved usage of the language;

(5) All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning;

(6) When an act is required by an ordinance the same being such that it may be done as well by an agent as by the principal, such requirement shall be construed as to include all such acts performed by an authorized agent.