

ZONING BYLAW FOR THE TOWN OF NORFOLK, MASSACHUSETTS
Section B. DEFINITIONS

B. DEFINITIONS

For the purpose of this bylaw, certain terms and words shall have the meaning given herein. Words used in the present tense include the future. The singular number includes the plural, and the plural the singular. The words "used" or "occupied" include the words "designated," "arranged," "intended," or "offered" to be used or occupied. The words "building," "structure," "lot," "land," or "premises" shall be construed as though followed by the words "or any portion thereof." The word "shall" is always mandatory and not merely directory.

Terms and words defined herein are shown in all capital letters throughout the bylaw. Terms and words not defined herein but defined in the Commonwealth of Massachusetts State Building Code shall have the meaning given therein unless a contrary intention clearly appears. Words not defined in either place shall have the meaning given in Webster's Unabridged Dictionary.

ACCESSORY USE or BUILDING - The use of land or a BUILDING customarily incidental to, and located on the same LOT with the principal use or BUILDING.

ADULT BUSINESS - Any establishment which is distinguished or characterized by its emphasis on sexually oriented materials or entertainment depicting and/or describing, conduct or acts of a sexually explicit nature and as further defined in MGL Ch. 272, Sec. 31. Examples of such establishments include adult book stores, adult video stores, adult motion picture theaters, adult paraphernalia stores and adult live entertainment in which a substantial or significant portion of their stock in trade, displays and/or presentations relate to sexual conduct, sexual excitement, or are pornographic.

ADULT DAY CARE (DROP-IN) FACILITY - Premises or buildings used for the provision of supervised care for adults or the elderly on a daily basis.

AFFORDABLE HOUSING DEVELOPMENT - Any new housing development in a residential district filed under State and/or Federal Grants that would contain a proportion of SINGLE FAMILY DWELLINGS affordable to persons of low or moderate income (as defined and determined by Commonwealth of Massachusetts Department of Housing and Community Development [DHCD]).

AGE RESTRICTED DWELLINGS/HOUSING - Dwelling units for only adult residents of which at least one is 55 years of age and older. Such dwellings shall have this age restriction as part of the deed for the dwelling and/or property.

ANIMAL HOSPITAL AND CLINIC - A facility for the medical treatment of animals operated by a licensed veterinary professional, but including the boarding of animals within the facility building incidental to the hospital facility.

AGRICULTURAL - Property or BUILDINGS upon or within which agricultural, horticultural or floricultural products are grown or produced on premises, provided that the subject property contains a minimum of five (5) acres.

ALTERATIONS - As applied to a BUILDING or STRUCTURE, a change or rearrangement in the structural parts or in the exit facilities, or an enlargement whether by extending on a side or by increasing in height, or the moving from one location or position to another.

APPLICANT - The owner(s) of record or the legally authorized agent of the owner(s) of record.

ASSISTED LIVING FACILITY - A residential facility, designed primarily for elders, including supportive services but not permanent provisions for allied nursing facilities or nursing services.

ATHLETIC COURT - An area upon which tennis, handball, basketball, racquetball, volleyball, squash or paddle tennis is played.

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AUCTION GALLERY - A BUILDING within which goods and materials, except motor vehicles, are offered for auction to members of the public by a licensed auctioneer.

BED & BREAKFAST - A private, owner-occupied residence with accommodations for overnight guests for a fee, provided that no more than three rooms in any BUILDING may be used for such accommodations.

BOARDING HOUSE - Any DWELLING in which two or more persons, not members of the FAMILY dwelling on the premises, are housed or lodged for hire with or without meals in a room or suite which does not contain separate cooking facilities. A rooming house or a furnished rooming house, in which the rooms or suites of rooms in which the persons are housed or lodged for hire do not contain separate facilities, shall be deemed a BOARDING HOUSE.

BUILD FACTOR - A ratio of LOT perimeter to LOT area which limits the degree to which a LOT may have an irregular shape according to the formula set forth in Section E.1.e.

BUILDING - Any STRUCTURE used or intended for supporting or sheltering any use or occupancy. Any such STRUCTURES which share a common wall, but are located on separate LOTS, shall be considered to be separate BUILDINGS.

BUILDINGS, PROFESSIONAL - A BUILDING or group of BUILDINGS used for the offices and facilities accessory to the practice of licensed medical practitioners, clergypersons, lawyers, accountants, architects, engineers or other members of a recognized profession. For the purpose of this definition: (a) "licensed medical practitioners" shall include physicians, dentists, optometrists, ophthalmologists, Christian Science practitioners, chiropractors, and persons engaged in all fields related generally to medicine, but not including veterinarians; (b) "other members of a recognized profession" shall not include persons whose use of such BUILDING or group of BUILDINGS involves MANUFACTURING, fabrication, production, processing, assembling, cleaning, testing, repair or storage of materials and products which are physically located on the premises; and (c) "professional BUILDINGS" shall not include a veterinary hospital, or in-patient health care facilities.

BUILD-TO LINE - A line establishing a location for a BUILDING or STRUCTURE'S facade or vertical face, located on or referenced to the LOT'S FRONTAGE.

BUSINESS CORE - That part of the B-1 District which is West of Carlson's Circle.

BUSINESS OFFICES - Facility for the transaction of business exclusive of the receipt, retail sale, or processing of merchandise.

CHILD CARE FACILITY - A day care center or school age child care program as those terms are defined in G.L. c. 28A, Section 9; provided that the ground area covered by the BUILDING in which such business is located does not exceed 2,500 square feet.

CLUB - Premises or BUILDINGS of a non-profit organization exclusively serving members and their guests for recreational, athletic, or civic purposes, but not including any vending stands, merchandising, or commercial activities except as required generally for the membership and purposes of such club. Does not include clubs or organizations whose chief activity is a service customarily carried on as a business.

COLLECTION STATION FOR LAUNDRY OR DRY CLEANING - A retail service establishment where customers bring and pick up their laundry or dry cleaning. No laundering or dry cleaning is done on the premises. The on-site service may include tailoring and clothing repairs.

COMMERCIAL COMPOSTING - A site or BUILDING where organic matter such as leaves, manure, peat, grass clippings, tree branches or shredded tree materials, are converted to compost or fertilizer and sold to or used by the general public, landscapers, retailers, and wholesalers.

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COMMERCIAL SERVICE - A Professional BUILDING, BUSINESS OFFICE or other Commercial BUILDING which provides goods or services other than retail sales as its principal function.

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CONTRACTOR'S HEADQUARTERS - A BUILDING which serves as the office space and staging area of a building contractor, plumbing contractor, electrical contractor, excluding those contractors primarily involved in the excavation or the relocation or transfer of earth. All vehicles or equipment garaged at the site are to be stored inside the BUILDING. Storage of materials and supplies shall be screened from view from the FRONTAGE and all property lines.

CONVENIENCE STORE - A GROCERY STORE or VARIETY STORE with less than 5,000 square feet GROSS FLOOR AREA.

CRAFT WORKSHOP - A business involving not more than eight (8) artists, artisans, craftsmen, or other skilled people or employees on premises at any one time who are engaged in the indoor production and sale of: wood carvings, baskets, cabinetry, ceramics, clothing, flower arrangements, jewelry, musical instruments, paintings, pottery, sculpture, children's toys, woven objects, ceramics, hand-blown glass objects, dolls, silver goods or other goods fabricated of precious metals, photographs, candles, graphic arts, taxidermy and leather goods (not including tanning or processing), picture framing, wood working, candles and art work.

DAY CARE, FAMILY HOME - Any dwelling unit licensed by the Commonwealth of Massachusetts and providing daily care for six or fewer children under the age of six years, where fees are charged.

DEMOLITION - Any act of pulling down, destroying, removing or razing a building or structure, or commencing the work of total or substantial destruction with the intent of completing the same.

DRIVE-UP WINDOW - A premises where persons, while in their cars, are served, purchase, consume as appropriate: banking services, food, goods.

DRY CLEANING OR POWER LAUNDRY - A BUILDING where retail/wholesale laundry and/or dry cleaning is done, including on-site commercial cleaning of carpets and rugs.

DWELLING - Any STRUCTURE or BUILDING used in whole or in part for human habitation.

DWELLING, SINGLE-FAMILY - A BUILDING occupied by a single FAMILY and having no party wall or walls in common with an adjacent STRUCTURE.

DWELLING UNIT - Quarters for a single FAMILY.

FAMILY - One or more persons occupying a DWELLING UNIT and living as a single, non-profit housekeeping unit; provided that a group of five or more persons who are not within the second degree of kinship shall not be deemed to constitute a FAMILY.

FARMER'S MARKET - The temporary outdoor retail sale of agricultural, horticultural or floricultural produce between May 15 and November 15.

FAST FOOD RESTAURANT - A public eating establishment where the customer carries the purchased food to a seating area within the premises.

FLOODPLAIN - WETLANDS PROTECTION DISTRICT BYLAW definitions:

BASE FLOOD means the flood having a one percent chance of being equaled or exceeded in any given year (more commonly referred to as the 100 year flood event).

DEVELOPMENT means any manmade change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

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FLOODWAY means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the BASE FLOOD without cumulatively increasing the water surface elevation.

FLOOD BOUNDARY AND FLOODWAY MAP means an official map of a community issued by FEMA that depicts based on detailed analyses, the boundaries of the 100-year and 500-year floods and the 100-year FLOODWAY.

FLOODWAY DATA means the best available Federal, State, local or other floodway data used to prohibit encroachment in FLOODWAYS which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

FOOTPRINT - The land area occupied by BUILDINGS or STRUCTURES, at the surface of the ground, excluding open porches and loading docks and receiving areas, whether or not enclosed.

FRONTAGE - That portion of a LOT contiguous with a STREET or STREET right of way line and providing access thereto. For the purposes of determining YARD requirements on corner LOTS and through LOTS, all sides of a LOT adjacent to or abutting STREETS shall be considered FRONTAGE and YARDS shall be provided under YARDS in this Section. FRONTAGE is to be measured continuously along one STREET line between side LOT lines and their intersection with the STREET line or, in the case of a corner LOT, to the midpoint of the corner arc.

FRONTAGE SIDE - That side of a BUILDING or STRUCTURE which abuts or is closest to the FRONTAGE of the LOT on which that BUILDING or STRUCTURE is located.

GARAGE REPAIR SHOP - Any BUILDING, in which a business, service or industry involving the maintenance, servicing, repair or painting of vehicles is conducted or rendered.

GREENHOUSE - A BUILDING with a roof and walls made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of agricultural, horticultural or floricultural products for retail or wholesale sale or distribution.

GROCERY STORE - A retail store selling branded, packaged comestibles, beverages and staple foodstuffs.

GROSS FLOOR AREA - The sum of the horizontal areas of the floor(s) of a BUILDING measured from the exterior face of exterior walls, or from the centerline of a wall separating two BUILDINGS, but excluding interior parking spaces, loading space for motor vehicles, unoccupied attic space, or any space where the floor-to-ceiling height is less than six feet.

HARDGOODS - Retail merchandise comprised in whole or in part of hard or durable materials such as metal, wood, glass, plastics, and synthetics (molded or extruded).

HEALTH CLUB - An entity which provides structured exercise programs utilizing both indoor and outdoor facilities such as a gymnasium, swimming pool, running track, court layouts and the like for the development of personal fitness under the supervision of personnel knowledgeable in health, physical education and exercise physiology.

HEIGHT, BUILDING - The vertical distance from the grade to the top of the highest roof beams of a flat roof, or to the mean level of the highest gable or slope of a hip roof. When a BUILDING faces on more than one (1) STREET, the height shall be measured from the average of the grades at the center of each STREET front.

HOME OCCUPATION - The use of a portion of a DWELLING or ACCESSORY BUILDING thereto as an office, workshop, or studio, by a resident of the premises provided that:

- a. The occupation does not employ more than one person who is not a resident of the premises;
- b. The occupation is clearly incidental to the use of the premises for residential purposes and does not occupy an area greater than 25% of the GROSS FLOOR AREA of the DWELLING;

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- c. The occupation does not involve exterior storage or display of material or equipment;
- d. There shall be no sales of merchandise other than that produced on the premises;
- e. There shall be no change in the outside appearance of the BUILDING or premises, or other visible evidence of the conduct of such home occupation other than one SIGN as provided for in Section F.9.b.1.a;
- f. No traffic shall be generated by such HOME OCCUPATION in greater volume than would normally be expected in a residential neighborhood;
- g. No equipment or process shall be used in such HOME OCCUPATION which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the LOT.

HOSPICE - A facility that addresses the physical, spiritual, emotional, physiological, social and financial needs of the terminally ill patient and his FAMILY through an interdisciplinary team of professionals and trained volunteers in a variety of settings, both inpatient and at home; including bereavement counseling for his FAMILY.

HOTEL - A commercial facility offering transient lodging accommodations to the general public and providing additional services such as RESTAURANTS, meeting rooms, and recreation facilities.

IMPERVIOUS SURFACE - A constructed surface covering, such as asphalt, concrete, brick, tile and flagstone, which restricts the otherwise natural flow of surface waters into the ground.

INDOOR COMMERCIAL RECREATION - A BUILDING within which the public is invited for a fee or membership charge to participate in athletic or recreational activities, including but not limited to swimming, exercise, weight training, running, tennis, squash, racquetball, ping-pong, bowling, billiards, darts, miniature golf, golf and baseball/softball training or simulation facilities, basketball, soccer, curling, ice skating, roller skating, hockey, HEALTH CLUB, and SPORTS MEDICINE FACILITY.

INN - A commercial facility operated by a licensed inn holder pursuant to M.G.L. c. 140, Sec. 2, et seq.

JOB PRINTING - The duplication of printed material on a wholesale or retail basis.

LIFE CARE CENTER - A facility which provides residents with private living accommodations; health services such as are provided by a NURSING HOME; dining room and/or prepared food service; communal recreation facilities; other amenities such as a small commissary or VARIETY STORE to serve persons who are unable to live wholly independently.

LIMITED USED MOTOR VEHICLE SALES - use of an office, building and/or site to conduct a business requiring a Class 2 License under the provisions of G.L. Chapter 140, Section 59 for the sale of used motor vehicles, but which does not store, maintain or display vehicles for sale on the premises.

LOADING SPACE, OFF STREET - An off STREET space or berth, on the same LOT with a BUILDING for the temporary parking of vehicles while loading or unloading merchandise or material, and which has access to a STREET or other appropriate means of ingress and egress.

LOT - Except at otherwise provided herein, a parcel of land occupied or intended to be occupied by one BUILDING or use, with its accessories, and including the open spaces accessory to it, which is defined in deed or plan recorded with the Norfolk County Registry of Deeds or Norfolk Registry District. No land which is within the boundaries of a STREET, accepted, proposed or dedicated shall be included in determining LOT areas.

LOT COVERAGE - That portion of the total LOT area which is covered by BUILDINGS, STRUCTURES, and IMPERVIOUS SURFACES.

LOT LINE - A line dividing one LOT from another, or from a STREET or any public place.

MANUFACTURING - A BUILDING used for the indoor assembly or fabrication of materials into finished or semi-finished goods or products to be distributed and sold at locations off-site, provided that all resulting cinders,

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dust, glare, gases, odors, smoke, heat, and vapor are confined in a manner as not to create a nuisance or hazard to safety or health to the public.

NON-CONFORMING - Any LOT, use, STRUCTURE, or BUILDING not meeting the requirements of this Bylaw, but in existence prior to the date of adoption of this Bylaw.

NON-CONFORMING USE OR STRUCTURE - Any use or STRUCTURE which is lawfully in existence or lawfully begun, but which does not conform to the most recent, effective zoning regulations for the district in which such use or STRUCTURE exists.

NONPROFIT PRIVATE CLUB - A BUILDING and related facilities owned or operated by a corporation, association, or group of individuals established for the fraternal, social, educational, recreational or cultural enrichment of its members and not primarily for profit, and whose members meet certain prescribed qualifications for membership and pay dues.

NURSING HOME - A facility with an organized professional staff and permanent facilities including inpatient beds that provide continuous nursing and other health related psychosocial and personal services to patients who are not in an acute phase of illness but who do require care on an inpatient basis.

OUTDOOR BUSINESS - Any Business use conducted in the out-of-doors (outside a BUILDING or STRUCTURE) for more than 5 consecutive days, or more than 15 days in any calendar year, except those uses which are necessary, incidental, or Accessory to an indoor Business use within the B-1 District or a FARMER'S MARKET.

OUTDOOR COMMERCIAL RECREATION - Land, including accessory STRUCTURES, on which the public is invited for a fee or membership charge to participate in any of the following athletic or recreational activities: soccer, football, baseball, softball, cricket, basketball, running, bicycling, golf, miniature golf, golf driving range, par three golf, tennis, handball, racquetball, paddle tennis, boating, training facilities for baseball/softball/soccer/golf, croquet, polo, badminton, bocce, frisbee, shuffleboard, horseshoes and swimming.

OUTDOOR STORAGE - Placement of supplies, materials, goods, products, or surplus materials outside a BUILDING or STRUCTURE, for more than 5 consecutive days or more than 30 days in any calendar year unless screened from view from the FRONTAGE and all property lines, except Automobile and Light Truck Class 1 Sales.

PARKING AREAS - All areas required to be constructed by Section F-7 (Parking Requirements) and Section F-8 (Off-STREET Loading) of the Norfolk Zoning Bylaws, excluding the driveway(s) necessary to provide access to such areas from the STREET.

PEDESTRIAN WAY - An area to provide pedestrian access from and parallel to the STREET, consisting of a three foot wide grass strip adjacent and parallel to the FRONTAGE, and an eight foot wide walkway constructed primarily of IMPERVIOUS SURFACE adjacent and parallel to the grass strip. The walkway width may include tree plantings if such plantings are covered with a walkable metal grate at ground level.

PERMIT GRANTING AUTHORITY - The Zoning Board of Appeals, except for the purpose of Section F.11, Site Plan Approval, Section H.2., Open Space Preservation, and all other areas of these Zoning Bylaws where the Planning Board is specifically named as the PERMIT GRANTING AUTHORITY.

PHYSICAL THERAPY AND REHABILITATION FACILITY - A facility which provides professionally staffed programs for the restoration and development of function lost or impaired by trauma, accident or pathology.

PLANNED MULTI-LOT DEVELOPMENT - Development of not less than 80,000 square feet of land into a group of LOTS or BUILDING Sites as a part of a common scheme so that such LOTS or BUILDING sites need not be self-sustaining; and adequate, common provisions are made for parking, drainage, septic disposal and other infrastructure needs of the LOTS, BUILDINGS and STRUCTURES so accommodated.

REQUIRED CIRCLE - A circle with a diameter equal to the required FRONTAGE.

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RESPIRE FACILITY - A facility providing short-term custodial care on a residential or day-care basis to older adults, including food service and twenty-four hour supervision and nursing care as appropriate, with a view to providing the individual's FAMILY or other care giver a respite from the provision of such care.

RESTAURANT - A facility for the serving of food or beverages only to persons inside a completely enclosed BUILDING where the food or beverage is consumed.

RESTAURANT, FAST FOOD (See Fast Food Restaurant)

RESTAURANT, TAKE OUT (See Take Out Restaurant)

RETAIL NURSERY - A retail business primarily selling plants, shrubs, and trees for transplanting; lawn and garden supplies; and landscape materials.

RETAIL SALES - Establishments providing merchandise for retail sale to the general public; *e.g.* apparel stores; book stores; florist shops; sporting goods stores.

RETAIL SERVICES - Establishments providing retail services on the premises to the general public; *e.g.*, barber shops, beauty shops, travel agencies.

ROADSIDE STAND, PERMANENT - A STRUCTURE open to the weather left in place year-round, used for seasonal sale of raw produce, the major portion of which is raised on the premises.

ROADSIDE STAND, TEMPORARY - A STRUCTURE as above, but removed for not less than 6 months out of the year.

SCOREBOARD - A board displaying only athletic event information; said board shall not exceed thirty (30) square feet in area. No SCOREBOARD shall be higher than 15 feet from the average finished grade of adjoining ground to the top of the SCOREBOARD. No SCOREBOARD shall be internally illuminated, but may be externally illuminated with white light only, and such lighting shall be shielded and focused not to extend beyond the SCOREBOARD border. A SCOREBOARD shall be located within 50 feet of its respective athletic field.

SCRAP YARD - An area of land, or a BUILDING, within which waste or scrap materials are bought, sold, exchanged, stored or otherwise handled including, without limitation, auto wrecking and Junkyard.

SENIOR CENTER - A facility for adults aged 55 and older that provides meals, meetings, activities, and educational programs; provided that the ground area covered by the Building in which such facility is located does not exceed 1,700 square feet per acre of property.

SHOPPING MALL/MALL - Any group of stores, shops, offices, or businesses which deal directly with the public which has been developed according to a common plan.

SIGN - Any letter, word, symbol, drawing, picture, design, device, article or object that advertises, calls attention to or indicates any premises, persons, products, businesses or activities, or that conveys or is intended to convey any message whatever the nature of the material and manner of composition or construction. (Historical date plaques or markers approved by the Historical Commission, flags and insignia of governmental jurisdictions and SCOREBOARDS shall not be considered signs except when displayed for the purpose of commercial promotion.)

SOFTGOODS - Retail merchandise comprised primarily of fiber or fabric materials including apparel and, as examples, dining/kitchen/bath linens.

SPECIAL PERMIT GRANTING AUTHORITY - Shall include the Board of Appeals and Planning Board as designated by this zoning ordinance/bylaw for the issuance of special permits. In accordance with M.G.L., Chapter 40A, Section 9, a city or town may provide within its zoning ordinance or bylaw that certain classes of

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special permits shall be issued by one SPECIAL PERMIT GRANTING AUTHORITY and others by another SPECIAL PERMIT GRANTING AUTHORITY.

SPORTS MEDICINE FACILITY - A facility to provide the recreational individual or team athlete with education to prevent athletic injury as well as to serve as a resource center to coaches, trainers and other non-medicals who work with sports programs through an interdisciplinary utilization of physicians, orthopedic surgeons, physical therapists, nutritionists and other appropriate allied health personnel.

STREET - A public way, or a way shown on a plan approved in accordance with the subdivision control law, or a way in existence on March 31, 1954, having, in the opinion of the Planning Board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the BUILDINGS erected or to be erected thereon. A way that has not been accepted as a public way, and which is shown on a plan approved in accordance with the subdivision control law shall not be deemed a street until it has been constructed to an extent which the Planning Board, in its conditions of approval, specifies as sufficient to provide access to the lots thereon.

STRUCTURE - Any construction, erection, assemblage or other combination of materials upon the land, necessitating pilings, footings or a foundation for attachment to the land, including swimming pools.

TAKE OUT RESTAURANT - An establishment primarily retailing cooked food for consumption off the premises, excluding bakeries.

TOWN HALL - A publicly-owned municipal building which contains offices of town departments and which may contain police offices, public meeting rooms and other like public facilities.

TRAILER HOME including MOBILE HOME - A STRUCTURE used as a DWELLING, mounted on wheels with at least one axle; STRUCTURE may be either mobile or standing on fixed supports.

USABLE FLOOR AREA - The sum of the horizontal areas of all floor areas of a BUILDING measured from the exterior face of exterior walls excluding walls, circulation systems such as hallways, lobbies, elevators, lavatories, unoccupied attics and basements, and those areas used only for the storage of mechanical equipment for maintaining the BUILDING.

VARIANCE - As contained in M.G.L. 40A, Section 10 as amended from time to time thereafter.

VARIETY STORE - A retail store selling a variety of consumer goods for off-premises use or consumption, including but not limited to cosmetics, personal care products, stationery, foodstuffs, gifts, small household appliances, prescription or non-prescription drugs, toys, and seasonal specialty goods.

WAREHOUSE - A BUILDING used primarily for the storage of goods and materials, excluding retail sales.

WIRELESS COMMUNICATION FACILITY shall mean a facility (with antennas, monopole tower and equipment BUILDING, if any) designed to facilitate the following types of services: cellular telephone service, personal communications services, and extended specialized mobile radio service.

YARD - An open space, other than an enclosed court, on the same LOT with a BUILDING or group of BUILDINGS, which open space lies between the BUILDING or group of BUILDINGS and a LOT LINE, and is not occupied or obstructed from the ground upward by a BUILDING or STRUCTURE, except for accessory STRUCTURES such as a fence, mail box, sign, or lamp post.