

ORDINANCE NO. 2013-04

AN ORDINANCE AMENDING CHAPTER 86 ZONING, ARTICLE 1 IN GENERAL, SECTION 86-6 GENERAL PROVISIONS AND SUPPLEMENTARY DISTRICT REGULATIONS, SUBSECTION (g) BULK REGULATIONS, PARAGRAPH (5) PERMITTED OBSTRUCTION IN REQUIRED YARDS, SUBPARAGRAPH (a) IN ALL YARDS, TO ALLOW THE USE OF BARBED WIRE FENCES ON TOWN PROPERTY, WITHIN INDUSTRIAL DISTRICTS, OR PURSUANT TO A SPECIAL USE PERMIT.

WHEREAS, IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs; and

WHEREAS, IC 36-1-3-6(b)(1) prescribes that any such exercise of power shall be authorized through enactment of an ordinance passed by the legislative body; and

WHEREAS, the Town of Griffith is a municipal government located in Lake County, Indiana, which may pass and codify ordinances for its operation, all pursuant to IC 36-1-4 and IC 36-1-5; and

WHEREAS, it is important for the public health, safety, and general welfare to allow fences constructed of barbed wire to be placed on Town property, within Industrial districts, or to be placed within the Town pursuant to a special use permit; and

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Griffith that Municipal Code, Chapter 86 Zoning, Article 1 In General, Section 86-6 General Provisions and Supplementary District Regulations, Subsection (g) Bulk Regulations, Paragraph (5) Permitted Obstruction in Required Yards, Subparagraph (a) In All Yards, shall hereinafter be amended to read as follows:

a. *In all yards.* Ordinary projections of skylights, sills, belt courses, cornices and ornamental features projecting not to exceed 12 inches; open terraces or decks not over four feet above the average level of the adjoining ground including a permanent roofed-over but not enclosed terrace or porch and not including porches, terraces or decks which project into the required front yard by more than eight feet from the front of the principal structure; awnings and canopies; steps which are necessary for access to a permitted building or for access to a zoning lot from a street or alley; chimneys projecting 18 inches or less into the yard; arbors, trellises and flagpoles; fences, screens, hedges and walls provided that in residential districts no fence or wall shall be located in the required front yard and no landscaped screen or hedge shall exceed three feet six inches in height if located in the front yard, and no fence, landscaped screen, hedge or wall shall exceed six feet in height if located in a side or rear yard except as provided in sections 86-7.1(6) and 86-7.1(8). No fence, screen, hedge or wall shall be constructed of material that may be described as rubble, cardboard, chicken wire, trees and brush, corrugated tin, utility poles, railroad ties, broken glass or electrified material. Fences constructed of barbed wire are permissible only on Town property, within Industrial zoned districts, or when constructed pursuant to a special use permit. Notwithstanding any ordinance or provision to the contrary, no fence constructed of barbed wire shall exceed eight feet in height, exclusive of any barbed

wiring, and shall not exceed eleven feet in height with barbed wiring attached. Under no circumstances shall the front yard setback be less than 22 feet measuring from the porch, terrace or deck to the beginning of the setback line. Property owners are solely responsible for ensuring that all fences are properly located on their property. Property owners are responsible, at their own expense, for reinstalling any fence that is located within a utility easement if the fence must be removed for utility maintenance.

NOW, THEREFORE, BE IT FURTHER ORDAINED, that any and all such Ordinances or parts of Ordinances of the Town of Griffith that are in conflict with the provisions of this Ordinance are hereby repealed and of no further force or effect.

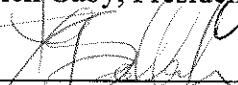
NOW, THEREFORE, BE IT FURTHER ORDAINED, that this Ordinance shall be in full force and effect from and after its passage and posting in accordance with Indiana Code 36-5-2-10.

PASSED AND ADOPTED by the Town Council for the Town of Griffith, Lake County, Indiana this 19th day of March, 2013.


COUNCIL MEMBERS OF THE TOWN OF
GRIFFITH, LAKE COUNTY, INDIANA



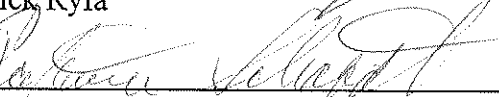
Glen Gaby, President



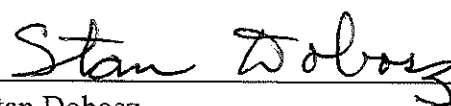
Larry Ballah



Rick Ryfa

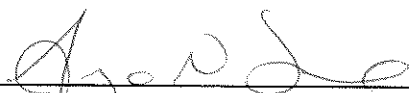


Patricia Schaadt



Stan Dobosz

Attest:



George Jerome
Clerk-Treasurer