

- (2) *Lawful fence*: See IC 32-10-2-1.
 - (3) *Partition hedge fences*: See IC 32-10-5-1.
- b. *Fence permits and fees.*
- (1) A permit shall be obtained by the property owner or licensed contractor prior to any construction or alteration of any fence or like structure.
 - (2) All permits shall be issued by the building department and all fees provided for herein shall be paid to the Clerk-Treasurer of the City of Lake Station.
 - (3) Permit fees.
 - (a) All fences except those fences in Retail, Business, Commercial, Industrial Districts: \$10.00.
 - (b) Business, Commercial, Industrial District fences: \$15.00.
- c. *Standards.*
- (1) All work on the construction, alteration, and repair of fences shall be performed in a good and workmanlike manner according to accepted standards and practices.
 - (2) The owner of record of any "Zoning Lot" shall be responsible for maintaining all fences in good repair.
 - (3) Fences shall be constructed of a uniform material throughout.
 - (4) All front yard fences shall be designed so they can be seen through.
- d. *Regulations.*
- (1) Fences excluding corner lots, swimming pools, and retail, business and commercial, and industrial districts.
 - (a) Front yard fences shall not exceed forty-two (42) inches in height nor be less than thirty-six (36) inches in height.
 - (b) Side yard and back yard fences shall not exceed seventy-two (72) inches in height nor be less than thirty-six (36) inches in height.
 - (2) Reserved.
 - (3) The swimming pool or the entire property on which it is located shall be so walled or fenced (minimum height of six (6) feet) as to prevent uncontrolled access by children from the street or from adjacent properties and shall provide a drainage system which will dispose of the water without runoff onto adjacent properties.
 - (4) Retail, business, commercial, and industrial fences except junk yards and industrial outdoor storage areas shall not exceed one hundred forty-four (144) inches in height plus necessary hardware.
 - (5) Junk yards: Any outdoor area where junk is kept shall be enclosed, except for areas of ingress and egress by a solid wall and/or fence shall be constructed of non-flammable materials. Areas of ingress and egress shall have usable gates ninety-six (96) inches in height constructed of solid, non-flammable materials.

- (6) Highway Commercial In Districts B-1 through B-4, L-I and G-I, the following conditions shall apply. In case of those uses which are of open yard type: Within one hundred (100) feet of a residential zoning district, all open yard type uses shall be effectively screened on each side by a decorative fence or wall not less than six (6) feet in height.
- e. *Refuse.* All waste material, debris, refuse, or garbage not disposed of through the public sanitary sewerage system shall be kept in an enclosed building or properly contained in a closed container designed for such purposes. The owner of vacant land shall be responsible for keeping such land free of refuse.

(Ord. No. 95-20, §§ 25—29, 9-21-95)

Section B: Excavations.

The excavations from or deposits on the earth of rock, stone, gravel, sand, earth, minerals, or building or construction materials shall not be construed to be a permitted use in any district established by this Ordinance unless and until a special use permit shall first have been secured from the board of zoning appeals, therefore, except for the following defined extractions and deposits. The removal of top soil from any property in the City shall be prohibited, except as such excavations and removal of top soil is incidental to the erection and maintenance of structures or appurtenances thereto or the use of property permitted by this and other Ordinances of the city.

Section C: Temporary tract offices.

Temporary tract office in any district shall be located on the property to which it is appurtenant, shall be limited to a six-month period, at the expiration of which time the applicant may request a further extension of time. Otherwise, the tract office shall be removed at the expense of the owner.

Section D: Private swimming pools.

A private swimming pool, as regulated herein, shall be any pool, open tank, not located within a completely enclosed building and containing or normally capable of containing water to a depth at any point greater than one and one-half (1½) feet. No such swimming pool shall be allowed in any Residential or Rural Development District except as an accessory use and unless it complies with the following conditions and requirements:

1. The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.
2. It may not be located closer than ten (10) percent of the lot width to any property line of the property in which it is located.
3. The swimming pool or the entire property on which it is located shall be so walled or fenced (minimum height of four (4) feet and a maximum height of six (6) feet) as to