

F. Hazardous Materials Standards

1. Hazardous materials associated with the land use shall be stored a minimum of two hundred (200) feet from any wetland, lake or stream.
2. General-purpose floor drains shall not be connected to septic systems.
3. Secondary containment facilities shall be provided for all hazardous materials of sufficient size to hold the entire volume of the materials. Containment areas shall be designed and constructed so that hazardous materials cannot escape from the immediate storage area by gravity flow through drains, soil or to surface waters.
4. Wells shall be properly maintained and sealed and abandoned wells shall be plugged and capped according to state requirements.

SECTION 3.04: ESSENTIAL SERVICES

Essential services shall be permitted in all zone districts subject to review by the Zoning Administrator to determine that the yard, parking and landscaping and other requirements are met, and that the essential services are designed to be compatible with surrounding uses. Ancillary facilities, which are determined by the Zoning Administrator to be necessary in support of essential services, may be permitted in any zone district subject to the administrative approval procedures of this Ordinance.

SECTION 3.05: FENCES AND FREESTANDING WALLS

All Districts

- Retaining walls shall not be considered as a fence or wall for the purposes of this section.
- Walls shall be made of clay, brick, stone, concrete, or other similar decorative material.
- No fence, wall, screen or planting material shall be erected or maintained in any location that will obstruct the vision of motorists exiting driveways. No fence shall be erected or maintained on any corner lot or parcel that will obstruct the view of a vehicle driver approaching an intersection.
- Fences and walls shall be erected and maintained in a quality and skillful manner. All braces, fasteners, supporting frames, etc. should be free from deterioration, insect infestation, rot and rust. All fences shall be kept neatly finished, including all metal parts and supports that are not galvanized or made of rust resistant metals. Painted and other finished surfaces shall be maintained.

- Densely landscaped areas, such as hedges and closely spaced bushes or other plant materials, may be considered as a fence when they have the same effect or accomplish the same purposes normally associated with fences.
- Fences shall not be constructed in any public right-of-way.
- Fences may be erected on the property line.
- No chain link or woven wire fences are allowed in any front yards except in Agricultural Districts and Industrial Districts. Privacy slats or similar inserts shall not be allowed on chain link fences.
- Unless associated with a bona fide agricultural operation or in the Industrial District or approved as an administrative departure, no person shall place, string or maintain razor wire or barbed wire (unless associated with required Homeland Security measures) as part of any fence.
- Electronic barriers buried beneath the ground are permitted in all districts.
- Electrified fences are prohibited, except in Agricultural Districts.
- Chicken wire, snow fencing, animal fencing and other similar fencing materials are prohibited unless used in a temporary fence or except in Agricultural Districts.
- In erecting any fence, the finished side shall face outward toward abutting properties and rights-of-way.
- Fences shall not exceed six (6) feet in height in the side and rear yards unless otherwise noted.
- Fences shall not exceed three (3) feet in height in the required front yard unless otherwise noted.
- Fences around detention/retention ponds may be required by the Joint Planning Commission for safety reasons.

Residential

- Fences shall not exceed six (6) feet in height in the side and rear yard.
- Fences shall not exceed three (3) feet in height in the required front yard or forward of the Required Building Line.

Waterfront (Including Waterfront Overlay District)

In Waterfront Districts the waterfront side of the lot shall be considered a front yard.

- Fences shall not exceed six (6) feet in height in the side yard.
- Fences shall not be allowed in the required front yard.
- Fences on the street side of waterfront lots have the same height limitations as outlined in the front setback requirement regulations for residential fences.

Commercial

- Fences shall not exceed six (6) feet in height in the side and rear yard. A maximum of two (2) additional feet of height may be allowed to accommodate barbed wire or razor wire if approved as an administrative departure. Barbed wire or razor wire is not allowed in the Downtown Commercial District.

Industrial

- Fences shall not exceed ten (10) feet in height in the rear and side yards.
- No fences shall be allowed in the front yard except if necessary for security reasons, in which case, the fence must be approved by the Joint Planning Commission.
- Barbed wire and razor wire shall be permitted in the Industrial District for a security fence, provided that no barbed wire is less than six (6) feet above grade. A maximum of two (2) additional feet of height may be allowed to accommodate barbed wire.

Agricultural

- Fences shall not exceed ten (10) feet in height in all yards.
- Electrified fences are allowed.
- Chain link fences are allowed, but privacy slats or similar inserts shall not be allowed.
- If associated with a bona fide agricultural operation, barbed wire and razor wire shall be permitted in the Agricultural District as part of any fence.

SECTION 3.06: GARAGE, YARD AND ESTATE SALES

Garage, Yard and Estate Sales: Garage, yard and estate sales shall be limited to no more than three (3) events per calendar year. No garage, yard or estate sale event shall last more than three (3) consecutive days.

SECTION 3.07: HEIGHT EXCEPTIONS

The height and area requirements of all zones shall be subject to the following exceptions: spires, belfries, religious symbols, cupolas, antennae, water tanks, ventilators, mechanical equipment, parapet walls not exceeding four (4) feet in height, chimneys, cooling towers, elevator bulkheads, fire towers, gas tanks, grain elevators, penthouses, stacks, stage towers or scenery lofts, flour mills, monuments, domes, steeples and necessary mechanical appurtenances.

SECTION 3.08: HOME OCCUPATION

- A. No person other than the resident occupants and one (1) full-time equivalent employee shall be engaged in the home occupation.
- B. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants. The home occupation shall be operated in its entirety within the principal dwelling and/or accessory structure but shall not, in any case, exceed a total floor area of fifty (50%) of the total gross floor area, excluding basement.
- C. No retail or other sales of merchandise or products shall be conducted upon the premises except for incidental products related to the home occupation or those goods actually produced on the premises. No stock or stock-in-trade shall be displayed outside on the premises.
- D. Any traffic generated by the home occupation shall not be so great as to cause adverse effects within or upon the surrounding neighborhood. Parking areas for a home occupation shall be located on a hard-surfaced area.
- E. In residential districts, one (1) wall sign, attached to the wall of the dwelling, shall be permitted. The sign may not exceed two (2) square feet in area and may not be directly illuminated. In addition, in agricultural districts a monument sign not to exceed six (6) square feet may be erected on the premises.
- F. No home occupation shall be permitted which would increase traffic, fire, and safety hazards; noise; dirt; odor; dust; gas; vibration; or other nuisance elements. The following shall be prohibited in residential districts: automotive repair and engine repair, furniture refinishing and animal processing.