

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA
ORDINANCE NO. 1001

AN ORDINANCE ESTABLISHING
SATELLITE RECEIVING DISH
REGULATIONS FOR THE TOWN OF ST. JOHN

WHEREAS, The Town Council of the Town of St. John, Lake County, Indiana, has been informed and advised that Regulations pertaining to Satellite Receiving Dishes should be considered for the Town as a reasonable Zoning Regulation to be included within the Town Zoning Ordinance, as amended from time to time; and

WHEREAS, The Plan Commission of the Town of St. John, Lake County, Indiana, has reviewed applicable state statutes, existing codes, and all available information concerning Satellite Receiving Dish Regulations; and

WHEREAS, The Plan Commission of the Town of St. John, Lake County, Indiana, has determined, upon its review of applicable state statutes, existing Regulations, and all available information, that the establishment of Regulations pertaining to Satellite Receiving Dishes would be appropriate for the Town of St. John; and

WHEREAS, The Town of St. John, Lake County, Indiana, Plan Commission, has held a Public Hearing on the 6th day of Dec, 1995, to consider the advisability and necessity of amending the Town Zoning Ordinance, as amended from time to time, to establish current Satellite Receiving Dish Regulations for the Town; and

WHEREAS, The Plan Commission of the Town of St. John, Lake County, Indiana, at the conclusion of its Public Hearing to consider the advisability and necessity of such amendment and modification in the Town Zoning Ordinance, as amended from time to time, to establish and implement Satellite Receiving Dish Regulations, has favorably certified such recommendation to the Town Council of St. John; and

WHEREAS, The Town Council of the Town of St. John, Lake County, Indiana, has reviewed the favorable recommendations certified by the Town Plan Commission concerning the advisability and necessity of amending the terms and provisions of the Town Zoning Ordinance, as amended from time to time, to establish Satellite Receiving Dish Regulations, and has determined that the establishment of such Satellite Receiving Dish Regulations would be in the best interests of the residents of the Town, and provide for the Public Health, Safety, Convenience, and General Welfare and well-being of the Residents of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF ST. JOHN, LAKE COUNTY, INDIANA:

SECTION ONE: That there is hereby established Satellite Receiving Dish Regulations for the Town of St. John as a result of the passage and adoption of the within enabling Ordinance. This Ordinance shall be known, and maybe cited as the "ST. JOHN SATELLITE RECEIVING DISH REGULATIONS ORDINANCE".

SECTION TWO: Definitions.

The following terms and definitions shall be used for the sole purpose of this Ordinance and shall not apply to any other Ordinance of the Town of St. John.

- A. **HEIGHT.** The verified measurement from the ground level adjoining the foundation of Satellite Receiving Dish to the extreme projection of the dish, its supporting structure or any attachments, thereto.
- B. **LANDSCAPE.** Planting of trees not less than 2" in diameter, shrubs and bushes no smaller than 2 foot in height and, flowers, decorative steps, wood chips or any combination thereof.
- C. **REGISTERED CONTRACTOR.** Any Person, Firm or Corporation registered to perform work within the limits of the Town of St. John.
- D. **SATELLITE RECEIVING DISH.** Any dish, antenna, or transmit signals from satellites or earth stations.

SECTION THREE: Location and Size.

- A. Satellite Receiving Dishes may be erected in Residential Zoning Districts within the rear yard as defined in this section.

Satellite Receiving Dishes may be erected in Business Zoning Districts within the front, side or rear yard as defined in this section unless said front, side or rear yard adjoins a lot in a Residential Zoning District, in which case, the Satellite Receiving dish is prohibited within the abutting yard area. Satellite Receiving Dishes may be erected in P.U.D. Zoning Districts only upon the location approval of the Plan Commission of the Town of St. John.

- B. No portion of a Satellite Receiving Dish nor supporting structure shall be located closer that 1.5' to any property line, excluding easements, for each foot of dish diameter provided that no dish shall be located closer than 8' to any property line.
- C. No Satellite Receiving Dish shall be larger than 10'-o" in diameter.

- D. No Satellite Receiving Dish or portion thereof shall be located within 5 feet of any other structure.
- E. No more than 30% of the area of a lot shall be covered by main buildings and accessory structures including Satellite Receiving Dishes. The area to be occupied by a Satellite Receiving Dish shall be calculated as the surface area of the dish itself or the supporting foundation whichever is greater.

SECTION FOUR: Foundation. All Satellite Receiving Dish mounts must be attached to a single rectangular concrete foundation which extends a minimum of 4" beyond all projections of the mount to a depth of 3'-6" below grade.

SECTION FIVE: Types of Construction. Allowable Satellite Receiving Dishes may be constructed of metal, spun aluminum, fiberglass or spun metal.

SECTION SIX: Landscaping. Each Satellite Receiving Dish shall be landscaped to completely screen three (3) sides of the dish from public view. Fencing may be substituted to landscaping upon approval of the Town Zoning Administrator.

SECTION SEVEN: Height. No Satellite Receiving Dish or portion thereof shall exceed a height of 12'0" above grade unless specifically allowed in another section of this Ordinance, as amended from time to time.

SECTION EIGHT: General Conditions.

- A. No more than One (1) dish may be located on a lot or parcel.
- B. All Satellite Receiving Dishes must be painted a color compatible to the surrounding acres, as approved by the Town Zoning Administrator.
- C. No Satellite receiving larger than 24" dish shall be mounted on the side of another structure.
- D. A Satellite Receiving Dish having printed matter on its surface shall be treated as a sign and required to be in conformance with the regulations of the sign regulations of the Town Code, as amended from time to time.
- E. No Satellite Receiving Dish shall be erected for use prior to the issuance of Building Permit for the same.

SECTION NINE: Electricity and Safety.

- A. Electrical power supply to a Satellite Receiving Dish shall be:

- i) Buried a minimum of 6" below grade.
 - ii) Placed in rigid conduit.
 - iii) Extend a minimum of 8" above grade at the point of connection to the dish.
- 8'0" B. Each Satellite Receiving Dish must be grounded to a minimum of 1/2" x ground rod.
- C. All cables and connections from a receiving dish to other equipment on the premises shall be buried underground a minimum of six (6) inches.
- D. Each Satellite Receiving Dish must have all potentially hazardous mechanisms completely enclosed.
- E. All other electrical requirements of a Satellite Receiving Dish shall comply with the latest edition of the National Electrical Code

SECTION TEN: Building Permit and Approval. Before work is commenced on the construction or erection of any Satellite Receiving Dish, an application for a permit to construct or erect, and the plans and specifications and pertinent explanatory data shall be submitted to the Town for its approval, and no part of the work shall be commenced or erected until the Town has granted such approval by a written permit to construct or erect the dish. Electrical work shall be performed by a Town Registered Electrical Contractor.

SECTION ELEVEN: Variations. The Board of Zoning Appeals of the Town of St. John may make modifications in individual cases, upon a showing of good cause, with respect to the height, nature or location of the Satellite Receiving Dish.

SECTION TWELVE: Time Limit. Satellite Receiving Dishes legally in existence on Jan 25, 1995, shall be considered as non-conforming, and are not required to meet the conditions of this Ordinance.

SECTION THIRTEEN: Inspection and Fees. Building and electrical inspections shall be in accordance with the current and applicable Town Ordinances. Building and electrical fees for Permits shall be in accordance with current requirements for building fees and electrical fees, as promulgated by applicable Town Ordinances, as amended from time to time.

SECTION FOURTEEN: Penalty Provisions. Any Property Owner or Contractor who violates any Section of this Ordinance, as amended from time to time, shall be subject to penalties as stated in the Penalty provisions of the St. John Town Code, as amended from time to time, and all other penalties available under applicable law.

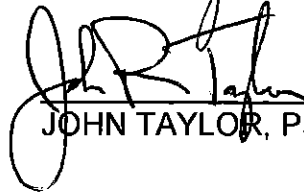
SECTION FIFTEEN: That all existing Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect and are specifically repealed.

SECTION SIXTEEN: If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this Ordinance.

SECTION SEVENTEEN: That this ordinance shall have no application to Satellite Receiver Antennas-dishes that are two (2) feet and smaller in diameter.

SECTION EIGHTEEN: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town council of the Town of St. John.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA THIS 25th DAY OF January, 1996.



JOHN TAYLOR, President



FRED KISH, Vice-President



DOUGLAS E. PATTERSON, Member

ATTEST



JUDITH L. COMPANIK, Clerk-Treasurer