

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO.: 1557

AN ORDINANCE AMENDING TOWN ZONING ORDINANCE NO.: 1483, BEING: "AN ORDINANCE REPLACING TOWN ORDINANCE NO. 839, AS AMENDED, REPEALING ALL TOWN CODE SECTIONS AND ORDINANCES, OR PARTS THEREOF, IN CONFLICT THEREWITH, AND ALL MATTERS RELATED HERETO.", AND ALL MATTERS RELATED THERETO.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has reviewed the present text provisions of Town Zoning Ordinance No.: 1483, as amended from time to time, regarding refuse and recycling enclosures; and

WHEREAS, the Plan Commission of the Town of St. John, Lake County, Indiana, held a Public Hearing on the 2nd day of May, 2012, pursuant to published notice as required by applicable law, to consider the advisability and necessity of amending certain text provisions of the Town Zoning Ordinance No.: 1483, as amended from time to time, regarding refuse and recycling enclosure requirements; and

WHEREAS, the Plan Commission of the Town of St. John, Lake County, Indiana, has, at the conclusion of the public hearing held, certified a Favorable Recommendation to the Town Council of the Town of St. John, Lake County, Indiana, that Town Zoning Ordinance No.: 1483, as amended from time to time, requires modification and amendment of certain text provisions contained therein regarding refuse and recycling enclosures; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, having reviewed said certain recommended text amendments to Town Zoning Ordinance No.: 1483, as amended from time to time, pertaining to refuse and recycling enclosures regulations, now concurs that it is advisable, appropriate and in the best interests of the residents and property owners of the Town of St. John that certain text provisions of Town Zoning Ordinance No.: 1483, as amended from time to time, be amended and modified pertaining to refuse and recycling enclosure regulations.

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

SECTION ONE: That **Section G**, entitled **Refuse**, of **Chapter 10**, entitled **Development Standards**, of Town Zoning Ordinance No. 1483, as amended from time to time, be, and the same is hereby replaced to read and provide as follows, namely:

"Section G Refuse

G.1 Property owners shall be responsible for keeping such property free of refuse, debris, trash, and garbage. Property owners shall be responsible to mow their properties regularly so that the height of the grass and/or vegetation does not exceed ten inches (10").

G.2 All commercially zoned property (C-1, C-2, C-3, & C-4) and any commercial, institutional, or special exception uses in any residential zoning district shall provide an opaque enclosure for all refuse and recycling containers that is of sufficient height to completely conceal the refuse and/or recycling containers. All such enclosures shall be made of the same material as the primary building located on the zoning lot. Further, the gate on such enclosure shall be constructed of a solid opaque material.

G.3 During any Site or Development Plan review or at a public meeting, the St. John Plan Commission may grant a Waiver:

a) from the refuse and recycling enclosure requirement in **G.2** when the dumpsters are generally concealed from the public road or for those businesses or institutions that are already in existence at the time of the adoption of this Ordinance; and

b) from the refuse and recycling enclosure building material requirement in **G.2** for the same building material as the primary building located on the zoning lot after considering the material used to construct the primary building located on the zoning lot and the surrounding area.

G.4 That all parcels of commercially zoned property (C-1, C-2, C-3, & C-4) and all parcels for any commercial, institutional, or special exception uses in any residential zoning district shall have a period of six (6) months from date of adoption hereof to comply with these regulations.”


SECTION TWO: That all existing Town Code Sections and Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby repealed and declared to be null, void, and of no legal effect.

SECTION THREE: That 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.

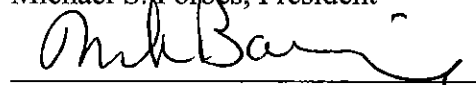
SECTION FOUR: That this Ordinance shall take effect, and be in full force and effect, from and after its passage and adoption by the Town Council of the Town of St. John, Lake County, Indiana, in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED THIS 10th DAY OF May, 2012, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

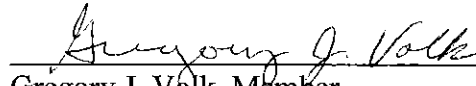
TOWN OF ST. JOHN, LAKE COUNTY,
INDIANA, TOWN COUNCIL



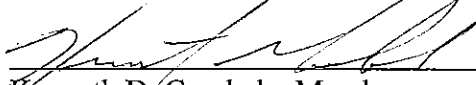
Michael S. Forbes, President



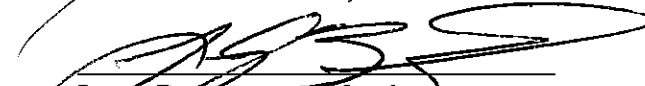
Mark Barenie, Vice-President



Gregory J. Volk, Member

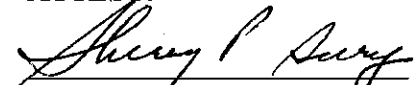


Kenneth D. Gembala, Member



Larry Bustamante, Member

ATTEST:



Sherry P. Sury, IAMC, CMC,
Clerk-Treasurer