

**ORDINANCE OF TOWN OF TRAIL CREEK, INDIANA,
AMENDING CHAPTER 50, ARTICLE IV, SECTION 50-85,
§ (d)(5), THE TOWN CODE OF TRAIL CREEK.**

WHEREAS, the Town Council of Trail Creek shall periodically review and update the ordinances of the Town pursuant to authority granted under IC 36-1-1-1.

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED, by the Town Council of the Town of Trail Creek, that Chapter 50, Article IV, Section 50-85, Sub Section (d)(5), there shall be added the following:

(a) Individual Lots – Front Yards: Fences located in a front yard or in a buildable area of a lot located between the front line of the primary building and the minimum front yard shall not exceed and shall comply with the following:

- i Thirty-six (36) inches in height above grade, if the open space percentage of the fence is equal to, or less than, seventy (70) percent; or
- ii Forty-eight (48) inches in height above grade if the open space percentage of the fence is greater than seventy (70) percent.
- iii Fences erected in the front yard shall be natural fences of hedges, trees, shrubbery, or an ornamental type, such as treated wood, painted wood, treated split rail, ornamental wrought iron, split rail, vinyl, brick, stone, open picket (with 40% open space between pickets in any front or corner side yard) and similar materials commonly used in urban residential applications as deemed appropriate by the Building Commissioner. Scrap lumber, plywood, sheet metal, plastic or fiberglass sheets are expressly prohibited.
- iv Barbed wire cradles, electric, razor wire or similar types of security fences shall face inward towards the property and may be placed on top of fences enclosing public buildings, utilities or industrial properties.
- v All fences shall be constructed with the finish side of the fence facing out towards the property line or neighboring property where applicable.
- vi All fences shall comply with the following Clear Sight Area Requirements as follows:
 - (aa) No fence, including landscaping, shall be erected, planted, placed or maintained so as to interfere with a Clear Sight Area located between the heights of three (3) feet and ten (10) feet above the crown of a street, driveway or alley. A Clear Sight Area shall be established on all streets, whether public or private, in one of the following manners:

At the intersection of streets, Clear Sight Areas are formed at each corner by the street right-of-way lines and a line connecting points on the right-of-way lines located twenty-five (25) feet away from the intersection of such right-of-way lines. In the case of a round

or corner cut right-of-way, the measurement shall be taken from the intersection of the right-of-way lines extended; or,

At the intersection of a street with a driveway or alley, Clear Sight Area shall be formed by the intersection of the street right-of-way and the driveway surface edge and a line connecting points ten (10) feet from the intersection of such street right-of-way line and the driveway surface edge valley right-of-way.

THIS ORDINANCE IS PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TRAIL CREEK, LA PORTE COUNTY, INDIANA, THIS _____ DAY OF _____, 2009.

By _____ **President**
By _____ **Member**
By _____ **Member**
By _____ **Member**
By _____ **Member**

ATTEST:

ANN DOBBS - Clerk/Treasurer