

ORDINANCE NO. 19-1169

**AN ORDINANCE AMENDING CHAPTER 1177.17 OF THE CODIFIED ORDINANCES OF
THE VILLAGE OF RUSSELLS POINT IN THE VILLAGE OF RUSSELLS POINT, LOGAN
COUNTY, OHIO**

WHEREAS, the Village reviews and updates its codified ordinances regularly; and

WHEREAS, Council has determined that the codified ordinances in the village should be updated protect property values, enhance safety and security, provide privacy, and improve the visual environment of properties with the Village; and

NOW, **THEREFORE, BE IT ORDAINED** by the Council of the Village of Russells Point, Logan County, Ohio, that:

SECTION I: The Chapter 1177.17 of the Codified Ordinances of the Village of Russells Point shall be amended and enacted as follows:

1177.17 FENCES AND WALLS.

~~—Notwithstanding other provisions of zoning this ordinance, fences and walls may be permitted in any yard, or along the edge of any yard, provided that no fence or wall along the sides or front edge of any front yard shall be over four and one half feet in height unless otherwise granted by the Board of Zoning Appeals. On corner lots it shall not be over two and one half feet in height.
(Ord. 570 A Passed 6-15-81.)~~

1177.17 FENCES AND WALLS

The purpose of these fence regulations is to preserve and protect property values, to enhance safety and security, to provide privacy, and to improve the visual environment. Fences and walls are permitted in all districts, subject to the following conditions:

(a) Location.

- (1) For purposes of determining the location and height requirements in Section 1177.17, each yard abutting upon a street shall be considered as a front yard on each respective street. Except, each yard abutting upon an alley shall not be considered as a front yard on each respective alley. The front of a lot shall be construed to be the portion nearest the street except for waterfront property in which case the portion of the lot nearest the main body of water shall be the front of the lot.
- (2) Fences and walls shall be permitted in any yard and are considered structures.
- (3) If no structure exists on a lot, no fence or wall may project past the front building line of the average of the adjacent properties or the minimum front yard setback, whichever is greater.
- (4) No fence or wall shall be closer than three (3) feet to any right-of-way line.

(b) Height.

- (1) In any R-1, R-2, or R-3 District, fences and walls shall not exceed four and one half (4 1/2) feet in height the front yard or six and one half (6 1/2) feet in height for side and rear yards.
- (2) In any B-1, B-2, or B-3 District, fences and walls shall not exceed four and one half (4 1/2) feet in height the front yard or six and one half (6 1/2) feet in height for side and rear yards. Except, fences and walls of residential uses, found in the B-1, B-2 or B-3 Districts shall not exceed four and one half (4 1/2) in the front yard or six and one half (6 1/2) feet in height for other yards.
- (3) In any M-1 District, fences and walls shall not exceed eight (8) feet in height.

(c) Materials.

- (1) Fences shall not contain an electric charge.
- (2) Barbed wire shall be permitted only in the M-1 District and only on the top of a perimeter fence.

(d) Site Distance Requirements.

- (1) No fence or wall shall violate the sight distance requirements found in Section 1177.09.

(e) Maintenance

- (1) Property owners must keep the area in and around all fences and walls free of high weeds, grass and debris.
- (2) Fences and walls shall be anchored firmly in the grounds, shall be constructed in a workmanlike manner, shall be maintained so that such fences, retaining walls or similar structures shall always be in a state of good structural repair and shall not constitute a threat to the health and safety of the general public and/or a blighting influence.


(f) Zoning Permit.


- (1) A zoning permit is required from the Village for the erection or installation of all fences and walls.
- (2) The location of property pins and/or a copy of a survey performed by a state licensed registered surveyor may be required. Mortgage surveys will not be accepted for boundary line determinations.

SECTION II: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this council and that all deliberations of this Council, and any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of the Ohio Revised Code.

SECTION III: That this ordinance shall, therefore, be in force and take effect at the earliest period allowed by law.

Passed in Council this 15 day of April 2019.


Dave Wallace, President Pro Tem


Robin Reames, Mayor

Attested: 
Jeff Weidner, Fiscal Officer