

First Reading: February 18, 2019

Second Reading: March 4, 2019

Third Reading: March 18, 2019

**ORDINANCE NO. 6-2019**

**AN ORDINANCE AMENDING SECTION 1262.13 OF THE CODIFIED  
ORDINANCES OF THE VILLAGE OF LOUDONVILLE, OHIO**

**WHEREAS**, the Council of the Village of Loudonville believes it is in the best interest of the Village and its citizens to amend and replace Section 1262.13 of the codified ordinances of the Village of Loudonville pertaining to fences and walls;

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE  
OF LOUDONVILLE, STATE OF OHIO:**

**SECTION 1.** That Section 1262.13 of the codified ordinances of the Village of Loudonville is hereby amended and replaced to now read as set forth on Exhibit A, attached hereto and made part hereof by reference.

**SECTION 2.** That this Ordinance shall take effect and be in force at the earliest date allowed by law.

Date: \_\_\_\_\_

\_\_\_\_\_  
Stephen Stricklen, Mayor

Attest:

\_\_\_\_\_  
Elaine Van Horn, Fiscal Officer

**Approved:**

\_\_\_\_\_  
Thomas R. Gilman, Village Solicitor

Exhibit A

**1262.13 FENCES AND WALLS**

(a) DEFINITIONS

**FENCE / WALL.** The words **FENCE** and **WALL** shall herein mean any structure composed of wood, metal, stone, brick plastic, cellular vinyl, or other natural and permanent material erected and positioned as to enclose or partially enclose any premises or any part of any premises. Trellises, or other structures supporting, or for the purpose of supporting vines, flowers and other vegetation when erected in such position as to enclose or partially enclose or separate any premises shall be included within the definition of the words **FENCE** and **WALL**.

(b) FENCE AND WALL REGULATIONS

(1) No person shall construct a fence or wall of any kind without first obtaining a permit as provided for in Chapter 1420. Failure to obtain the required permit shall constitute a violation of Section 1420.02, et seq. and be punishable as set forth in Section 1420.99.

(2) Except as otherwise specifically permitted herein, no fence or wall shall exceed the following height limitations:

No fence or wall over two and one-half feet shall be permitted in the front yard of any R-2, R-3 or R-4 District.

No fence or wall over eight feet shall be permitted in any side or rear yard of any R-2, R-3 or R-4 District.

On any corner lot there shall be no planting, structures, fences, shrubbery or obstruction to vision more than two and one-half feet higher than the curb level within twenty-five feet of the intersection of any two streets in all districts.

The height of a fence or wall shall be measured from the established grade line to the highest point of the fence or wall including posts and finials. The height of the fence or wall may not be artificially increased by the use of mounding.

(3) Supporting members for fences and walls shall be located so as to not be visible from the adjoining property unless the fence is designed such that the supporting members are identical in appearance on both sides of the fence or wall. All portions of the property shall remain accessible from outside the fence area by means of a gate or other opening.

(4) The fence or wall shall not be permitted to encroach upon public rights-of-way or easements. The fence or wall shall not be located so as to adversely affect the vision of drivers on the public streets or from driveways intersecting public streets, as determined by the Zoning Inspector in his or her sole discretion.

First Reading: February 18, 2019

Second Reading: March 4, 2019

Third Reading: March 18, 2019

- (5) Fences and walls shall be constructed no closer than twenty-four (24) inches from the property's boundary line, unless otherwise agreed to in writing by the property owner(s) adjoining the property line for that part of the fence, or where another distance is required by ordinance or law. Written authorization from adjoining property owners shall be provided to the Village as part of the permit application process. Property owners shall be required to maintain their property, including grass and weed maintenance, on both sides of any fence or wall on the owner's property.
- (6) Boundary pins/stakes must be visible for approval of fence and wall permit applications. If such pins/stakes are not visible, the Village may require a survey to be prepared by a licensed surveyor, at the applicant's expense, prior to consideration and/or approval of the permit application.

(c) MAINTENANCE

- (1) Permitted fences, walls or structures shall be maintained in good condition, be structurally sound and completely finished at all times. Any grounds between such fences, walls or structures and property lines shall be well maintained at all times by the owner of those grounds.