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ORDINANCE NO. 2005- 5

**AN ORDINANCE REQUIRING FENCING OF JUNKYARDS AND  
CERTAIN STORAGE AREAS WITHIN THE CITY OF ROCKPORT AND  
PROVIDING PENALTIES FOR VIOLATIONS**

WHEREAS, the visibility of junkyards and various storage areas within the city of Rockport has been deemed to have a negative impact on future development of the city, as well as on the current quality of life for its residents; and

WHEREAS, the city is desirous of implementing regulations requiring suitable fencing to block junkyards and certain areas of storage from the public view; and,

WHEREAS, the city of Rockport further wishes to narrowly define what constitutes a junkyard and/or other area needing to comply with the terms of this ordinance; and,

WHEREAS, the City of Rockport seeks to establish what kind of fencing shall be required to comply with the terms of this ordinance; and,

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Rockport that Ordinance No. 2005 - 5 is hereby adopted as follows:

1. The City of Rockport, for the purpose of this Ordinance, defines "Junk" as old or discarded scrap copper, brass, iron, steel, or other metal, or materials including, but not limited to; tires, household appliances, furniture, rags, batteries, glass, rubber debris, waste, trash, construction debris, plumbing fixtures, plastic debris, or any discarded, dismantled, wrecked, scrapped, or ruined motor vehicle or parts thereof.
2. The City of Rockport, for the purpose of this Ordinance, defines "Junkyard" as any place of outdoor storage or deposit which is maintained, operated, or used in connection with a business for storing, keeping, processing, buying or selling junk, any place of outdoor storage or deposit which is maintained or used for storing or keeping four (4) or more junk motor vehicles that are visible for any portion of a public street.
3. The City of Rockport hereby designates that all junkyards and places of outdoor storage of junk shall be effectively screened from public view by a fence or vegetation at least eight (8) feet in height. Any fence shall be of sound construction and of solid vertical board or stockade type construction, and shall be maintained neatly and in good repair. Such a fence shall not be used for advertising signs or other displays that are visible from the main traveled way of a highway. Any vegetation used for screening shall be of

sufficient density so that it effectively screens the area from view. Failure to provide screening as required herein shall be considered a violation of this ordinance.

4. The City of Rockport shall assess a fine of \$ 25.00 for an initial violation of this Ordinance, and \$50 for any subsequent violations. Upon notification of a violation by certified letter, the owner of record of the property shall have thirty (30) days to bring the property into compliance before being assessed a penalty.

5. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor and legal publication.

DULY ADOPTED BY THE CITY OF ROCKPORT, INDIANA. This the 9<sup>th</sup> day of June, 2005.

COMMON COUNCIL OF THE CITY  
OF ROCKPORT, INDIANA

By: J. DelleCape Keenan  
Councilman  
Robert M. Kelley  
Councilman  
Quentin Wells  
Councilman  
Gregory Payne  
Councilman  
Debra Tucker  
Councilman

ATTEST:

Terri Payton  
Terri Payton, Clerk-Treasurer

Beth A. Packer, Mayor

### Alley Vacation Description

Part of Wright and Griffith's Donation to the Town (now City) of Rockport per plat thereof being recorded in Plat Book 1, Page 3 in the office of the Recorder of Spencer County, Indiana, being the same alley being bordered on the north by Lots 36 and 51 and on the south by Lots 37 and 50 of said Wright and Griffith's Donation, being more particularly described as follows:

Beginning at the southeast corner of said Lot 36, said point being on the west right-of-way line of Fifth Street; thence along the west line of Fifth Street South 00 degrees 00 minutes 00 seconds East 12.00 feet to the northeast corner of said Lot 37; thence along the north line of said Lots 37 and 50 North 89 degrees 14 minutes 52 seconds West 264.00 feet to the northwest corner of said Lot 50, said point being on the east right-of-way line of Sixth Street; thence along the east line of Sixth Street North 00 degrees 00 minutes 00 seconds West 12.00 feet to the southwest corner of said Lot 51; thence along the south line of said Lots 51 and 36 South 89 degrees 14 minutes 52 seconds East 264.00 feet to the point of beginning containing 3168 square feet (0.0727 acre).

Subject to all easements and rights-of-ways of record.

WITNESS my hand and seal this the \_\_\_\_\_ day of \_\_\_\_\_, 2005.

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