

TOWN OF WEST WARWICK

ORDINANCE

OF THE

TOWN COUNCIL

ORDINANCE NO. 2018 – 11

AN ORDINANCE AMENDING CHAPTER 5 BUILDINGS, ARTICLE II FENCES, SECTION 5-55 AND CHAPTER 15.5 SOIL EROSION AND SEDIMENT CONTROL, ARTICLE 1 IN GENERAL, SECTIONS 15.5-2 AND 15.5-3 OF THE CODE OF ORDINANCES OF THE TOWN OF WEST WARWICK,

WHEREAS: The Home Rule Charter of the Town of West Warwick provides that the Town Council shall at least every 5 years cause to be prepared a revision or codification of the Code of Ordinances of the Town of West Warwick which are currently in effect and are appropriate for the continuation as local laws of the Town of West Warwick, and

WHEREAS: The Town Council has directed that all department heads submit revisions or codifications of the sections of the West Warwick Code of Ordinances that pertain to the department of which he or she directs, and

WHEREAS: In accordance with such directive said department heads have submitted to the Town Council such requests and recommendations for the revision or codification of the Code of Ordinances which said department heads believe are appropriate for enactment by the Town Council, and

WHEREAS: The Town Council has reviewed such requests and recommendations and after deliberation thereon has determined that the Code of Ordinances of the Town of West Warwick shall be codified and revised in accordance with the requirements of the Home Rule Charter of the Town of West Warwick,

NOW, THEREFORE, IT IS HEREBY ORDAINED that the Town Council of the Town of West Warwick hereby amends Chapter 5, Article II Section 5-55 and Chapter 15.5, Article I Sections 15.5-2 and 15.5-3 of the Code of Ordinances of the Town of West Warwick as follows:

**CHAPTER 5 BUILDINGS
ARTICLE II FENCES**

Sec. 5-55. Standards.

The following standard shall apply to the construction and maintenance of fences:

(3) No fence shall be erected in the required front yard space, except for the following:

- a. Residential properties designed as corner lots may erect a fence in the front yard space in the corner side yard, ~~from the house to a point ending at the street right-of-way line.~~ Such fences may not exceed a height of ~~four feet~~ three and one-half (3 ½) feet within fifteen (15) feet of a corner, at a line parallel to the front of the house and end within sixteen (16) feet before the point of intersecting streets. Fences erected under this subsection must not impede traffic sight lines;
- b. Residential properties not designated as a corner lot may erect a fence parallel to the front yard line ~~Fencing less than three feet in height may be utilized in the front yard space. provided it is not erected parallel to an adjacent driveway.~~ Such fencing shall not obstruct traffic sight lines. ~~and shall serve no other purposes other than landscaping or decoration;~~
- c. ~~Residential lots containing more than one lot adjoining the lot where the primary dwelling is situated, may have a maximum four foot high fence from a line parallel to the front of the house to the front property line and across the front property line of lots not containing the dwelling or as b. above.~~

CHAPTER 15.5 SOIL EROSION AND SEDIMENT CONTROL
ARTICLE I IN GENERAL

Sec. 15.5-2. Applicability.

This chapter shall be applicable to any situation involving any disturbance to the terrain, topsoil or vegetative ground cover upon any property ~~with~~ within the town after determination of applicability by the building official or his/her designee based upon criteria outlined in section 15.5-4 below. Compliance with the requirements as described herein shall not be construed to relieve the owner/applicant of any obligations to obtain necessary state or federal permits.

Sec. 15.5-3. Plan approvals.

All plan approvals under this chapter shall be made by the building inspector. The building inspector, with the ~~mayor's~~ Town Manager's approval, may designate such authority to another town official or agency. The building inspector and/or his/her designee shall have attended a soil erosion and sediment control training session sponsored by the United States Department of Agriculture Soil Conservation Service and Conservation Districts.

**AN ORDINANCE AMENDING CHAPTER 5 BUILDINGS, ARTICLE II
FENCES, SECTION 5-55 AND CHAPTER 15.5 SOIL EROSION AND
SEDIMENT CONTROL, ARTICLE 1 IN GENERAL, SECTIONS 15.5-2 AND
15.5-3 OF THE CODE OF ORDINANCES OF THE TOWN OF WEST
WARWICK**

POSTED: MARCH 20, 2018

INTRODUCED & SPONSORED BY COUNCIL PRESIDENT GOSSELIN

FIRST READING AT COUNCIL MEETING ON: APRIL 3, 2018

SECOND READING AT COUNCIL MEETING ON: APRIL 24, 2018

COUNCIL PRESIDENT: David Goselin

TOWN CLERK: Maria

ADVERTISED IN: KENT COUNTY DAILY TIMES

THIS ORDINANCE WILL TAKE EFFECT ON: MAY 21, 2018