

**ARTICLE 3
GENERAL PROVISIONS**

3.01 INTERPRETATION OF CONFLICTING PROVISIONS

The regulations of this Article will apply unless specifically provided for in any other Article.

3.02 ACCESSORY BUILDINGS AND STRUCTURES

Accessory buildings and structures are not allowed on any lot without a principal use or structure and shall be clearly incidental and secondary to and commonly associated with the operation of the principal use or structure. Accessory buildings and structures shall be operated and maintained under the same ownership and on the same lot as the principal use or structure, and shall not be used as a dwelling.

1. Accessory buildings connected to the principal building by a roofed porch, patio, or similar structures are not part of the principal building.
2. Accessory buildings shall have a maximum height of not more than twenty (20) feet.
3. No detached accessory building shall be located nearer to a side lot line than the permitted distance for the principal building on the same lot, unless such accessory building shall be completely to the rear of all portions of the principal building, in which case it may be located not nearer than three (3) feet to any side lot line.
4. No detached accessory building shall be located nearer than three (3) feet to any rear lot line, except that when such accessory building shall be a garage which is entered at right angles to any alley, it shall be located not nearer than ten (10) feet to said rear lot line.
5. No detached accessory building shall be located within any front yard.
6. No Manufactured Home, truck, truck-trailer or any form of vehicle capable of being propelled by its own force or through some other source of power, shall be used as an accessory building in any district.
7. Shipping containers of metal construction and flat roof or similar containers of any kind shall not be used as accessory buildings.
8. In the R-1, and R-2 zoning districts, the total aggregate square footage of all accessory buildings shall not exceed the square footage of the main floor footprint of the principal structure.

9. In the C-LI and IND zoning districts, the total aggregate square footage of all accessory buildings shall not exceed 10% of the gross square footage of the principal building up to a maximum of 2,000 square feet.

3.03 ACCESS TO A STREET

All lots must touch a street or road for an uninterrupted distance equal to the minimum lot width required in this Ordinance. For a lot touching the end turnaround area of a cul-de-sac, the minimum road frontage of the lot will be 50 feet, provided the lot width meets the minimum lot width requirements of the zoning district in which it is located.

3.04 AREA REGULATIONS

No lot area shall be reduced or diminished below the minimum requirement established and prescribed by this ordinance,

3.05 BUILDING REGULATIONS

1. Enclosed and unenclosed porches shall be considered an integral part of the building to which they are attached, and shall be subject to all setback requirements and must obtain all the necessary Building and or Zoning Compliance Permits.
2. In no case shall signs, awnings, overhangs, sills, eaves, gutters, chimneys, flues, sills, cornices, eaves, gutters, and similar features project beyond the property line.

No building shall be built, converted, enlarged, reconstructed, or structurally altered to:

1. Exceed the height or bulk limit herein established for the district for which such building is located;
2. Intrude upon the required front, side and rear setback area. However, terraces, patios, walkways, and similar structures may project into front or rear setback areas, not to exceed six (6) feet provided that such structures are without roofs or walls or other continuous enclosures.
3. All structures and or buildings shall obtain proper inspections and permits as required before construction begins.

3.06 CLEAR VISION CORNER

Except in the C-1 zoning district, on any corner lot, no fence, wall, accessory structure or shrub planting shall rise more than 3 feet in height within the triangle formed by the two

property lines which meet at the street rights-of-way and a line drawn between points on said property line 20 feet away from the point of intersection.

3.07 CONVERSION OF DWELLINGS

The conversion of any building into a dwelling, or the conversion of any dwelling so as to accommodate an increased number of dwelling units or families, shall be permitted only within a district in which a new building for similar occupancy would be permitted under this Ordinance, and only when the resulting occupancy will comply with the requirements governing new construction in such district with respect to minimum lot size, lots area per dwelling unit, dimensions of yards and other open spaces and off-street parking.

3.08 DUMPING OF RUBBISH

No person, firm or corporation shall dump or cause to be dumped any tin cans, automobile bodies, stoves, garbage, junk, movable structures, or other waste or unwanted materials of any kind or description on any land, private or public, situated in the Village unless such place has been designated as a public dumping ground by the Village Council.

3.09 DWELLING REQUIREMENTS

Every dwelling shall:

1. Comply with the minimum requirements of this Ordinance for the zone in which it is located, included living area requirements, area, height, width, and dimension regulations.
2. Have a minimum width across any front, side, or rear elevation of 24 feet through 75% of its length and comply in all respects with the current Building Officials Code Administrators (BOCA) standards, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction that are different from those imposed by the current BOCA standards, then such federal or state standard or regulation shall apply.
3. Be firmly attached to a permanent foundation or footings buried beneath the frost line following the current BOCA standards and shall have a wall of the same perimeter dimension of the dwelling and constructed of such materials and type as required in the applicable building code for single-family dwellings.
4. When the dwelling is a Manufactured Home, as defined herein, such dwelling shall:
 - a. Be installed pursuant to the manufacturer's setup instructions,

- b. Be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Manufactured Housing Commission,
 - c. Have a perimeter wall as required above and with the wheels removed,
 - d. Not have any exposed towing mechanism, undercarriage, or chassis,
 - e. Have a skirting of a permanent nature similar to that used for site-built housing.
5. Be connected to a public sewer and water supply or to such private facilities approved by the County Health Department. All drain fields, absorption beds, or seepage pits shall not be closer than 100 feet from any lake, stream, river, or other surface water.
6. Must have a roof overhang of at least 6 inches on all sides or, alternatively, have window sills and roof drainage system concentrating roof drainage at collection points along the sides of the dwelling.
7. Must have at least two exterior doors with the second door being in either the rear or side of the dwelling; which contains permanently attached steps connected to said exterior door areas or to porches connected to said door areas where a difference in elevation requires the same.
8. Contain no additions or rooms or other areas that are not constructed with similar quality workmanship as the original structure, including permanent attachment to the principal structure and construction of a foundation as required herein.
9. Comply with all pertinent building and fire codes. For a Manufactured Home, all construction and all plumbing, electrical apparatus, and insulation within and connected to said Manufactured Home shall be of a type and quality conforming to the Manufactured Home Construction and Safety Standards as promulgated by the United States (U.S.) Department of Housing and Urban Development, being 24 CFR 3280, and as from time to time such standards may be amended. Additionally, all dwellings shall meet or exceed all applicable roof snow load and strength requirements.
10. The foregoing standards shall not apply to a Manufactured Home in a licensed Manufactured Home park except to the extent required by state or federal law or otherwise specifically required in the Ordinance of the Village concerning such parks.
11. All construction required herein shall be commenced only after a zoning permit has been obtained in accordance with the current BOCA standards.

3.10 DWELLINGS—FLOOR AREA REQUIREMENTS

1. All single-family dwellings shall have a minimum 1,100 square feet of living area, excluding basements, stairwells, and closets.
2. Multifamily dwellings shall have the following minimum floor area:

Studio apartment	600 square feet per unit.
1 bedroom	600 square feet per unit.
2 bedrooms	750 square feet per unit.
3 bedrooms	800 square feet per unit.
4 or more bedrooms	1,000 square feet per unit plus an additional 100 square feet for every bedroom more than 4 bedrooms.

3.11 EARTHMOVING

Earthmoving of sand, topsoil or other material affecting areas greater than 20,000 square feet shall require review and approval by Special Land Use Permit in accordance with this Ordinance. Special Land Use Permit shall be required to protect the public health, safety, and welfare and to protect ground and surface waters, natural drainage, and water tables. The removal of soil, sand, topsoil, or other material from the land shall only be permitted when such use is in conformance with any Soil and Sedimentation Erosion Control Ordinance and written approval of the administering agency shall be filed with the application of the Zoning Permit.

3.12 ESSENTIAL SERVICES

The following zoning restrictions apply to essential services for public utility facilities necessary for the service of the community in public streets or public rights-of-way.

1. The erection, construction, or alteration by public utilities or other public or quasi-public department or commission of underground gas, electrical, steam or water distribution or transmission systems, collection, communication supply or disposal systems including drains, sewers, pipes, conduits, wires, cables and accessories reasonably necessary for the furnishing of adequate services by public utilities or other public or quasi-public departments or commissions or for public health or safety or general welfare shall be allowed by right in all zoning districts in the Village.
2. The erection construction, alteration and use of a building or an addition to an existing building or aboveground or overhead public utility, including electrical distribution or transmission systems, collection, communication, supply or disposal

systems including wires, cables, fire alarm boxes, police equipment and accessories by a public service corporation in any zoning district shall be allowed by Special land Use Permit providing the planning commission finds such use, height, area, building or structure necessary for the public convenience and service provided that such building, structure or uses are designed, built and landscaped to conform harmoniously with the general architecture and plan of such districts.

3.13 HOME OCCUPATIONS

All home occupations shall be permitted only as Special Land Uses in this Ordinance and within the AG and R-1, and R-2 zoning districts. Any home occupation operated in a dwelling unit may be operated only if it complies with all of the following conditions:

1. It is operated in its entirety either within the dwelling or garage or accessory building, and then only by the person or persons residing within the dwelling therein.
2. The home occupation shall not occupy more than 25 percent of the floor area of the dwelling.
3. That the dwelling does not have any exterior evidence to indicate that the building is being utilized for any purpose other than that of a dwelling. There may be no alteration of the residential character of the premises. One allowable sign that conforms to the regulations is allowed but requires a Zoning Compliance Permit. Outdoor, window, or lawn displays are prohibited as is outdoor storage.
4. That the occupation conducted therein is clearly incidental and secondary to the residential use of the building.
5. Restaurants, beauty and barbershops, clinics, hospitals and boarding establishments shall not be considered home occupations.
6. Noise or other objectionable characteristics, such as electrical interference, odor, smoke, night lighting or unreasonable traffic shall not be discernable beyond the boundaries of the lot.

3.14 HOUSEHOLD PETS

Household pets may be kept in any zoning district; however, not more than three dogs may be kept on any parcel without an appropriate special land use permit and any required kennel licenses. Household pets may not be kept, bred, or maintained for commercial purposes. Household pets shall not be allowed to run loose outside the owner's property in any district. Wild animals and exotic animals are prohibited in all zoning districts except for certain domesticated varieties of bird and small (less than 24 inches long) non-poisonous snakes and lizards, which are caged or otherwise contained with a dwelling unit.

3.15 LOT AND BUILDING RELATIONSHIP

Every building hereinafter built or structurally altered shall be on a legal lot as defined by this ordinance. There shall be no more than one main building and authorized accessory buildings on one lot within a residential zoning district.

3.16 MOVING OF STRUCTURES AND BUILDINGS

The moving of a structure or building shall be considered the erection of a new building or structure and shall fully conform to all the provisions of this Ordinance in the same manner as a new building or structure. No building or structure shall be moved until a permit for such removal has been secured. All provisions relative to the erection of new structures shall be met, including a building permit.

Before a permit may be issued for moving a building or structure, the Building Inspector shall inspect same and shall determine if it is in a safe condition to be moved, and whether it complies with the building code and use requirements of the zoning district to which it is to be moved. Providing these conditions can be complied with, a permit shall be issued for the moving of said building or structure. A performance bond may be required by the Zoning Administrator prior to such moving in the amount of 10% of the assessed valuation of the structure.

3.17 MULTIPLE USES OF BUILDINGS

Multiple uses of a single building may be allowed in commercial and industrial zoning districts for those uses permitted by right. Site plan review requirements must be met for all other uses requiring a special land use permit.

3.18 ON-SITE SEWAGE TREATMENT AND WATER WELL FACILITIES

All uses not served by a public sewer and/or water, must obtain an approved permit for the necessary onsite sewer and water facilities from the County Health Department.

3.19 OUTDOOR STORAGE

In all zoning districts permitting residential use, all boats, boat trailers, recreational units or similar vehicles (specifically excepting motor homes and truck campers when the camper unit is affixed to the truck) shall be stored in back of the front building line or in an enclosed building, or in case of a multi-family development, in an area specifically designated and approved for such use.

3.20 PRINCIPAL USE

Only one principal use shall be made of a lot, except as otherwise specifically allowed. A single-family dwelling shall constitute a principal use, and only one single-family dwelling shall be allowed on a lot.

3.21 PROHIBITED USES

No building or part thereof shall be built, altered, or used in whole or in part for any of the following uses in any district under this ordinance.

1. Incinerators and plants designed and constructed to accomplish reduction.

3.22 SCREENING REQUIRED

All uses and activities requiring screening must be submitted to the Planning Commission according to the Site Plan Review requirements of this Ordinance.

1. General Screening Requirements:

All uses listed below shall be screened from adjacent residential zoning districts as required in this section. Screening may consist of walls, fences, vegetation, or berming or a combination of any of these as allowed by the Planning Commission.

- a. Buildings in commercial districts.
- b. Buildings in industrial districts.
- c. Communication towers.
- d. Multifamily dwellings.
- e. Outdoor storage areas.
- f. Off-street parking facilities.
- g. Loading and unloading areas.
- h. All other uses specifically identified as having to meet the requirements of this section.

2. Walls and Fences (the following standards shall apply):

- a. Walls and fences shall have no openings for vehicular traffic or other purposes except as otherwise provided in this Ordinance and except such openings as may be approved by the Planning Commission.
- b. Walls and fences shall be constructed of durable, weather resistant, rustproof, and easily maintained materials.
- c. Walls and fences may not be constructed with openings that exceed 20% of the surface. The openings shall not reduce the obscuring effect and shall not reduce the minimum height requirement.
- d. If the wall or fence is within six feet of the property line, the decorative or finished side must face out.
- e. The height of the required fence or wall shall be as follows:

USE	MINIMUM HEIGHT REQUIREMENT	MAXIMUM HEIGHT REQUIREMENT
Buildings in Commercial Districts	4 feet	6 feet
Buildings in Industrial Districts	4 feet	8 feet
Multifamily Dwellings	4 feet	6 feet
Outdoor Storage Areas	4 feet	8 feet
Loading and Unloading Areas	4 feet	6 feet

- f. There shall be no use of barbed wire except in industrial zones and or outdoor storage areas and only if the fence is higher than 6 feet without the barbed wire.
- g. No fence shall be constructed or maintained with electrical current unless specifically applied in the Agricultural District.

3. Vegetation (the following standards shall apply):

- a. Vegetation shall consist of upright conifers such as, but not limited to: Blue, Green, White, or Serbian Spruce; Douglas fir; Austrian Pine; Juniper; or Hemlock.
- b. There shall be a greenbelt-planting strip with a width of not less than 20 feet along the property lines and may be within the required setback.

- c. For staggered, double-row plantings, trees shall be planted not more than 15 feet on center. For single row spacing, trees shall be planted not more than 10 feet on center.
 - d. Trees shall not be less than 4 feet in height above ground at the time of planting.
 - e. Existing trees that comply with the standards of this section, as determined by the Planning Commission, shall be credited toward meeting the screening requirements.
 - f. All required plant units shall be maintained in a healthy, growing condition. Any required plant units that are destroyed, removed, diseased, or die, shall be replaced within six months with plant units that meet the requirements of this section. Failure to maintain required plant units in such a manner, including the removal and replacement of dead or diseased plant materials, shall constitute a violation of this Ordinance.
 - g. The plantings shall be maintained in a neat and attractive manner, and shall maintain their density and screening effect throughout the calendar year.
 - h. Landscaping shall mean, at a minimum, an area constructed of clean fill and topsoil and seeded with an appropriate grass seed with a minimum 30% cover of plant materials and mulch.
 - i. Landscaping may include berms. Berms may include shrubbery and trees to enhance the landscaping effect and aesthetic appearance.
4. Berming (the following standards shall apply:
- a. Berms shall be at least 4 feet in height, constructed with 1 foot of vertical rise for each 3 feet of horizontal width.
 - b. Berms shall be constructed of clean fill and topsoil, and seeded with an appropriate grass seed.
 - c. Berms shall be landscaped with shrubbery and trees to enhance the screening effect and aesthetic appearance of the berm, and shall be maintained in a neat and attractive manner.
5. Screening of refuse storage areas in residential districts:
- a. Trash, garbage, and refuse storage and receiving areas are required to be screened from view. Screening walls or fences for these purposes shall be a

minimum of six feet in height and shall be of satisfactory height to screen completely the appropriate areas from view.

- b.
 - c. Screening walls shall have no openings except for gates or doors intended to access said area.
6. A Surety, as required by this Ordinance, sufficient to cover the cost of the required screening, may be required, and used if the required improvements are not completed within 12 months from the date of approval.
7. All plantings, landscaping, screening, and berms shall be located to not obstruct the view pertaining to safe ingress and egress from a site.

3.23 SETBACKS FOR OPEN LAND USES

Where the use of a lot is without buildings or structures, the front and side setbacks shall be maintained between the use and the lot line. The front and side setbacks shall be the setbacks for the zone in which the lot is located.

3.24 STORAGE SHED

Storage sheds may be located up to the property line in the side and rear yards and constructed without building permits. Storage sheds anchored to a slab or larger than 100 square feet must comply with accessory building requirements, which includes the procurement of a building permit.

3.25 STREET CLOSURES

Whenever any street, alley or other public way is vacated by official actions of the Village, the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended districts.

3.26 NONCONFORMING LOTS OF RECORD

Any lot in a single ownership which ownership was of record at the time of the adoption of this Ordinance, which does not meet the requirements of this Ordinance for lot area, may be utilized for uses permitted under this Ordinance provided that all other requirements of this Ordinance are met.

3.27 SWIMMING POOLS

A private or public swimming pool shall be considered a structure for purposes of this ordinance and shall therefore require issuance of a permit. A fence, wall or other structure shall enclose all ground level swimming pools, which shall be a least four (4) feet in height as measured from the outside. Any opening in the fence or wall enclosure shall be of a type that impedes climbing by small children and shall be equipped with a gate that is self-closing and latching type with the latch on the poolside of the gate. Said entrance way shall lead to the shallow end of the pool. If the entire premises are enclosed by a fence or wall, this requirement may be waived. The pool shall be fenced in before final approval is given for use of the pool. Above-ground swimming pools need not be fenced if the steps and pool entrance are secured by a self-closing and latching gate with the latch on the poolside of the pool gate.

3.28 TELECOMMUNICATION TOWERS

Telecommunication towers and microwave or television towers are permitted in the Industrial District and the Agricultural District as Special Land Uses.

3.29 TEMPORARY STRUCTURES FOR NONRESIDENTIAL PURPOSES

Temporary structures for nonresidential purposes only may be allowed by permit by the Zoning Administrator for the following activities. The permit shall specify the location of the temporary structure and shall cancel six months after the date of its issuance. The Zoning Administrator may renew the permit for additional 6-month periods, not to exceed two years, if he or she finds good cause.

1. Construction Office - The storage of building supplies and machinery, temporary storage buildings and customary trade, contractor, or architects' identification signs in connection with a construction project.
2. Subdivision Office - A dwelling in a new subdivision may be used as a sales and management office.
3. Recreational Units for Temporary Placement
All recreational units may be allowed temporary placement on site for up to five days, with a 45 day maximum only upon obtaining a zoning compliance permit.
4. Circus, Carnivals or Fairs or an outdoor event similar in nature, may obtain a zoning compliance permit, not to exceed 21 days.
5. Open lot sales, specifically Christmas trees or other similar seasonal use, may obtain a zoning compliance permit, but up to a maximum of 45 days in one calendar year.

In any event, the temporary structures and all debris shall be removed within 15 days after completion or abandonment of the work. Temporary buildings for uses incidental to construction work shall be removed promptly upon completion or abandonment of work.

3.30 TEMPORARY DWELLING FOR HARDSHIP

The zoning administrator may issue a permit for temporary use of a manufactured home for use as a temporary dwelling for up to 365 days for the occupants of a dwelling damaged by fire or storm providing they meet the following requirements:

1. The applicant must first submit plans for and receive a building permit for the reconstruction of a permanent dwelling upon the premises.
2. The manufactured home must be located on the same parcel as the principal residential dwelling.
3. The manufactured home has a water system and septic tank system that meets the requirements of the Village of Freeport and the Barry County Health Department. A certificate from said department showing such compliance, including reserve drain field area, shall be filed with the zoning administrator before any use of occupancy is made of said manufactured home.
4. The lot area to be associated with the temporary dwelling must be defined.
5. The manufactured home must be at least three (3) feet from all lot lines.
6. The manufactured home shall have skirting of non-corrosive metal or plastic.
7. That the applicant demonstrates the ability and intent to reconstruct a permanent dwelling on the premises.
8. All plumbing, electrical apparatus, insulation and installation and construction within and connected to the Manufactured Home shall be of a type and quality conforming in all material respects to the safety requirements contained in the Manufactured Home construction and safety standards as promulgated by the rules of the U.S. Department of Housing and Urban Development (HUD) specifications for Manufactured Home construction as amended.
9. The applicant must commence reconstruction of the permanent dwelling within ninety (90) days after issuance of the building permit.

The fee to be paid for the issuance of a temporary dwelling permit for a temporary dwelling shall be established by the Village Council. If a permit is renewed, an additional fee will be collected. The permit may be renewed once for a period not to exceed 180 days. It shall be

the property owner's responsibility to renew a permit. Failure to renew a temporary permit within the specified time shall constitute expiration.

The zoning administrator shall revoke the temporary dwelling permit at any time if the usage violates any of the requirements outlined in this section. If a permit is revoked, the unit must be vacated and removed from the property within 30 days, or it constitutes a violation of the Ordinance and is subject to the penalties outlined in this Ordinance. The temporary dwelling shall cease to be used as a dwelling upon completion and occupancy of the permanent dwelling upon the premises, and must be removed within 30 days after the purpose for which the permit was issued no longer exists.

Permits issued to owners of property under this section shall be revocable upon thirty (30) day notice. Said notice shall be given by the Zoning Administrator or his designee and shall include specific violations of the zoning Ordinance existent on that date. If the owner demonstrates compliance with the Zoning Ordinance prior to the expiration of said thirty (30) day period the Zoning Administrator or his designee shall have the authority to rescind the notice.

3.31 THROUGH LOT

In any zoning district, through lots shall have a front setback as hereinafter provided for its particular zoning district along each street lot line.

3.32 TRAVEL TRAILERS, RECREATIONAL VEHICLES, CAMPERS, AND MOTOR HOMES

No motor home or travel trailer shall be occupied for dwelling purposes except as specifically authorized in this Ordinance and in accordance with the following regulations.

1. No person shall park overnight or permit the parking overnight of any motor home or travel trailer upon any public highway, street, alley or park within the Village.
2. No person shall park or permit the parking of any motor home, travel trailer or other recreational vehicle in any front yard for more than 60 days in any 365-day period.
3. No recreational vehicle shall be located on any lot where there is no principal building.

3.33 TWO-FAMILY DWELLINGS

No two-family dwellings shall be hereafter erected, altered or moved on any land, or existing single family dwellings converted to two family dwellings, which provide less than

800 square feet of floor area for each dwelling exclusive of attached garages, unenclosed porches or other accessory structures.

3.34 WALLS AND FENCES

Walls and fences shall be allowed, subject to the following conditions:

1. All districts: All fences shall be erected with fence posts and supports on the interior side and within the property line.
 - a. Under no circumstances shall a fence or wall be constructed of used or unconventional fencing materials including, but not limited to, pallets, tree trunks, trash, tires, junk, or other similar items.
 - b. Fences or walls may be located on the property line, but may not extend into any right-of-way or onto adjacent property.
 - c. Fence or wall heights shall be measured from the surface of the ground to the top of the fence or wall.
 - d. Fences or walls shall not be located within 30 feet of the ordinary high-water mark of a lake or stream.
 - e. All fences and walls shall be of such design and location that they do not obstruct the vision of motorists on adjacent roads or the vision of pedestrians or motorists leaving the premises.
 - f. Retaining walls are exempt from these fence provisions.
2. Residential Districts:
 - a. Fences not greater than 6 feet in height are allowed in side or rear yards.
 - b. Fences not more than 3 feet in height are allowed in the front yard.
 - c. Fences shall not contain barbed wire, razor wire, spikes, or electric current.
3. Commercial Districts:
 - a. A chain-link, protective fence not in excess of 6 feet in height is allowed in all yards.
 - b. Fences in Commercial zoning districts shall not contain barbed wire, razor wire, or electric current.

4. Industrial Districts:

- a. Fences in this district may not be over 8 feet in height.
- b. Barbed wire is only allowed when the fence is more than 6 feet in height not including the barbed wire portion.

3.35 WATERFRONT LOTS

All uses on waterfront lots, including additions or extensions to existing buildings, shall meet the following design requirements:

1. All principal buildings shall be set back at least 65 feet from the ordinary high-water mark.
2. No structure shall be located within 35 feet of the ordinary high-water mark, except a seasonal dock, boat lift, boat house, or pump house not to exceed 36 inches in height and 9 square feet in size. Pump houses that exceed 3 feet in height or 9 feet in total square feet in size are prohibited.
3. Septic tanks, dry wells, and drain fields may not be constructed:
 - a. Within the 100-year flood plain.
 - b. Nearer than 100 feet to the ordinary high-water mark.
 - c. Where the invert of the drain field or septic tank is below the elevation of the ordinary high-water mark.
 - d. Natural drainage courses shall be protected from grading activity.
 - e. Slopes created by the grading of the site should generally not exceed a slope ratio of 1 foot of vertical slope to 3 feet of horizontal distance.
 - f. Within 35 feet of the ordinary high water mark, a maximum of 400 square feet of land for each 100-linear foot of water frontage shall be covered by impervious surfaces, including all structures and paving.
 - g. No unsightly, offensive, or potentially polluting material, including, but not limited to, lawn clippings, leaves, garbage, trash, refuse, junk vehicles, junk, appliances, or toxic materials may be dumped or stored within 35 feet of the ordinary high water mark.

- h. Vegetation shall be left undisturbed within 35 feet of the ordinary high water mark. The use of fertilizer is prohibited within 35 feet of the ordinary high water mark.
- i. Other than support structure, on embankments having a slope exceeding 12%, stairs, walkways, decks, and steps must not be embedded into the ground.