

An Ordinance to amend the Unincorporated Lake County, Indiana Zoning Ordinance No. II (Also know as and referred to as Ordinance No. 1670), County of Lake, State of Indiana, to make provisions for changes in the manner that fill material is placed on lands in Unincorporated Lake County.

Be it ordained by the County Council of Lake County, Indiana and by the Board of Commissioners of the County of Lake as follows:

That the Unincorporated Lake County Zoning Ordinance No. II, effective June 11, 1996 and all subsequent amendments which are part of said Ordinance be amended as follows:

INSERT:

Section 2.10.1.10 Solid Fill

- 10.1 *Special Exception required.* No person shall transfer, dump, or place upon lands, public or private, solid fill within unincorporated Lake County, Indiana without first obtaining a Special Exception under this section. Solid fill shall include, soil, gravel, sand, clay, or stone. Solid fill shall not include construction and demolition debris, concrete, asphalt, brick, block, tile, slag, ash, or fly ash. Solid fill shall be clean, inert material free from vegetative or other organic matter, yard waste, trees, branches, stumps, brush, garbage, and material subject to organize decomposition. Solid fill containing items such as hollow containers, appliances, and equipment subject to subsequent collapse or settlement is prohibited. Deposit of any solid fill of a non-native nature is prohibited. Also, solid fill does not include materials contaminated with hazardous, solid or infectious wastes.
- 10.2 *Exemptions.* No Special Exception shall be required for the following:
- 10.2.1 The transfer, excavation, dumping, or placement on any property outside of a subdivision (including contiguous property under the same ownership and within one 365-day period), of less than ten (10) cumulative cubic yards of solid fill;
  - 10.2.2 The deposit of less than 50 cumulative cubic yards of topsoil (the upper layer of soil, usually darker and richer than the subsoil) outside of a subdivision for establishing lawns or planting beds, within one 365-day period;
  - 10.2.3 Excavation associated with the establishment of a foundation or foundations for any structure subject to an approved building permit;
  - 10.2.4 Filling pursuant to the requirements of an approved building or demolition permit;