

CITY OF HURSTBOURNE

ORDINANCE NO. 26-04

AN ORDINANCE AMENDING THE REGULATIONS ON
BUILDING DESIGN AND USE RESTRICTIONS

WHEREAS, the Commission of the City of Hurstbourne desires to allow community free libraries (otherwise known as little libraries), but with certain design standards and other requirements to make sure the facilities are in keeping with the quality of design in the city, are sited in safe areas and are well maintained,

NOW THEREFORE, be it ordained by the City of Hurstbourne that:

SECTION 1: Section 150.21(A)(14) is amended to read as follows:

150.21 Design Standards.

- (A) All new exterior construction in all zoning districts R-1 through R-5 (including any accessory structures), shall have building architecture in keeping with the general character of the existing architecture of the properties which are immediately adjacent to the subject property, in terms of style, type of materials, design and appearance, as is more particularly set out herein:

14. Residential utility buildings are prohibited from use on any residential lot. Residential utility buildings are defined as any open air or enclosed structure used for the storage of material and equipment incidental to the residential use of the property, **with the exception that Community Free Libraries are allowed, subject to the restrictions set forth herein. A Community Free Library is a structure erected by a private property owner upon such property owner's lot to offer books and other literature for free to the community.**

(a) **Location. A Community Free Library structure shall only be located as follows:**

- (1) **Shall not be located within nor overhang the public street right-of-way, any other public easement.**
- (2) **Shall not obstruct vehicle, bicycle or pedestrian traffic.**
- (3) **Shall be anchored to the ground.**
- (4) **Shall not be closer than 600 feet from another Community Free Library.**
- (5) **Shall not be more than one Community Free Library structure per lot.**

(b) **Construction and Maintenance. Community Free Library structures must meet the following requirements for construction and maintenance:**

- (1) **Shall be of constructed of high-quality treated/finished wood and the type, style and materials of the structure must be approved by the city. All metal parts and supports for such structure that are not galvanized or rust resistant metals shall be kept neatly painted.**
- (2) **The portion of the structure in which books or other reading materials shall be shall have a secure enclosure to prevent waste and deterioration and shall be enclosed to be weather resistant.**

- (3) The enclosure shall be no more than three and one-half (3.5) cubic feet and must be set back at least 10 feet from any adjacent property line.
- (4) There may be no sign or advertising attached to nor affixed on the structure.
- (5) The structure must be maintained in good structural condition at all times. The property owner upon whose premises the structure has been erected shall be responsible for any litter or waste upon their property and within the structure.
- (6) If the structure is deemed by the City to be in an unsafe condition, or abandoned or no longer in use for a period in excess of 120 days, the owner of the property upon which the structure has been constructed shall be notified in writing and shall, within ten (10) days of such notification correct such unsafe condition or remove the structure.

Section 2: Effective Date.

This ordinance shall take effect immediately upon its adoption, passage, and publication.

First Reading March 24, 2026

Second Reading April 14, 2026

Passed and approved this the 14 day of April, 2026.

Mary Masick
Mayor Mary Masick

ATTEST:

Nicol Mercado
Nicol Mercado, City Clerk

In Favor: 4

Opposed: 0