

Title 13 ► Chapter 4

Fences

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Sec. 13-4-1 Fences Defined. For the purpose of this Section

Fence- An enclosed barrier consisting of wood, stone or metal intended to prevent ingress or egress. No fence shall be constructed of unsightly or dangerous materials which would constitute a nuisance.

Boundary Fence- A fence placed on the property lines of adjacent properties.

Protective Fence- A fence constructed to enclose a hazard to the public health, safety and welfare.

Architectural or Aesthetic Fence- A fence constructed to enhance the appearance of the structure or the landscape.

Hedge- A row of bushes or small trees planted close together which may form a barrier, enclosure or boundary.

Picket Fence- A fence having a pointed post, stake, pale or peg laced vertically with the point or sharp part pointing upward to form a part of the fence.

Sec. 13-4-1-1 General

No person may construct a fence in the Town without a Fence Permit issued by the Permit Issuer. The Permit Issuer may not issue a Fence Permit until the fence has been approved by the Town Board. Except as elsewhere provided in this Title, all fences shall be constructed with no setback from lot lines. Any person applying for a Fence Permit shall provide the Town Board a certified survey map, plat of survey, or other evidence satisfactory to the Town Board showing the location of property lines and the location of the proposed fence. The applicant shall also submit a narrative statement describing the design and construction of the proposed fence, including the material that will be used to construct the fence. If there is a dispute regarding the location of a lot line, the Town Board will determine an acceptable location for the fence based on the supporting documentation submitted to it. By applying for a fence permit, the applicant agrees to hold the Town harmless from any claims, losses, or damages of any kind arising out of the location of a fence.

Sec. 13-4-2 Fences. In Residential Zoned Districts.

The following regulations apply. Fences will be permitted on or within the property line. On or within the side and rear yard the height shall not exceed six (6) feet. In the street yard, the fence shall be an open type (50% or less opaque) and shall not exceed two and one half (2 1/2) feet in height, and shall be no closer than two (2) feet to a road R.O.W.

Sec. 13-4-3 Setback for residential Fences.

1. Fences may be constructed parallel to lot lines but shall not extend into the front setback area as extended to the side lot lines.
2. Barbed wire fencing may not be used in residential districts, except between residential and agricultural properties.
3. Electric fences may only be used between agricultural and residential properties when agreeable to both parties.
4. All fences shall be maintained and kept safe and in state of good repair, by the owner of fence, and the finished side or decorative side of a fence shall face adjoining property.

Sec. 13-4-4 Fences in Commercial-Recreational, Office and Manufacturing Districts

A development plan, will include architectural drawings and sketches illustrating the design of any fence proposed for the site. plan review process.

Non-residential districts:

Six (6) feet maximum height when used to screen permitted parking areas required by this Ordinance.

Ten (10) feet maximum height when used to screen permitted open storage areas.