

**14.11 FENCES AND WALLS.**

(1) PERMIT REQUIRED. No person shall construct a fence or wall in the Village without first obtaining a permit from the Building Inspector.

(2) APPLICATION; FEE. Application for a permit shall be filed with the Building Inspector on a form supplied by the Inspector, together with a sketch of the proposed fence and the payment of the fee provided in sec. 14.08 of this chapter.

(3) GENERAL REQUIREMENTS. (a) Fences and Hedges (Rep. & Recr. Ord. #2-03, on March 10, 2003). A fence or hedge no more than 3 feet in height may be placed 2 feet off the lot line from the road right of way to the front corner of the house. From the front corner of the house on remaining property lines, a 6 foot high fence may be placed 2 feet off the lot line. On any corner lot, no fence in the vision triangle shall exceed 3 feet.

(b) (Repealed Ord. #2-03)

(c) Location. The property owner shall be responsible for the proper placement and location of the fence. No fence shall be placed closer than 2 feet from the property line unless written consent is obtained from the abutting property owner and a variance granted by the Board of Zoning Appeals.

(d) Dog Pens and Runs. Dog pens and runs shall be erected in the rear yard only and shall be located at least 5 feet from any property line.

(e) Wire Fences. Wire fences are to be of chain link construction or a vinyl coated minimum wire gauge No. 16 with maximum opening of 2 inches by 3 inches.

(f) Wood Fences. Redwood or cedar shall be preferred for durability: Other woods may be used provided they are suit- able and maintained.

(g) Barbed Wire. No fence consisting wholly or in part of barbed wire shall be erected or maintained in the Village except for farming purposes and except for approved security fences.

(h) Security Fences. The Board of Zoning Appeals, upon proper application, may approve security fences in nonresidential zones of such design and construction as it shall deem proper.

(i) Fence Side. Posts and framing shall face the property for which the fence permit application is being made.

(j) Nonconforming Fences. Present fences may stand even though they do not conform to this section. However, nonconforming fences requiring 50% or more repairs or rebuilding shall be removed or rebuilt to conform with the requirements of this section.

(k) Maintenance of Fences Required. All fences shall be maintained in good physical condition.

(4) PRIVATE SWIMMING POOL FENCES. (a) Required. No person shall maintain, construct, install or enlarge a residential swimming pool not enclosed in a permanent building in the Village unless a fence is constructed in accordance with this section.

(b) Definition. "Swimming pool" means any depression in the ground, either temporary or permanent, or a container of water, either temporary or permanent and either above or below the ground, in which water more than 24 inches deep is contained and which is used primarily for the purpose of bathing or swimming.

(c) Fences. 1. All swimming pools not enclosed within a permanent building shall be completely enclosed by a fence of sufficient strength to prevent access to the pool and shall be 5 feet in height and so constructed as not to have voids, holes or openings larger than 4 inches in one dimension. Gates or doors shall be equipped with self-closing devices for keeping the gates or doors securely closed and locked at all times when not in actual use.

2. Above ground pools with self-provided fencing to prevent unguarded entry shall be permitted without separate additional fencing, provided the self-provided fence is of the minimum height and design as herein specified.

3. Permanent access from grade to above-ground pools having stationary ladders, stairs or ramps shall have safeguard fencing and gates

equivalent to those required herein, subject to all other applicable ordinances and subject to the following requirements:

- a. No fence shall be located, erected, constructed or maintained closer than 3 feet to a pool.
- b. The wall of the house or building facing a pool may be incorporated as a portion of such fence.