TOWN OF GRAND CHUTE

ORDINANCE, SERIES OF 0-11-2010

AN ORDINANCE AMENDING EXISTING CHAPTER 27 OF THE CODE OF GENERAL ORDINANCES FOR THE TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN BY REPEALING AND RECREATING SECTION 27.06 (12) WHICH PROVIDES FOR REGULATION OF FENCES AND HEDGES.

WHEREAS, Chapter 27 of the Grand Chute Municipal Code provides for regulation of fences and hedges; and,

WHEREAS, it is determined that the public's interest is best served by adopting updated regulations governing fences and hedges in the Town.

NOW THEREFORE BE IT ORDAINED by the Town Board of Supervisors of the Town of Grand Chute, Outagamie County, Wisconsin, that Section 27.06 (12) is hereby repealed and recreated to read as follows:

Section 27.06 (12). Fences and Hedges.

a. Definition. For the purposes of this subsection, a fence is herein defined as any partition, wall, structure or gate consisting of vegetation, wood, stone, plastic, or metal that is erected as a barrier, enclosure or divider marker. For the purposes of this subsection, the term fence shall be construed to include plantings such as hedges.

b. Permit Required. No fence shall be built, enlarged, altered or replaced within the Town unless a permit therefore is first obtained from the Building Inspector.

c. Fence Height.
    1. Any fence placed in the rear or side yard of a property shall not be more than six (6) feet in height, measured at ground level of the yard, except that hedges may be permitted to grow to their natural height.

    2. Any fence placed in the actual front yard of the property or in the first twenty-five (25) from the street right-of-way, whichever is less, shall not exceed forty-two (42) inches in height, measured at ground level of the yard. On lots with double frontage, fences shall conform to the front yard requirements for both streets, except where one street is officially designated "No Access" or "Restricted Access."

    3. Fences and hedges shall comply with vision corner regulations as defined in Section 27.06 (6) (a) and (b).

d. Materials.
    1. The finished side of the fence shall be erected to face the adjoining property. The side of the fence with protruding support posts or studs shall face the building of the lot responsible for the erection of the fence.

    2. Barbed wire fences, electrical fences, and single, double and triple strand fences are prohibited, unless specifically permitted by this subsection.

e. Exceptions. Protective security fences and boundary fences on industrial sites, publicly owned lands, or semi-private lands such as places of worship, educational institutions, utility substations, etc. are excluded from the provisions of this subsection, except that where such fences incorporate the use of barbed wire, such barbed wire shall not be less than seven (7) feet above the ground level and shall not extend over any roadway, sidewalk/trail, or adjoining property. In addition, such fences otherwise excluded from the provisions of this subsection shall be a minimum two-thirds (2/3) open to vision, equally distributed throughout the fence length, and shall maintain the height restrictions of this subsection when located within the defined vision corner.

If any provision of this ordinance is invalid or unconstitutional, or the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the above provisions or applications of this ordinance, which can be given effect without the invalid or unconstitutional provision, or its application.

Approved and adopted this 5 day of October, 2010

Town of Grand Chute

Michael A. Marsden
Town Chairman

Karen L. Weinschrott
Town Clerk

Number Voted For 4
Number Voted Against 0

Approved as to form:

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