

**AN ORDINANCE CREATING SECTION 8.09 OF THE VILLAGE CODE
OF THE VILLAGE OF GLENBEULAH REGARDING FENCE REGULATIONS**

WHEREAS, pursuant to Wis. Stat. § 61.34 the Village Board of the Village of Glenbeulah has the power to act for the good order, public health, safety and welfare of its citizens; and

WHEREAS, the Village Board has determined that it is in the best interest to create regulations for the installation and maintenance of fences in the Village; and

NOW, THEREFORE, the Village Board of the Village of Glenbeulah does hereby ordain as follows:

Section 1. Creating Code. Section 8.09 of the Village of Glenbeulah Code of General Ordinances is hereby created to read as follows:

“8.09 FENCES:

- (1) **Fences Defined.** For the purpose of this Section, a "fence" is herein defined as 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.
- (2) **Fences Categorized.** Fences shall be categorized into four (4) classifications:
 - (a) **Boundary Fence.** A fence placed on or within three (3) feet of the property lines of adjacent properties.
 - (b) **Protective Fence.** A fence constructed to enclose a hazard to the public health, safety, and welfare.
 - (c) **Architectural or Aesthetic Fence.** A fence constructed to enhance the appearance of the structure or the landscape.
 - (d) **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.
- (3) **Placement of Fences Regulated.** Fences and walls shall be permitted in all side and rear yards subject to the following limitations:
 - (a) **Residential Fences.** Permitted on property lines in residential districts, but shall not in any case exceed a height of six (6) feet, shall not be placed in any required front yard or street side yard, and shall not be closer than ten (10) feet to any public right-of-way.
 - (b) **Security Fences.** Permitted on property lines in all districts except residential districts, but shall not exceed ten (10) feet in height and shall be of an open type similar to woven wire or wrought iron fencing.

- (4) Prohibited Fences. No fence shall be constructed which is of a dangerous design, as determined by the Village Board, or its designee, or which conducts electricity or is designed to electrically shock or which uses barbed wire.
- (5) Fences to be Repaired. All fences shall be kept safe and maintained in a state of good repair, and the finished side or decorative side of a fence shall face adjoining property. The unfinished side shall be the side with the majority of framing facing the owner's property.
- (6) Temporary Fences. Fences erected for the protection of planting (garden fences), snow fences, or to warn of construction hazard, or for similar purposes, shall be clearly visible or marked with colored streamers or other such warning devices at four- (4-) foot intervals. The issuance of a permit shall not be necessary for temporary fences as described herein, but said fences, except for garden fences and snow fences shall not be erected for more than for six(6) months.
- (7) Permit Required. Prior to commencing construction of a fence, a fence permit shall first be obtained from the Building Inspector. The fee for such permit shall be determined by resolution of the Village Board.
- (8) Abatement of Nuisance Fences. No fence, screen, enclosure or structure in the nature of a fence shall be erected in the Village in such position or place as to be dangerous or detrimental to the health of persons living in any house or premises. Any fence so erected, shall be removed within three (3) days upon the order of the Village Board, or its designee, issued in writing and served upon the owner, agent or occupant of the premises. Any fence removed in accordance with such notice shall be removed by or at the direction of the Village, and the cost of such removal shall be assessed as a special charge against the property on which the fence was located pursuant to Wis. Stat. § 66.0627."

Section 2. Severability. Should any portion of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected.

Section 3. Effective Date. This Ordinance shall take effect upon passage and publication as required by law.

Enacted this 13 day of September, 2023.

VILLAGE OF GLENBEULAH

By:


DOUGLAS DAUN, President

Date Approved: _____

9/13/23

Introduced by:

Alyssa De Nye
Board Member

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing Ordinance was duly enacted by the Village Board and approved by the President of the Village of Glenbeulah on the 13 day of September, 2023.

Michele Bertram
MICHELE BERTRAM, Clerk/Treasurer

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