

**TOWN OF CEDARBURG
ORDINANCE NO. 2010-15**

**An Ordinance to Amend Section 320-116, Fences and hedges.,
Town of Cedarburg Code of Ordinances, Ozaukee County, Wisconsin,
relating to picket and prohibited fences.**

The Town Board of the Town of Cedarburg, Wisconsin, do ordain as follows:

Section 320-116 of the Town of Cedarburg Code of Ordinances is hereby amended to read as follows:

**(The text modified with a strikethrough shall be deleted).
(The text modified with an underline shall be added).**

§ 320-116. Fences and hedges.

- A. Fences defined. For the purpose of this section, "fence" is herein defined as an enclosed barrier consisting of vegetation, wood, stone or metal intended to prevent ingress or egress. For the purpose of this section, the term "fence" shall include plantings, such as hedges and shrubbery. No fence shall be constructed of unsightly or dangerous materials that would constitute a nuisance.
- B. Fences categorized. Fences shall be categorized into five classifications:
- (1) Boundary fence. A fence placed on or within three feet of the property lines of adjacent properties.
 - (2) Protective fence. A fence constructed to enclose a hazard to the public.
 - (3) Architectural or aesthetic fence. A fence constructed to enhance the appearance of the structure or the landscape.
 - (4) Hedge. A row of bushes or small trees planted close together which may form a barrier, enclosure or boundary.
 - (5) Picket fence. A fence having a pointed post, stake, pale or peg laced vertically with the ~~point or sharp part~~ tip pointing upward to form a part of the fence.
- C. Height and location. Residential fences are permitted on the property lines in residential districts but shall not, in any case, exceed a height of six feet. Fences shall not exceed a height of four feet in the street yard and shall not be closer than two feet to any public right-of-way.
- D. Security fences. Security fences are permitted on the property lines in all districts, except residential districts, but shall not exceed 10 feet in height and shall be of an open type similar to woven wire or wrought iron fencing.
- E. Prohibited fences. No residential fence shall be constructed which is a ~~picket fence or which is of an otherwise~~ dangerous condition, or which conducts electricity or is designed to electrically shock, or which uses barbed wire; provided, however, that barbed wire may be used in industrially zoned areas if the devices securing the barbed wire to the fence are 10 feet above the ground or height and project toward the fenced property and away from any public area.
- F. Fences to be repaired. All fences shall be maintained and kept safe and in a state of good repair, and the finished side or decorative side of a fence shall face adjoining property.
- G. Temporary fences. Fences erected for the protection of planting 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-foot intervals. Such fences shall comply with the setback requirements set forth in this section. The issuance of a permit shall not be necessary for temporary fences as described herein, but said fences shall not be erected for more than 45 days.

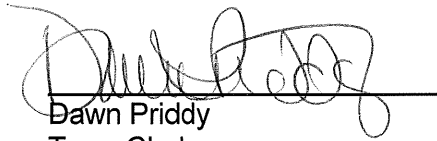
- H. Nonconforming fences and hedges. Any fence or hedge existing on the effective date of this Zoning Code and not in conformance with this section may be maintained, except where it interferes with traffic visibility at corners as governed by § 320-70, but all alterations, modifications and improvements of said fence shall comply with this section.


(The above text modified with a strikethrough shall be deleted).

(The above text modified with an underline shall be added).

This ordinance shall be in full force and effect upon its passage and posting as provided by law.

PASSED AND ADOPTED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, this 6th day of October, 2010.


Dawn Priddy
Town Clerk


David M. Valentine
Town Chairman