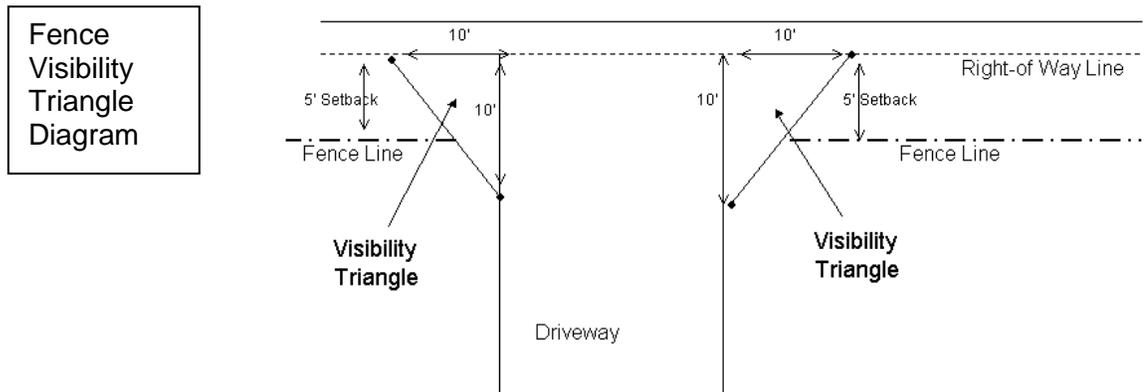


2.48 **Fences and Hedges.** This section applies to fences on or adjacent to residential property. The term "fence" as used here includes hedges, shrubbery, or other vegetation that serve as a barrier to ingress or egress.

(1) **Setback.**

- (a) Fences shall have a minimum setback of two feet from side and rear property lines and five feet from street lines and alley lines.
  - 1. The minimum setback in side and rear yards may be reduced to six inches upon written consent of the owner of the adjoining property.
  - 2. Fences may be installed on or up to joint lot line(s) if a "Joint Fence and Maintenance Agreement" exists among adjoining property owners. Fences installed pursuant to this Section between two adjoining properties may not be removed unless both land owners agree to such removal, and may remain in the agreed-upon location even if one or more members party to the agreement choose to remove fences solely under their control. Such Agreement must state that the Agreement shall continue with transfer of the property to heirs or assigns and shall include, at minimum, the following elements:
    - a. Description of the fence(s) to be installed
    - b. Location of the fence(s) to be installed
    - c. Distribution of costs of initial purchase and installation
    - d. Terms for continued maintenance and cost thereof by property owners involved
    - e. Conditions and terms for dissolution of the Agreement
- (b) Height. Fences in side yards and rear yards shall not exceed a height of six feet above ground level, and in the street yard shall not exceed a height of four feet above ground level. Fences on corner lots, or lots abutting any alley or railway, shall also comply with the height requirements of § 2.35.

- (c) **Visibility Triangle.** No fences shall be permitted in any residential district within the triangular spaces formed by the street right-of-way line, the near edge of the driveway and a line joining points on such lines located a minimum of 10 feet from their intersection.



- (2) **Security Fencing.** Security fences may be constructed on the property lines in all districts, except residential districts. Unless required by other provisions of this Chapter or Code of Ordinances, security fences shall not exceed a height of 10 feet above ground level and shall be of the open type, such as woven wire or wrought iron.
- (3) **Screening Fences in Commercial or Industrial Districts.** Screening fences exceeding 6 feet in height may be constructed in commercial or industrial districts subject to prior review by the Plan Commission. The purpose, materials and appearance of all such fences shall be reviewed and approved by the Plan Commission prior to construction. This review is intended to ensure that such fencing is in the best interests of the Village and will not adversely affect neighboring properties.
- (4) **Prohibited Fences.** No fence shall be constructed which is dangerous or unsightly, 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 in height and project toward the fenced property and away from any public area.
- (5) **Fences to be Repaired.** All fences shall be maintained and kept safe and in a state of good repair.
- (6) **Appearance.** The finished side or decorative side of a fence shall face towards adjoining property.
- (7) **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. Said fences shall not be erected for more than 45 days.