

VILLAGE OF BROWNSVILLE, DODGE COUNTY, WISCONSIN, OCTOBER, 2002.

AN ORDINANCE REGULATING FENCES AND HEDGES

WHEREAS, The Village Board of the Village of Brownsville, Dodge County, Wisconsin, finds that the public health, safety and general welfare of the village calls for an updated ordinance regulating fences and hedges;

NOW, THEREFORE, the Village Board of the Village of Brownsville do ordain as follows:

I: Ordinance No. 1995-1 (an ordinance regulating fences and hedges) is hereby repealed. In addition, Ordinance No. 2000-1 (an ordinance amending Ordinance No. 1995-1 re fences and hedges) is also repealed, and in place of these repealed ordinances the Village Board does hereby enact the new ordinance as provided herein.

II: Section 18.15.020 YARDS (C) RESIDENTIAL FENCES is amended to read as follows:

(C) Residential Fences are permitted subject to the following:

(1) No person, firm or corporation shall after the effective dates of this ordinance, erect or construct any fence on any premises in the Village of Brownsville which shall exceed:

Four (4) feet in height from ground level, as to rear yard and side yard fences;

Four (4) feet in height from ground level, as to front yard fences;

Location: The fence is permissible only if no part of the fence is closer to the street than the front wall of the house or garage structure (excluding porches).

No fence shall be erected or constructed on any premises in the Village of Brownsville without first obtaining a permit therefor from the Village of Brownsville Building Inspector. Plot plans shall be submitted at the time of application for the permit and any changes shall be reported to the Village Building Inspector. The fee for such permit shall be the same as for a regular building permit. A sketch of design of the proposed fence accompanying the application for such permit shall be submitted for approval to the Building Inspector before construction shall begin. The Building Inspector shall furnish the necessary forms to applicants for fence permits.

(2) The following regulations will govern the construction of the proposed fence:

- (a) Wire fences are to be of chain-link construction or other types of wire as approved by the Plan Commission. A top rail bar is required on all chain-link fencing;
- (b) If wood fences are used:
 - 1. Redwood shall be preferred for durability;
 - 2. Woods other than redwood may be used, provided that they are suitably maintained or painted;
- (c) No barbed wire, razor wire, concertina, or electric fence shall be permitted.
- (d) The finished side of the fence shall face out from the lot which is being fenced, excepting in those cases where the outside face of the fence is shielded by hedge or other growth obstruction visibility of it, and shall be built entirely on the builder's lot.
- (e) Fences for swimming pools shall conform to Section 18.15.030 of the Brownsville Municipal Code.
- (f) Fencing must be constructed with the open cut of fence mesh down to the ground.
- (g) Fences may not be constructed where covenants, conditions and restrictions prohibit chain-link fencing.
- (h) Slats are not allowed.

(3) No fence or hedge shall interfere with the free access and use of any utility easement.

(4) No fence, hedge, or other obstruction shall exist closer than:

Five (5) feet from the rear lot line where alleys exist; otherwise, two (2) feet from the lot line.

(5) Notwithstanding anything in this Section 18.15.020(C) to the contrary, on any corner lot where a front or side yard is required or provided, no fence, hedge, or other obstruction more than three and one-half (3½) feet in height measured from the established grade

of the street shall be placed so as to interfere with clear vision from one street to the other across the corner.

- (6) Any fence which exists at the time of the passage of this ordinance, but does not conform to the provisions thereof, shall not be altered or enlarged without making the entire fence conform with the provisions of this section.
- (7) A gate opening for utility and emergency personnel shall be provided where no other reasonable access is provided and where so required by the Village for other authorized personnel of the Village.
- (8) Appeals. Upon appeal to the Village Board, an aggrieved property owner can receive a variance to the terms of these regulations herein, in order to avoid unreasonable or impracticable application of the strict interpretation of the law due to unique characteristics of the site.

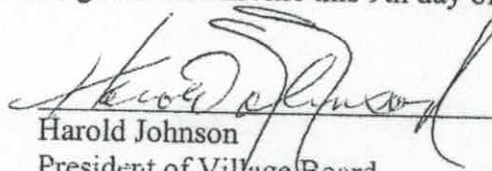
III: This ordinance was passed after consideration by the Plan Commission and after a public hearing as provided by law.

IV: Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance.

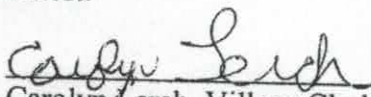
V: All ordinances or parts of ordinances in conflict herewith, except as herein provided, are hereby repealed only to the extent necessary to give this ordinance full force and effect.

VI: This ordinance shall take effect from and after passage and publication.

Passed by the Village Board of the Village of Brownsville this 9th day of October, 2002.


Harold Johnson
President of Village Board

Attest:


Carolyn Lerch, Village Clerk