

Village of Waldo
Sheboygan County, Wisconsin

**AN ORDINANCE AMENDING CHAPTER 195 OF THE
VILLAGE OF WALDO MUNICIPAL (ZONING) CODE
TO ESTABLISH FENCE REGULATIONS**

WHEREAS, the Village Plan Commission has recommended that the Village adopt clear, consistent regulations concerning the location and construction of fences in residential zoning districts; and

WHEREAS, the Village Board has determined that amending the Village Zoning Code accordingly is authorized pursuant to §§ 61.35 and 62.23, Wis. Stats., and would protect and promote the health, safety and general welfare of residents and landowners within the Village;

NOW, THEREFORE, the Village Board of the Village of Waldo, Sheboygan County, Wisconsin, does ordain as follows:

Section 1. Amending Code. Section 195-3 “Definitions” is amended by adding the following:

FENCE – a wall, trellis, railing, posts, landscaping or similar upright barrier more than 30 inches high.

Section 2. Amending Code. Section 195-4 “General Provisions” is amended by adding the following:

F. All fences are subject to the zoning and building permit application, review, and approval process. A plat of survey (prepared by a Wisconsin registered land surveyor) or scale drawing shall be submitted with building permit applications for the construction or modification of a fence. Fences in the Residential Districts are also subject to § 195-14.

Section 3. Creating Code. Section 195-14 is created to read as follows:

§ 195-14. Fences in Residential Districts

A. Construction.

- (1) Support posts or similar structures shall be located on the owner's side of the fence so that the solid or "good side" is facing adjacent properties.
- (2) Fences located in a front yard must be open spindled and decorative in nature.
- (3) Wood fences shall be painted or stained neutral colors.
- (4) No barbed wire or electric fences are permitted unless livestock are involved.

B. Maximum Height.

- (1) Rear Yard: Six feet (6.0')
- (2) Front Yard: Four feet (4.0')

- (3) The height of a fence placed on a berm, retaining wall or similar object shall be measured from the final average lot elevation.

C. Placement.

- (1) Six-foot fences shall be placed no closer to a street than the nearest line of a main building on any side thereof, nor be maliciously erected or maintained for the purpose of annoying the owners or occupants of adjoining property, nor be of such a nature as to create a hazardous condition.
- (2) Four-foot fences in the front yard setback must be set back at least three feet (3.0') from the front property line.
- (3) All fences shall be set back at least four feet (4.0') from alleys and lanes.

- D. Maintenance. Owners shall have the continuing obligation to maintain fences on their property. Broken, rotten, or deteriorating boards or other fence material shall be repaired or replaced.

Section 4. Severability. Should any portion of this ordinance or the affected municipal code be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

Section 5. Effective Date. This ordinance shall take effect the day after publication or posting.

Enacted on: _____, 2021

VILLAGE OF WALDO

By: _____
Gary R. Dekker, President

By: _____
Michelle Brecht, Clerk/Treasurer

CLERK'S CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing ordinance was duly enacted by the Village Board of the Village of Waldo on the date indicated above.

Dated: _____, 2021

Michelle Brecht, Village Clerk/Treasurer

Posted/Published on: _____, 2021 by _____.

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