



104 E. Main St.
P.O. Box 202
Durand WI 54736

FENCE APPLICATION

Fee: \$15.00

Property Owner: _____

Address: _____

City, State Zip: Durand, WI 54736

Telephone #: _____

Height of Fence: _____

Type of Material to be Used: _____

Please Note: If the fence is to be located closer than 2 feet to a property line, a signed authorization form from City Hall must be signed by the adjoining neighbor(s). All fences must be built to the City of Durand Municipal codes.

Please draw a diagram below of your lot with the approximate location of house. Draw slashes (- -) to indicate where you propose to put fence and indicate setbacks from property lines.

A large, empty rectangular box with a black border, intended for the applicant to draw a diagram of their lot, showing the approximate location of the house and the proposed fence line with setbacks from property lines.



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P.O. Box 202
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FENCE

Property Line Authorization

Property Owner: _____

Address: _____

City, State Zip: Durand, WI 54736

We, the undersigned, have discussed a proposed fence to be located on our common property line with the applicant and have no objections to the construction of said fence.

Signature: _____

Address: _____

Signature: _____

Address: _____

Signature: _____

Address: _____

Signature: _____

Address: _____

Application # _____

Date: _____

ORDINANCE # 478

AN ORDINANCE TO AMEND SECTION 8.3.6(B) AND TO CREATE SECTION 8.3.10 OF THE MUNICIPAL CODE OF THE CITY OF DURAND

The Common Council of the City of Durand does ordain as follows:

I. Section 8.3.6(B) is hereby amended to read as follows:

B. Yards: The yard requirements stipulated elsewhere in this ordinance may be modified as follows: Uncovered stairs, landings, and fire escapes may project into any yard but not to exceed six (6) feet and not closer than three (3) feet to any lot line. Architectural projections, such as chimneys, flues, sills, eaves, belt courses, and ornaments, may project into any required yard but such projection shall not exceed two (2) feet.

1. Residential fences are permitted on the property lines in residential districts but shall not in any case exceed a height of seven (7) feet; shall not exceed height of four (4) feet in the street yard and shall not be closer than two (2) feet to any public right-of-way. Corner lots see 8.3.5(A).

2. Security fences are permitted on the 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.

3. Approved Fence Materials. All fences shall meet the following material requirements:

a. Fences to be situated in side and/or rear yards shall be constructed using materials suitable for residential-style fencing, including, but not limited to, brick, fieldstone, wrought iron, vinyl, chain link (with a minimum thickness of nine (9) gauge and a required top rail support), stockade or board-on-board wood.

b. No Fence shall be constructed of used or discarded materials in disrepair, including, but not limited to, pallets, tree trunks, trash, ores, junk, or other similar items. Materials not specifically manufactured for fencing, such as railroad ties, wooden doors, landscape timbers or utility poles shall not be used for, or in the construction of a fence.

c. Agricultural/farm fences shall only be permitted in agriculturally zoned or used districts and shall not exceed six (6) feet in height.

d. Residential front yard fences shall be fifty (50%) percent open (see-through) and be of split rail, wrought iron or picket design. Four (4) feet high chain-link fencing is not permitted in residential front yards.

4. Swimming Pool Fences

a. Swimming Pool. A private or residential swimming pool is an outdoor structure containing a body of water in a receptacle or other container having a depth for water at any point greater than one and one-half (1½) feet located above or below the surface of ground elevation, used or intended to be used solely by the owner, operator or lessee thereof and his family, and by friends invited to use it, and includes all structural facilities, appliances and appurtenances, equipment and other items used and intended to be used for the operation and maintenance of a private or residential swimming pool.

b. Exempt pools. Storable children's swimming or wading pools, with a maximum dimension of fifteen (15) feet and a maximum wall height of fifteen (15) inches and which are so constructed that they may be readily disassembled for storage and reassembled to their original integrity are exempt from the provisions of this section.

c. Proper enclosure required. Every swimming Pool and wading pool which extends wholly above the ground or partially above the ground shall, at all times,

be enclosed so as to prevent children and animals from accidentally falling into such pool.

1. Pool wall may serve as barrier. An approved barrier shall consist of a solid wall of durable material of which the pool itself is constructed and shall extend directly above the vertical enclosing wall of the pool. Such walls shall extend more than three (3) feet above the level of the ground immediately adjacent to the pool. Such solid pool wall barrier shall not be located within six (6) feet of any other wall or fence or other structure which can be readily climbed by children. Every entrance to a pool, such as a ladder, must be secured or adequately safeguarded to prevent unauthorized entry into the pool.

d. Fence or other wall may serve as barrier. An approved barrier shall consist of a properly erected and maintained wall or fence at least fifty (50) inches in height which entirely surrounds the pool. Every such fence shall be located not less than six (6) feet from the vertical, water enclosing wall of the pool. All gates in such walls or fences shall be self-closing and self-latching, and shall be at least fifty (50) inches in height with latches placed at least fifty (50) inches above the ground level, or such gate latch shall be made inaccessible to small children in some other approved manner.

e. Compliance. All swimming pools existing at the time of passage of this Ordinance not satisfactorily fenced shall comply with the fencing requirements of this section or when water is placed in the pool.

f. Draining and approval thereof. No private swimming pool shall be constructed so as to allow water there from to drain into any sanitary sewer or septic tank nor to overflow upon or cause damage to any adjoining property. Provisions may be made for draining the contents of any swimming pool into a storm sewer, but such installation shall be subject to prior approval by the City.

g. Filter system required. All private swimming pools within the meaning of this chapter must have, in connection therewith, some filtration system to assure proper circulation of the water therein and maintenance of the proper bacterial quality thereof.

h. Dirt bottom prohibited. All swimming pools of a permanent nature shall have the sides and bottom of a smooth finish, and no sand or dirt bottom shall be permitted.

i. Setbacks and other requirements. Private swimming pools shall be erected or constructed on rear yards only and only on a lot occupied by a principal building. No swimming pool shall be constructed on an otherwise vacant lot. A lot shall not be considered vacant if the owner owns the contiguous lot and said lot is occupied by a principal structure. No swimming pool shall be located, constructed or maintained closer to any side or rear yard than is permitted in the zoning code for an accessory building, and in no case shall the water line of any pool be less than six (6) feet from any lot line.

5. Prohibited fences. No person shall install:

a. An electric or razor wire fence.

b. Any wire or chain link-type fence with the cut or salvage end of the fence exposed at the top.

c. A fence which creates a hazard to users of the street, sidewalk or to nearby property.

d. A Fence composed solely of fence posts.

e. An incomplete fence, consisting only of posts and supporting members.

6. Barbed Wire Fences Restricted. No Person shall construct, use or maintain any barbed wire fence on residential zoned property.

Barbed wire fences may be installed in an Agricultural Districts under circumstances whereby no more than three (3) strands of barbed wire are horizontally situated above a fence of boards or woven wire not less than

seventy-two (72) inches in height, excluding the barbed wire. Barbed wire may be used on top of a six (6) foot fence surrounding a public utility, public use, or on a site storage area as approved under a Conditional Use Permit or Site Plan Review. Notwithstanding the above, barbed wire shall not be used along a property line abutting a residentially zoned area.

6. Fences permitted without a permit.

The following types of fences are permitted, as specified, without a permit, subject to the following restrictions and providing that said fence does not in any way interfere with traffic visibility, or block, redirect or cause a drainage problem for the adjacent or downstream properties:

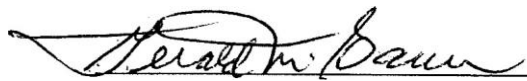
- a. Snow fencing shall be permitted in all districts not exceeding four (4) feet in height provided it is removed between May 1 and November 1 of each year. No snow fence may be installed without prior approval of the City.
- b. Agricultural/Farm Fences are limited to agriculturally zoned or used districts.
- c. Decorative Fences not exceeding two (2) feet in height shall be permitted in all districts. Such fences shall not be placed in any manner which presents a hazard to pedestrians on any public or private sidewalk.
- d. Underground electrical Fences are permitted in all districts.
- e. Arbors and/or trellises shall not be used as a Fence.
- f. Temporary fences intended to restrict public access to a construction site. Said temporary fences shall be removed upon substantial completion of exterior construction and site restoration.

7. Permit Fee. A Fifteen (15.00) Dollar permit fee shall be remitted upon submittal of the fence application. If any fence is installed, in full or part, prior to the issuance of a permit, five (5) times fees shall be charged for the permit.


Accessory uses and detached accessory structures are permitted in the rear yard only; they shall not be closer than ten (10) feet to the principal structure, shall not exceed fifteen (15) feet in height, shall not occupy more than 20 percent of the rear yard area, and shall not be closer than five (5) feet to any lot line nor three (3) feet to an alley line. Off-street parking is permitted in all yards of the B-1 and B-2 business districts but shall not be closer than five (5) feet to any public right-of-way. Essential services, utilities, electric power and Communication transmission lines are exempt from the yard and distance requirements of this ordinance.

Landscaping and vegetation are exempt from the yard requirements of this ordinance except as governed by 8.3.5(A).

Adopted this 12th day of July, 2006


Gerald M. Bauer, Mayor

Attest:


Jori A. Pfeilsticker, Clerk

Passed: 07/12/2006

Published:07/20/2006