



Legislation Details (With Text)

**File #:** 110738      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 9/20/2011      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 11/30/2011

**Effective date:**

**Title:** A substitute ordinance relating to fence regulations.

**Sponsors:** ALD. WITKOWSKI

**Indexes:** FENCES

**Attachments:** 1. Lustron Fence Picture - Colors, 2. Lustron Fence Picture - Height, 3. Hearing Notice List, 4. Notice Published on 12-16-11

Date	Ver.	Action By	Action	Result	Tally
9/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2011	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/4/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
11/18/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/18/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/18/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/18/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/18/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/22/2011	2	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	3:1
11/22/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	3:0
11/30/2011	2	COMMON COUNCIL	PASSED	Pass	14:1
12/1/2011	2	MAYOR	SIGNED		
12/16/2011	2	CITY CLERK	PUBLISHED		

110738  
SUBSTITUTE 2

ALD. WITKOWSKI  
A substitute ordinance relating to fence regulations.  
239-2-2 am  
239-2-3-h cr  
239-2-7 cr

This ordinance creates the following fence regulations:

1. All posts and vertical structural supports of a fence shall meet applicable fence height, setback and vision triangle regulations.
  2. Each fence shall be uniform in color, except that a fence painted, stained or otherwise finished in 2 colors shall be permitted. A fence may be painted, stained or otherwise finished in 3 or more colors only with the permission of the commissioner.
  3. Whenever a new fence is constructed parallel to and within 6 feet of an existing fence on the same lot, the existing fence shall be removed within 10 days of completion of the new fence.
- Part 1. Section 239-2-2 of the code is amended to read:

**239-2. Fences.**

**2. HEIGHT, SETBACK AND VISION TRIANGLE.** Fences >> including all posts and vertical structural supports, << shall meet the applicable fence height, setback and vision triangle regulations of ch. 295.

Part 2. Section 239-2-3-h of the code is created to read:

**3. STRUCTURAL REGULATIONS.**

h. Each fence shall be uniform in color, except that a fence painted, stained or otherwise finished in 2 colors shall be permitted. A fence may be painted, stained or otherwise finished in 3 or more colors only with the permission of the commissioner.

Part 3. Section 239-2-7 of the code is created to read:

**7. REMOVAL OF EXISTING FENCE.** Whenever a new fence is constructed parallel to and within 6 feet of an existing fence on the same lot, the existing fence shall be removed within 10 days of completion of the new fence.  
APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau

Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney

Date: \_\_\_\_\_

Department of City Development

LRB134103-3

Jeff Osterman

10/26/2011