



## 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

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Legislative Reference Bureau

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

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

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Office of the City Attorney

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

Department of City Development

LRB134103-3

Jeff Osterman

10/26/2011