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and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases or other parts be declared void or invalid.

[Ord. 11-353 § 1, 2011; Ord. 07-368 §§ 1 – 8, 2007. Prior code § 16.15]

16.320 Fire Limits.

Wis. Admin. Code Comm 62, as amended from time to time, is hereby adopted by reference. Where inconsistent with Wis. Admin. Code Comm 75 to 79, the provisions of Wis. Admin. Code Comm 62 shall apply.

[Prior code § 16.32]

16.330 Exception for Certain Construction.

The Director of Building Inspection, with the concurrence of the Fire Chief, may permit construction of frame garages, oversized garages, and/or minor home remodeling where all existing setbacks are maintained, where the existing character of the neighborhood is primarily vacant or residential and where such construction does not pose an apparent hazard to public safety.

[Ord. 07-375 § 1, 2007. Prior code § 16.33]

16.350 Fences and Hedges.

(1) Permit Required. In residential districts and as an accessory to a dwelling in any zone, no person shall construct, build, erect or cause to be constructed, built or erected any fence or wall without first having obtained a permit for such building, construction or erection. That permit shall be obtained from the City Building Inspection Department. The fee for said permit shall be as set forth by resolution of the Common Council.

(2) Height Limitations.

(a) In residential districts and as an accessory to a dwelling in any zone, fences and walls not more than six feet in height are permitted in any required side or rear yard. In the required front yard, however, fences and walls shall be limited to a height of not more than four feet.

1. In the case of a corner lot, a fence in the side street yard may extend to six feet in height from the side street rear corner of the structure perpendicular to the side street property line and along the side street property line to the rear property line.

(b) No fence, shrub, hedge, decoration or wall shall be over the height of three feet above the highest sidewalk grade, if within 15 feet along property lines at any intersection involving public streets, alleys, and public or private driveways. The intent of this provision is to maintain a visual open area in a triangle formed by two 15-foot sides which would run parallel to such streets, alleys or driveways.



(c) No fence or wall of any kind shall be over the height of six feet, except for agricultural, industrial or commercial purposes, and with the permission of the Director of Building Inspection.

(3) Construction.

(a) Snow fences may be used temporarily, but in no case shall snow fences be left standing longer than six months.

(b) It shall be unlawful for any person to construct or maintain any barbed wire or razor wire fence or fences or enclosures built of barbed wire or razor wire on any lot or tract of land within the City of Manitowoc, except that barbed wire above the height of six feet may be permitted for agricultural, industrial, or commercial security reasons, with permission of the Director of Building Inspection.

(c) It shall be unlawful for any person to construct or maintain any electrical fence within the City of Manitowoc.

(d) Fences constructed in a manner in which a supporting framework or posts can be construed to represent a back side shall be installed so that the front side faces the adjacent or abutting property.

(4) Fences Required for Certain Swimming Pools. All private swimming pools except "kiddie pools" shall be completely enclosed by a fence of not less than four feet in height or the height of the walls of the pool must be a minimum of four feet above grade adjacent to the pool. Said fence shall have intermediate rails or an ornamental pattern such that a sphere larger than four inches in diameter cannot pass through. A **kiddie pool** is defined as a portable pool with a maximum surface area of 40 square feet and 24 inches high.

(5) Maintenance and Repair. Every fence shall be kept in a good state of maintenance and repair or shall be removed by the owner.

(6) Other Provisions.

(a) Fences are also subject to applicable requirements of MMC 15.110 through 15.230. No setback, except as provided in subsection (6)(b) of this section, is required between the fence and property line.

(b) Notwithstanding subsection (6)(a) of this section, in districts zoned residential, and as an accessory to a dwelling, unless approved by the Director of Building Inspection or his/her designee, no fence or wall shall be erected within two feet of any property line adjacent to any adjoining property which has a permanent driveway appurtenant thereto. The requirement contained herein shall not apply to fences or walls that were constructed, built or erected prior to the effective date of the ordinance codified in this section.

[Ord. 04-644 § 1, 2005. Prior code § 16.35]