

ORDINANCE

An Ordinance to create/amend/repeal Section 16.350 of the Manitowoc Municipal Code regulating Fences and Hedges.

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

Section 1. Section 16.350 is amended to read as follows:

“16.350 Fences and Hedges.

...

(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.~~

1. In the case of a corner lot, a 4' high fence is permitted from the required front corner vision triangle on the street side yard to the rear corner of the primary residential structure, a fence up to 6' high is permitted from this point along the side street property line to rear property line. Fences abutting or adjacent to driveways shall not be placed to obstruct the driveway approach vision triangle.

(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.”

...

(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 in writing by the Director of Building Inspection or his/her designee, and the impacted adjacent property owner, 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, nor shall any fence or wall be erected within two feet of another fence or wall, whether on the same or an adjacent property. 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. No fence shall be erected closer than twelve inches to any adjacent public sidewalk.”

Section 2. This ordinance shall take effect the day after publication.

INTRODUCED _____ ADOPTED _____

Justin M. Nickels, Mayor

Fiscal Impact:	Minimal; required publication costs.
Funding Source:	2021 budgeted line item for publication costs
Finance Director Approval:	/SMA
Approved as to form:	/EMM

This resolution was drafted by Elizabeth Majerus, Assistant City Attorney.