

CITY OF LUDINGTON

ORDINANCE NO. 491-22

Short Title: An ordinance to amend the City of Ludington Zoning Ordinance 23-00, as amended.

THE CITY OF LUDINGTON ORDAINS:

Section 1: The following changes have been recommended by the Planning Commission to the City Council for their consideration regarding the current fence ordinance with regards to corner lots.

ARTICLE 500.6 **FENCES, WALLS, AND HEDGES ON RESIDENTIAL PROPERTY**

Section 500.6 Fences, Walls and Hedges on Residential Property

(1) The erection, construction, or alteration of any fence in a residential zone shall conform to the requirements below. For purposes of this section, the term fences shall include walls and/or similar structures or hedges.

(2) Definitions.

(a) An "open fence" is defined as one with at least 50% open spaces uniformly distributed along its surface.

(b) A "solid fence" is defined as one with less than 50% open spaces uniformly distributed along its surface.

(c) A "combination fence" is defined as one being 48" (4') or less in height with 50% open spaces uniformly distributed along its surface above the height of 30".

(d) A "secondary street" is defined as the longer street frontage of a parcel.

(3) General.

(a) No fence shall be erected prior to the issuance of a zoning permit by the City of Ludington's building inspector. The permit application shall describe the fence and include the height, length, location, opacity (open space percentage), material, and general type of fence. The distance from the face to the nearest property line is also required.

(b) The fence shall be residential in nature and intent and includes, but is not limited to chain link, picket, western rail stockade, stockade, wood slat, shadow box, and wrought iron. Woven wire fences, such as poultry netting, field fences, cattle fences and similar fences, or snow fences are not permitted except to enclose gardens or protect shrubs or trees. No fence shall be constructed of corrugated metal or corrugated plastic or similar materials, or include old doors, or other discarded materials.

(c) No fence shall contain barbed wire, electrical current, broken glass, sharp edges, or other dangerous elements.

(d) No fence shall exceed 72" (6') in height except as noted below.

(e) Height of fence shall be measured from the ground elevation prior to any filling, berming, or excavation.

(f) The finished side of a fence shall be oriented towards the closest adjacent property line. Fences constructed of alternating boards on opposite sides of the supporting structure are considered as finished on both sides.

(g) Fences shall be maintained to retain their original appearance, shape, and configuration. If the "fence" is a hedge, the height shall be maintained as noted above or below. Any fence that deteriorates due to lack of repair or type of construction shall be deemed a nuisance and be repaired or removed. The building inspector shall notify the owner of the property on which such a fence is located and specify the time period in which required repairs shall be made or the fence removed.

(4) Fences for Interior Lots. In the area between any street right of way and the principal use or building (which excludes porches or enclosed porches), a solid fence may not exceed 36" (3') in height or an open fence or combination fence may not exceed 48" (4') in height.

(5) Fences for Corner Lots.

(a) The standard for interior lots above applies except that at street right of way intersections only an open or combination fence up to 48" (4') in height may be

located in the triangle formed by measuring 20' along each street right of way from the intersection of the right of way lines and a straight line drawn between those two end points.

(b) A 6' tall solid fence may be installed up to 2' from the property line on the secondary street frontage, behind the principal structure.

- (6) Fences for Lots with Alley Corners. The standard for the corner lot 20 ft. vision triangles also applies at alley and street intersections.

(7) Miscellaneous. Fences which enclose public or institutional parks, playgrounds, or schoolyards in residential areas shall be of open type not exceeding 6' in height except as required for recreational purposes such as baseball backstop when a limited section(s) of open fence up to 10' in height is allowed, where necessary to provide for such backstop or similar purposes.

(8) Safety fences for pools and hot tubs shall comply with all applicable codes, including required height.

Section 2: Severability - Should any provisions of this ordinance or any part thereof be held unconstitutional or invalid, such holding shall not be construed as affecting the validity of any of the remaining provisions hereof or of any other provisions of the City of Ludington Zoning Ordinance.

Section 3: Repeal: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

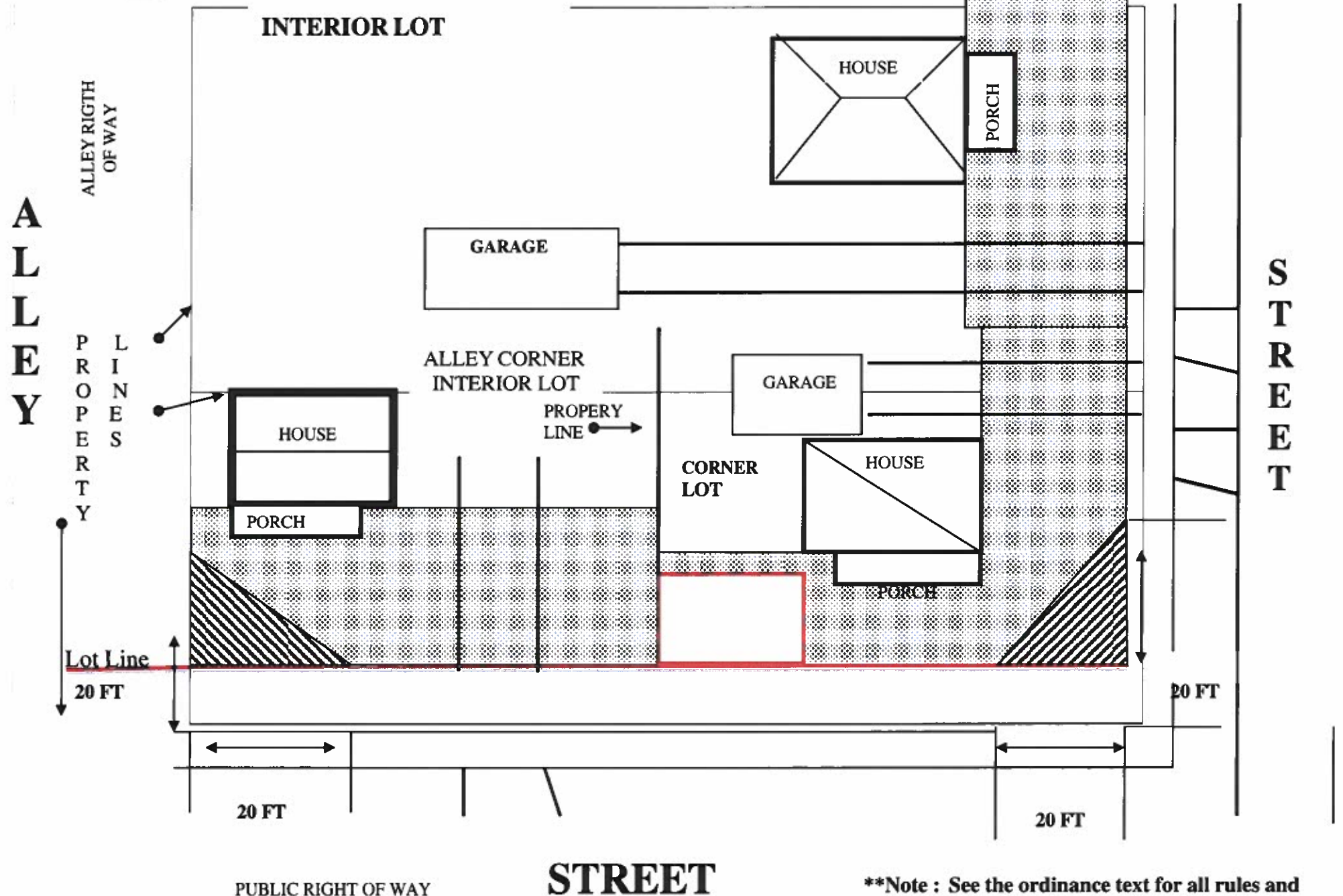
Section 4: Effective date: This ordinance shall be effective 20 days from the date hereof.

Dated: _____

Deborah L. Luskin, City Clerk

FENCES AND HEDGES

- FRONT YARD AREA: 4' MAXIMUM HEIGHT FOR OPEN OR COMBINATION FENCES
3' MAXIMUM HEIGHT FOR VISUALLY RESTRICTIVE OR SOLID FENCES
- REAR AND SIDE YARD FENCES: 6' MAXIMUM HEIGHT
- VISION CORNERS : 4' MAXIMUM HEIGHT FOR VISUALLY OPEN OR COMBINATION FENCES



****Note : See the ordinance text for all rules and exceptions.**