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## § 155.205 Fences, walls, and hedges.

### (A) *Fences and walls.*

#### (1) *Fences or walls in residential districts.*

- (a) *Fence or wall materials.* ~~Fences or walls in residential districts shall not include the use of barbed wire or other material intended to maintain security by means of bodily injury. Electrified fences shall not be permitted in residential districts. Materials for fences or walls in the clear line of sight area shall meet the requirements of subsection 155.205(A)(1)(e) of this Chapter.~~

**(i) Fences or walls in residential districts shall not include the use of barbed wire or other material intended to maintain security by means of bodily injury. Electrified fences shall not be permitted in residential districts.**

**(ii) Materials for fences or walls in the clear line of sight area shall meet the requirements of subsection 155.205(A)(1)(e) of this Chapter.**

**(ii) Fences and walls in front yards and corner side yards shall be constructed of materials which are designed and intended for use in fence installations and shall be limited to the following: masonry, wood, chemically treated or naturally resistant to decay; wood composites; vinyl/PVC; and wrought iron or aluminum.**

**(ii) Fences and walls in rear yards and interior side yards shall be constructed of materials which are designed and intended for use in fence installations and shall be limited to the following: masonry; wood, chemically treated or naturally resistant to decay; wood composites; vinyl/PVC; wrought iron or aluminum; and chain link.**

- (b) *Permitted locations.* Fences or walls may be erected, placed, or maintained along a lot line or within a required yard on a residentially zoned property, except as otherwise restricted by subsection 155.205(A)(1)(e) of this Chapter. Fences or walls may be erected in public utility easements and drainage easements, except that fences or walls erected in said easements shall not impede drainage flow.

#### (c) *Permitted height.*

- (i) Fences or walls in any residential district shall not exceed six feet in height, except that where a lot in a residential district abuts railroad right-of-way or property(ies) in a business, office, or industrial district, the height of the fence or wall along the property line adjoining such railroad right-of-way or business, office, or industrial district on the residential lot may reach, but not exceed, eight feet in height.
- (ii) Fences or walls in required front yards shall not exceed four feet in height. ~~Fences in required front yards shall not be constructed of chain link (with or without slats).~~
- (iii) Wherever the rear yard of a lot abuts the front yard of an adjacent lot, the maximum height for any fence or wall within the required rear yard shall be four feet.
- (iv) On a through lot within the R0, R1 or R2 Single-Family Residence District that takes driveway access from the same right-of-way as both adjacent properties, the lot line opposite the access right-of-way shall be treated as a rear lot line and allowed a maximum fence height of six feet. This provision shall not apply if either of the adjacent properties takes driveway access from a right-of-way other than that accessed by the subject property.

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- (v) Maximum height, as prescribed by this section, shall be permitted to vary by up to ~~three~~ **six** inches to allow for grade changes; clearance under fences for maintenance, footers or other obstacles customary to the use intended to be fenced; or reasonable human error. Fence posts or decorative finials may not cause the fence to exceed the maximum height limitation by more than ~~three~~ **six** inches.
  - (d) *Fence installation.* When fences are located in the required front yard or corner side yard, the finished or decorative side of the fence shall face the adjacent property(ies) or street.
  - (e) *Fences or walls in the clear line of sight area.* No fences or walls more than two feet in height shall be located within the clear line of sight area, as defined in § 155.802 of this Chapter, unless it meets all of the following criteria:
    - (i) Fences or walls are of open construction, such as ~~chain link without slats~~, wrought iron **and aluminum**, ~~cyclone~~, picket, or split rail fences.
    - (ii) Fences or walls are not of solid construction, such as board on board, solid wood, brick, concrete, or chain link with slats.
    - (iii) Deciduous trees around or adjacent to the fence are free of foliage and branches from ground level to eight feet above ground level. All other plant materials which are around, adjacent to, or through the fence are no greater than two feet in height.
    - (iv) Supporting members are no great than six inches in width.
    - (v) Fences adjacent to private residential driveways that intersect with an alley shall be permitted to be of solid construction.
  - (2) *Fences or walls in business and office districts.*
    - (a) *Fence or wall materials.* ~~The use of barbed wire shall be permitted only around approved outside storage areas and only at a height greater than six feet and less than eight feet above the ground. No electrified fences shall be permitted. Materials for fences or walls in the clear line of sight area shall meet the requirements of subsection 155.205(A)(2)(e) of this Chapter.~~
      - (i) **The use of barbed wire shall be permitted only around approved outside storage areas and only at a height greater than six feet and less than eight feet above the ground. No electrified fences shall be permitted.**
      - (ii) **No electrified fences shall be permitted. Materials for fences or walls in the clear line of sight area shall meet the requirements of subsection 155.205(A)(2)(e) of this Chapter.**
      - (iii) **Fences and walls shall be constructed of materials which are designed and intended for use in fence installations and shall be limited to the following: masonry; wood, chemically treated or naturally resistant to decay; wood composites; vinyl/PVC; wrought iron or aluminum; and chain link.**
    - (b) *Permitted location.* Fences or walls may be erected, placed, or maintained along a lot line or within a required yard in business or office district, except as otherwise restricted by subsection 155.205(A)(2)(e) of this Chapter. Fences or walls may be erected in public utility easements and drainage easements, except that fences or walls erected in said easements shall not impede drainage flow.
    - (c) *Permitted height.*
      - (i) No fence or wall shall be erected, placed, or maintained to a height exceeding eight feet in any business or office district.

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- (ii) Fences or walls in the required front or corner side yard shall not exceed four feet in height.
  - (iii) Wherever the rear yard of a lot abuts the front yard of an adjacent lot, the maximum height for any fence or wall shall be four feet.
  - (d) *Fence installation.* When fences are located in the required front yard or corner side yard, the finished or decorative side of the fence shall face the adjacent property(ies) or street.
  - (e) *Fences or walls in the clear line of sight area.* No fences or walls more than two feet in height shall be located within the clear line of sight area, as defined in § 155.802 of this Chapter, unless it meets all of the following criteria:
    - (i) Fences or walls are of open construction, such as chain link without slats, wrought iron, cyclone, picket, or split rail fences.
    - (ii) Fences or walls are not of solid construction, such as board on board, solid wood, brick, concrete, or chain link with slats.
    - (iii) Deciduous trees around or adjacent to the fence are free of foliage and branches from ground level to eight feet above ground level. All other plant materials which are around, adjacent to, or through the fence are no greater than two feet in height.
    - (iv) Supporting members are no greater than six inches in width.
  - (f) *Fences or walls in the B5 District.* In addition to the provisions listed in subsection 155.205(A)(2) above, all fences and walls located within the B5 District shall meet the following additional provisions:
    - (i) *Fence or wall materials.* All fences in the B5 District shall be constructed of the following materials:
      - a. Open fences. Aluminum, wrought iron, cast iron, welded steel, wood or PVC; pillars may be constructed of masonry materials.
      - b. Solid fences. Brick, masonry, pre-cast materials, wood or PVC with the decorative side facing the exterior of the property in which it is located.
      - c. Chain link fencing shall only be permitted for construction fencing purposes, as required by Chapter 150 of the Village Code.
      - d. Landscape hedgerows shall be permitted within the B5 District.
      - e. Barbed wire or razor wire is expressly prohibited.
    - (ii) *Permitted location.* Fences or walls may be erected, placed, or maintained along a lot line or within the property. Walls or fencing of parking spaces within parking lots shall only be permissible if said spaces were granted a conditional use, as set forth within subsection 155.418(C)(14) or (15) of the zoning ordinance.
    - (iii) *Permitted height.* No fence or wall shall be erected, placed, or maintained to a height exceeding six feet in the B5 District.
  - (3) *Fences or walls in industrial districts.*
    - (a) *Fence or wall materials.* The use of barbed wire shall be permitted only around approved outside storage areas and only at a height greater than eight feet and less than ten feet above the ground. No electrified fences or walls shall be permitted. Materials for fences or walls in the clear line of sight area shall meet the requirements of subsection 155.205(A)(3)(e) of the Chapter.

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- (b) *Permitted location.* Fences or walls may be erected, placed, or maintained along a lot line or within a required yard in the industrial district, except as otherwise restricted by subsection 155.205(A)(3)(e) of this Chapter. Fences or walls may be erected in public utility easements and drainage easements, except that fences or walls erected in said easements shall not impede drainage flow.
  - (c) *Permitted height.*
    - (i) No fence or wall shall be erected, placed, or maintained, to a height exceeding ten feet.
    - (ii) Fences or walls in a required front or corner side yard shall not exceed four feet in height.
    - (iii) Wherever a rear yard of a lot abuts the front yard of an adjacent lot, the maximum height for any fence, wall, or hedge shall be four feet.
  - (d) *Fence installation.* When fences are located in the required front yard or corner side yard, the finished or decorative side of the fence shall face the adjacent property(ies) or street.
  - (e) *Fences or walls in the clear line of sight area.* No fences or walls more than two feet in height shall be located within the clear line of sight area, as defined in § 155.802 of this Chapter, unless it meets all of the following criteria:
    - (i) Fences or walls are of open construction, such as chain link without slats, wrought iron, cyclone, picket, or split rail fences.
    - (ii) Fences or walls are not of solid construction, such as board on board, solid wood, brick, concrete, or chain link with slats.
    - (iii) Deciduous trees around or adjacent to the fence are free of foliage and branches from ground level to eight feet above ground level. All other plant materials which are around, adjacent to, or through the fence are no greater than two feet in height.
    - (iv) Supporting members are no greater than six inches in width.
- (4) *Fences or walls in the CR Conservation/Recreation District.*
- (a) *Fence or wall materials.* Fences or walls in the CR Conservation/Recreation District shall not include the use of barbed wire or other material intended to maintain security by means of bodily injury. Electrified fences shall not be permitted in the CR Conservation/Recreation District. Materials for fences or walls in the clear line of sight area shall meet the requirements of subsection 155.205(A)(4)(e) of this Chapter.
  - (b) *Permitted location.* Fences or walls may be erected, placed, or maintained along a lot line or within a required yard in the CR District, except as otherwise restricted by subsection 155.205(A)(4)(e) of this Chapter. Fences or walls may be erected in public utility easements and drainage easements, except that fences or walls erected in said easements shall not impede drainage flow.
  - (c) *Permitted height.*
    - (i) Fences or walls within 30 feet of an improved public right-of-way shall not exceed four feet in height.
    - (ii) Fences or walls within 30 feet of a property line, other than property lines shared by an improved public right-of-way, shall not exceed six feet in height.
  - (d) *Fence installation.* When fences are located in the required front yard or corner side yard, the finished or decorative side of the fence shall face the adjacent property(ies) or street.

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- (e) *Fences or walls in the clear line of sight area.* No fences or walls more than two feet in height shall be located within the clear line of sight area, as defined in § 155.802 of this Chapter, unless it meets all of the following criteria:
- (i) Fences or walls are of open construction, such as chain link without slats, wrought iron, cyclone, picket, or split rail fences.
  - (ii) Fences or walls are not of solid construction, such as board on board, solid wood, brick, concrete, or chain link with slats.
  - (iii) Deciduous trees around or adjacent to the fence are free of foliage and branches from ground level to eight feet above ground level. All other plant materials which are around, adjacent to, or through the fence are no greater than two feet in height.
  - (iv) Supporting members are no greater than six inches in width.
- (5) *Application for permits.* Effective March 17, 2000, permits for the erection, relocation, or placement of fence or wall shall be required. Application for a fence or wall permit shall be made to the Director of Economic Development and Planning upon a form provided by the Director of Economic Development and Planning and the permit application shall include the following information:
- (a) Property owner's name, address, and phone number;
  - (b) The name, address, and phone number of the installer of the fence or wall;
  - (c) Address of the property on which the fence or wall is being located;
  - (d) Plat of survey for the property, showing all site improvements including driveways;
  - (e) Type of fence or wall (e.g. wood, brick, wrought iron, chain link, etc.);
  - (f) Site plan showing the location of fence or wall on the property and in relation to all adjacent properties and driveways;
  - (g) Height(s) of fence or walls; and
  - (h) Such other information as may be required by the Director of Economic Development and Planning to show full compliance with this and other applicable ordinances of the village.
- (6) *Permit issuance.*
- (a) *Review of applications.* It shall be the duty of the Director of Economic Development and Planning and Director of Building, upon the filing of an application for a fence or wall permit, to examine such plans and specifications and other data related to the proposed erection or placement of the fence or wall. It appears that the proposed fence or wall is in compliance with all the requirements of this Chapter, the permit shall then be issued.
  - (b) *Denial and revocation of permit.* When a permit is denied by the Director of Economic Development and Planning and/or Director of Building, a written notice shall be given to the applicant along with a brief statement of the reasons for denial. The Director of Economic Development and Planning and/or Director of Building may revoke or suspend a permit for any false statement or misrepresentation.
- (7) *Permit fees.* Every application, before being granted a fence or wall permit under this Chapter, shall be subject to a fee, as is established in § 150.141 of the Code of Ordinances.
- (B) *Hedges.*
- (1) *Permitted locations.* Hedges may be placed or maintained along a lot line or within a required yard in any zoning district, except as otherwise restricted by subsection 155.205(B)(3).

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(2) *Permitted height.* The maximum allowed height for a hedge shall be the same maximum allowed height for a fence or wall in the zoning district in which said hedges are located, except as otherwise restricted by subsection 155.205(B)(3).

(3) *Hedges in the clear line of sight area.* Hedges in the clear line of sight area as defined in § 155.802 of this Chapter shall not exceed two feet in height.

(Ord. 4698, passed 9-2-99, Ord. 4933, passed 2-15-01; Ord. 5653, passed 6-2-05; Ord. 6360, passed 8-20-09; Ord. 6539, passed 10-21-10; Ord. 6569, passed 1-20-11; Ord. 6736, passed 6-21-12; Ord. 6853, passed 8-15-13; Ord. No. 6910, § 1, passed 1-16-14; Ord. No. 7172, § 1, passed 1-21-16; Ord. No. 7579, §§ 2, 3, passed 9-20-18; Ord. No. 7927, § 1, passed 3-4-21; Ord. No. 8024, § 1, passed 1-20-22; Ord. No. 8148, § 1, passed 4-20-23; Ord. No. 8347, § 1, passed 3-20-25)