Sec. 14-748. Fences.

(a) *Definition.* For the purposes of this section, the term, "fence" is defined as an enclosed barrier consisting of vegetation, wood, stone, or metal intended to prevent ingress or egress. For purposes of this section, the term "fence" shall include plantings, such as hedges and shrubbery. No fence shall be constructed of unsightly or dangerous materials which would constitute a nuisance.

(b) *Categorizations of fences:*

(1) *Boundary fence.* A fence constructed along a property boundary denoting a separation between properties.

(2) *Protective fence.* A fence constructed to enclose a hazard to the public health, safety and welfare.

(3) *Architectural or aesthetic fence.* A fence constructed to enhance the appearance of the structure or landscape.

(4) *Picket fence.* A fence having a pointed post, stake, pale or peg, laced vertically with the point, or sharp part pointing upward to form part of the fence.

(5) *Hedge.* A hedge is a row of bushes or small trees planted close together which may form a barrier, enclosure or boundary.

(6) *Decorative fence.* A fence not exceeding a height of 36 inches from ground level, made of material other than wire, metal, chain or poured concrete, and constructed in a substantially open pattern such as a weave or board-and-space pattern and not a solid pattern such as a block, concrete, or privacy pattern.

(7) *Retaining wall.* A solid barrier of any material constructed to hold back a mass of earth. A retaining wall shall be considered a fence for purposes of this section.

(8) *Security fence.* Security fences shall not exceed eight feet in height and shall be of an open type similar to woven wire or wrought iron.

(9) *Snow fences.*

(c) *Heights of fences, walls and hedges.* The height of fences, walls and hedges shall be in accordance with the following:

(1) Except as provided in section 14-41, a fence, wall, hedge or shrubbery may be erected, placed, maintained or grown along a lot line on residentially zoned property or adjacent thereto not exceeding six feet above ground level, except that no such fence, wall, hedge or shrubbery which is located in a required front or corner side yard shall exceed a height of three feet. Where such lot line is adjacent to nonresidentially zoned property, there shall be an eight-foot limit on the height of a fence, wall, hedge or shrubbery along such lot line. Where the fence line follows a grade which is rolling, the bottom of the fence must follow the slopes as nearly as possible. The height of the fence must include the low points along the fence line and still meet the height requirements listed in this section above.

(2) No fence, wall, hedge or shrubbery shall be erected, placed, maintained or grown along a lot line on any nonresidentially zoned property, to a height exceeding eight feet.

(3) In any residential district no fence, wall, hedge, or shrubbery shall be erected, constructed, maintained or grown to a height exceeding three feet above the nearest street grade within 25 feet of the intersection of any street lines or street lines projected.

(4) All fence structures or hedges listed in this section shall be set back eight feet from an alley right-of-way line.

(5) No fence in any front yard or corner side yard may exceed three feet in height unless said fence causes no visual obstruction, and then in that case, it can be up to four feet in height.

(d) *Placement of fences on property.*

(1) Residential fences shall be built along and up to the lot line.

(2) In front and corner side yards, fences may be placed up to the lot lines provided they comply with subsections (c)(1) and (3) and (5).

(3) All parts of the fence shall be built upon the owner's property.

(e) *Dangerous fences.* No fence shall be constructed which has sharp edges or points, or which conducts electricity, or is designed to electrically shock, or which uses barbed wire. However, barbed wire may be used in industrially zoned areas if the devices securing the barbed wire to the fence are eight feet above the ground and project toward the fenced property and away from any public area.

(f) *Fencing materials regulated.*

(1) Fences shall be limited to decorative or architecturally aesthetic types of fences including PVC materials, resin materials, chain link, ornate wood, lattice, stone face, and shall not contain chicken wire, snow fence, slab wood, barbed wire, or woven wire, tarp, or tarp like material or any other unattractive materials.

(2) Supporting post and members may be placed on either side of the fence depending on the style of fence, or supporting members may be enclosed within the structure.

(3) Vegetative growth is acceptable for use in creating fences as long as the height requirements in subsections (c)(1), (3) and (5) are met.

(g) *Maintenance/repair.*

(1) All fences shall be maintained and kept safe and in a state of good repair.

(2) The fence owner shall properly trim weeds and grasses around the fence.

(3) Any fence existing on the effective date of the ordinance from which this section is derived and not in conformance with this section may be maintained, but any alteration, modification or improvement of such fence shall comply with this section.

(4) Any person building a fence on the property of another person shall move said fence to its correct location within 30 days after discovery of the encroachment.

(h) *Temporary fences.*

(1) Fences erected for the protection of plantings or to warn of a construction hazard or for similar purposes shall clearly be visible or marked with colored streamers or other such warning devices at four-foot intervals.

(2) Such fences shall comply with the setback requirements set forth in this section.

(3) Temporary fences shall not remain in place for more than 45 days.

(4) Permits are not required for temporary fences.

(i) *Fence permit.*

(1) No person shall erect a fence in the City of Antigo unless a permit is obtained by the owner or his/her agent from the city inspector for any fence greater than 20 feet in length.

(2) The applicant shall submit design specifications and a plot plan showing the lot with setbacks indicating placement of the fence with dimensions clearly shown on the plan.

(3) Permit fees specified in section 1-22 shall be paid upon submission of the application for the permit.

(j) *Property boundary determinations.*

(1) The property owner shall be responsible for determining where the property lines are located.

(2) If a certified survey of the property exists, iron pipes should be present at all corners of the property and these pipes mark the boundary lines.

(3) If the boundary lines are not clear or unknown, the owner is responsible for having a survey done to verify where the lines are located.

(4) All parts of the fence shall be erected on the owner's property.

(k) *Snow fences.*

(1) Utility snow fences may be used only during the winter months and shall be removed at the end of each winter season.

(2) Snow fences may be of the wood and wire type or plastic woven type.

(3) Snow fences must follow setback requirements and also heights for vision clearances.

(Code 1999, § 13-1-202; Ord. No. 1243B, § 1, 8-8-2012; Ord. No. 1310B, § 1, 2-13-2019; Ord. No. 1362B, §§ 1, 2, 3-13-2024)