

Construction Tips

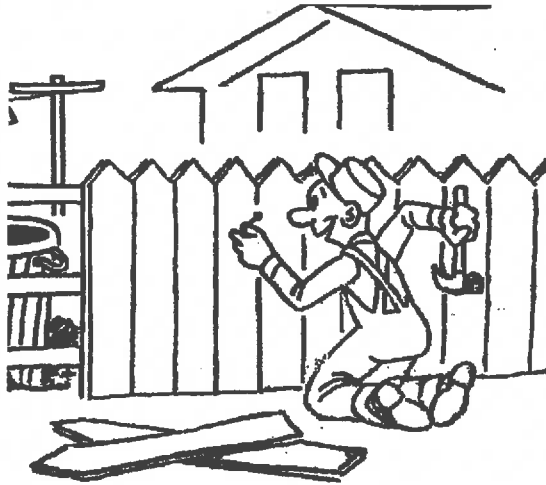
Leave enough clearance between the property line and the fence for accessibility for maintenance.

Locate all underground utilities, such as gas, telephone, electricity, and cable TV prior to digging. Call the Diggers Hotline at 1-800-482-7171 at least three days before digging to have them marked.

Have your neighbors in mind when you design your fence, since they are as concerned with it as you are. The "finished side" must be installed to face out from your lot.

Locate your property corners prior to construction. These must be marked for the first inspection, "before" the fence is built. If survey pins cannot be found, it may be necessary to have your property surveyed.

RESIDENTIAL FENCES AND HEDGES



**CITY OF MENOMINEE
2511 10TH STREET
MENOMINEE MI 49858
(906) 863-3029**

Permit Requirements

- A permit is required before you install a fence, replace an existing fence, or plant a hedge. A permit is not required to repair a fence.
- You can pick up a permit application at the Building Code Department, or request one by mail by calling 906-863-3029.
- Return the completed application and a fee of \$30.00 to the Building Code Department along with a site plan drawn to scale, showing:

Property lines and dimensions

Distance or fence from property lines

Streets and alleys

All buildings on property

Location and height of fence

Construction of fence

Sec. 109-692. – Fence permits

- (a) *Application.* An application for a fence permit shall be made to the office of the code enforcement officer by submission of a form designed for this purpose. The owner of the property on which the fence is proposed to be located or his agent or lessee shall submit an application. Said application shall contain the following information:
 - (1) Property owner's name and address;
 - (2) Applicant's name, address and phone number;
 - (3) Address and legal description of the property on which the fence is proposed;
 - (4) Location of fence, including distances from property boundaries;
 - (5) Height and length of fence;
 - (6) Complete construction plans and specifications for the fence; and
 - (7) Survey of property or other information determined necessary to locate property lines.
 - (b) *Review of applications.* The code enforcement officer shall review all properly filed applications for fence permits and issue permits only for those applicants fully meeting the criteria established in this division and the State construction code. The code enforcement officer shall approve or reject.
 - (c) *Fees.* A schedule of permit fees shall be established and amended from time to time to reflect the cost of administering this division, by resolution of the City Council.
- (Code 1979, §§ 11:1.561- 11:1.563)

Sec. 109-693. Specifications for fences, walls, hedges and fence screens.

- (a) The term "fence" means any fence, wall, hedge or fence screen.
- (b) No part of a fence, wall, hedge or fence screen shall intrude into or break the vertical plane at the property line. Shrubs and trees planted for the purpose of creating a hedge shall be planted so that the trunk or main stem of the plant is no closer than three feet from any property line.
- (c) No fence, wall, hedge or fence screen shall hereafter be erected within a required front yard in excess of 48 inches in height or which obstruct vision to an extent which exceeds 50 percent. This subsection does not prevent fences which obstruct vision to an extent not greater than 20 percent, with no part or element of the fence greater than six inches in its maximum diameter or width.
- (d) No fence, wall, hedge or fence screen shall hereafter be erected within a required side yard in excess of 48 inches in height. This subsection does not prevent fences in a required side yard which are located at least 12 feet from any dwelling on an adjoining parcel of land (measured perpendicular to the fence).
- (e) No fence shall hereafter be erected in excess of six feet in height in a D-1 or residential district.
- (f) All fences hereafter erected adjacent to an alley shall be set back a minimum of ten feet from the centerline of an alley.
- (g) Fences in residential districts shall not contain barbed wire or chainlink fences with sharp wire edgesexposed.
- (h) Fences located in a required side or rear yard in an industrial or commercial district may be extended to ten feet without restriction as to solid matter or closed construction.
- (i) Decorative or ornamental sides of fence, wall and fence screen shall face the adjoining properties (face the outside). This subsection does not apply to fences fronting on an alley.

(Code 1979, § 11:1.565)

What is a Fence?

Fencing is an accessory structure intended for use as a barrier to property ingress and egress, a screen from objectionable vistas, noise, and/or for decorative uses. A fence may be living, as in a hedge or other plantings.

Setback Requirements

A fence may be located up to the property line, except along an alley, where the fence must be kept a minimum of 10 ft. from the centerline of the alley to allow for snow removal.

Fence Height and Construction

- Fences that are at least 80% open, such as wire mesh or split rail, may be six feet high anywhere on the property.
- Fences in the rear yard may be solid, up to six feet tall.
- Fences in the side yard may be solid, but are limited to four feet high, unless the fence is at least twelve feet from the neighbor's home, in which case it can be six feet tall.
- Fences in the front yard must be at least 50% open. Front yard fences which are less than 80% open may not be taller than four feet. ★ **EXCEPTION:** On a corner lot, within 30 feet of the intersection of the street lot lines, fences which are less than 80% open cannot be over three feet high.

Other Important Points

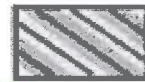
- Electric fences are not allowed in the City.
- Barbed wire is not allowed in residential districts.
- Fences should be maintained in good condition.



FRONT YARD: 4' Max., 50% Open
6' Max., 80% Open



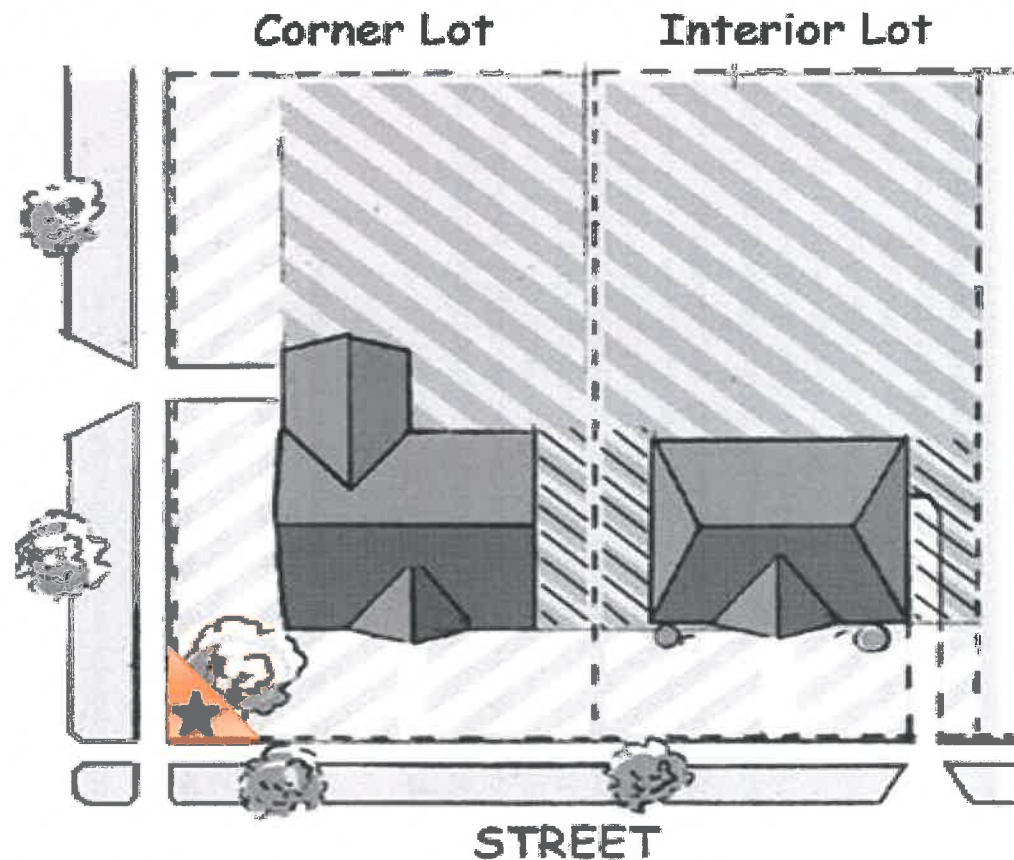
BACK YARD: 6' Max., Solid



SIDE YARD: 4' Max. Solid or
6' Max. Solid if $\geq 12'$ to neighbor's house



VISION TRIANGLE: 3' Max., 80% Open



Sec. 109-694. General requirements.

- (a) No fence shall be constructed or maintained which is charged or connected with an electrical current.
- (b) No fence, wall, sign, screen or any planting shall be erected or maintained in such a way as to obstruct vision between a height of three feet and ten feet within the triangular area formed by the intersection of the street right-of-way lines and a line connecting two points which are located on those intersecting right-of-way lines 30 feet from the point of intersection of the right-of-way lines. The three-foot height limit shall be measured from the lowest elevation of the segment or the intersecting roads' centerline which lies between the point of intersection of the other centerline and the extension of line drawn through the points 30 feet from the intersection of the right-of-way lines. This subsection does not apply to fences which obstruct vision to an extent not greater than 20 percent, with no part or element of the fence greater than six inches in its maximum diameter or width.
- (c) Except in a residential district, no fence, wall, sign, screen or any planting shall be erected or maintained in such a way as to obstruct vision between a height of three and ten feet within the triangular area formed by the intersection of a street right-of-way line and a driveway and a line connecting two points which are located on the right-of-way line and the driveway 20 feet from the point of intersection of the right-of-way line and the driveway. The three-foot height limit shall be measured from the lowest elevation of the segment of the intersecting road and the driveway's extension of the line drawn through the points 20 feet from the intersection of the right-of-way line and the driveway. This subsection does not apply to fences which obstruct vision to an extent not greater than 20 percent, with no part or element of the fence greater than six inches in its maximum diameter or width.

(Code 1979, § 11:1.566)

Sec. 109-695. – Maintenance of nuisance prohibited.

- (a) Fences shall be located and maintained so as not to endanger life or property.
- (b) Any fence which, through lack of repair, type of construction or otherwise, endangers life or property is hereby declared a nuisance, and unsafe.
- (c) Any fence which through dilapidation shall become out of plumb at an angle greater than 30 degrees from the vertical is hereby declared a nuisance, and unsafe.
- (d) If unsafe conditions exist in regard to a fence, the code enforcement officer shall serve on the owner, agent, or person in control of the property upon which the fence is located a written notice describing the unsafe condition and specifying the required repairs of modifications to be made to render the fence safe, or requiring the unsafe fence or any portion thereof to be removed, and shall provide a time limit for such repair, modification or removal.

(Code 1979, § 11:1.567)