

VILLAGE OF STRONGHURST
ORDINANCE NO. _____

**AN ORDINANCE ON
FENCING REGULATIONS**

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF STRONGHURST, HENDERSON COUNTY, ILLINOIS

Published in pamphlet form by the President and Board of Trustees of the Village of Stronghurst,
Henderson County, Illinois on May 1, 2023.

ORDINANCE NO. _____

AN ORDINANCE ON FENCING REGULATIONS

WHEREAS, the President and Board of Trustees of the Village of Stronghurst believes it is in the best interest of the Village to update the Fencing Regulations within said Village; and

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STRONGHURST, HENDERSON COUNTY, ILLINOIS, AS FOLLOWS:

1. All regulations and ordinances providing for, controlling, or otherwise directing the establishment or continuance of fences within the boarders of the Village of Stronghurst are hereby removed and repealed in their entirety.
2. The following Fence Ordinance shall be adopted by the Village of Stronghurst, and shall be considered to be added to the Zoning Regulations of said Village of Stronghurst.
3. The Fence Ordinance of the Village of Stronghurst shall be as follows:

A. BUILDING PERMIT REQUIRED: At no time shall any of the below fencing be placed in any Residential, Business, or Industrial Districts of the Village of Stronghurst until a permit has been approved by the Zoning Committee. The Zoning Committee may reject any application for any fence due to the safety concerns for traffic visibility.

B. FENCING MATERIAL ALLOWED: Any fences , borders, or similar boundary markers constructed within the Village limits of the Village of Stronghurst, regardless of the purpose of such structure, must be constructed using materials commonly found or utilized in fences, borders, or similar boundaries, and shall be used or applied in the manner commonly found or utilized.

Specific types of fencing may have additional regulations regarding material used, as herein provided.

C. DEFINITION OF FENCING MATERIAL: Materials commonly found or utilized in fences, borders, or similar boundaries shall include, but shall not be limited to, treated lumber, aluminum, wrought iron, vinyl, chain link, or processed wood.

D. UNCOMMON FENCING MATERIAL or MANNER of BUILDING

PROHIBITED: It is hereby prohibited for any person to construct any fence, border, or similar boundary marker, regardless of the purpose of such structure, using any materials uncommon or unique to such structures.

E. PROHIBITED FENCE MATERIAL: Fencing may not be built from wooden pallets, chicken wire, hog panels, or any other non-fencing material in any Residential, Business, or Industrial Districts of the Village of Stronghurst.

It is further prohibited for any person to construct any fence, border, or similar boundary marker, regardless of the purpose of such structure, using common materials in any uncommon or unique fashion as to distort the common use or age of such structures.

F. BARBED WIRE and ADJACENT DISTRICTS: Barbed Wire is prohibited in any Residential District, unless used as a boundary fence between an Agricultural District.

Barbed wire shall not be used along any boundary fence that directly borders a B1 district.

G. CORNER LOTS: The following provisions apply solely to corner lots: No fence, structure, or planting shall be erected or maintained within 15 feet of the lot corner, unless reviewed for traffic safety and visibility, and approved by the Board of Trustees of the Village of Stronghurst.

For corner lots, both yards on each side of the dwelling facing the side street shall be functionally considered a front yard, subject to the same fencing restrictions as all other front yards.

H. PROPERTY BOUNDARY LINE DISPUTES: All property boundary line disputes shall be the responsibility of the property owners and shall not be the responsibility of the Village of Stronghurst

I. PLACEMENT OF FENCE: The decorative side of fencing shall be displayed towards the public Street and alley to promote neighborhood aesthetics. Structural posts, framing and supports associated with the fence construction are generally discouraged from public view. A determination on which fence face represents the decorative side shall be made by the zoning committee.

J. TYPES OF FENCES: The following categories of fences shall be adopted by the Village of Stronghurst:

J.a. Boundary Fence: A fence built for the purpose of defining a property boundary between lots or parcels of land of separate ownership.

A boundary fence may be placed up to the actual boundary line between two properties of separate ownership.

Boundary fences are not allowed in any front yard. Boundary fences may be built of materials including wood, metal, concrete, or a combination of wood, metal, and concrete, or of living shrubs, if said shrubs do not encroach upon the adjoining property.

Boundary fences may be solid, slatted, decorative, or secure in nature.

Boundary fences may not exceed six (6) feet in height above grade level, unless approved by the Board of Trustees of the Village of Stronghurst.

J.b. Decorative Fence: A structure used primarily for landscaping purposes.

A decorative fence may be placed up to the actual boundary line between two properties of separate ownership.

A decorative fence may be used for landscaping purposes, in any yard, including front, side, or rear.

A decorative fence shall not exceed 4 feet above grade level.

In a front yard, any fencing other than a split rail or picket fence made of wrought iron, wood, or vinyl shall require the approval of the Board of Trustees of the Village of Stronghurst.

J.c. Privacy Fence: A structure used to provide a degree of privacy for residents of private property, by shielding parts of the property from outside view.

A privacy fence may be placed up to the actual boundary line between two properties of separate ownership.

A privacy fence shall not be allowed in any front yard.

A privacy fence shall not exceed 6 feet above grade level, or the floor level of the patio, deck, or swimming facility for which it is constructed.

J.d. Security and/or Impound Fence: A structure placed in a manner to secure an area from unauthorized or undesirable entrance or exit.

A security and/or impound fence may be placed up to the actual boundary line between two properties of separate ownership.

A security and/or impound fence is not allowed in any front yard.

A security and/or impound fence shall not exceed 6 feet above grade level, or the floor level of the patio, deck or swimming facility for which they are constructed.

J.e. Private Swimming Pool Fence: All in-ground Swimming Pools must be adequately fenced to a minimum height of 4 feet to prevent access of small children and the entry gate must be locked while pool is unattended.

Perimeter fencing is not required for above-ground swimming pools, but any ladders must be removed and stored at a safe distance from pool, folding lockable ladders may be left in pool but must be folded and locked not allowing access to pool, or deck gate must always be closed and locked while pool is unattended.

4. This Ordinance shall be published in pamphlet form by the authority of the Board of Trustees of the Village of Stronghurst, Henderson County, Illinois.
5. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed this 1st day of May, 2023.

Aye: _____

Nay: _____

Abstain: _____

Attest: Village Clerk

Village President

STATE OF ILLINOIS)
) ss.
COUNTY OF HENDERSON)
CERTIFICATE OF PUBLICATION)

I, _____, certify that I am the acting Municipal Clerk of the Village of Stronghurst, Henderson County, Illinois.

I further certify that on May 1, 2023, the Board of Trustees of the Village of Stronghurst passed and approved Ordinance No. _____, entitled "AN ORDINANCE ON FENCING REGULATIONS" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. _____, including the Ordinance and a cover sheet thereof, was posted in the Stronghurst Village Hall and continued to stay posted for at least ten (10) days thereafter. Copies of such Ordinance are also made available for public inspection upon request in the office of the Municipal Clerk.

DATED, in Stronghurst, Illinois, this 1st day of May, 2023.

Village Clerk

(SEAL)