VILLAGE OF LAURIUM

ORDINANCE NO. 141

CONSTRUCTION OF FENCES, WALLS, & HEDGES

THE VILLAGE OF LAURIUM ORDAINS:

SECTION 1. DEFINITIONS.

For the purpose of this Chapter, certain terms and words are herewith defined as follows:

1. Fence: A structure serving to enclose or divide all or part of a lot or to function as a boundary or barrier between two or more lots.

2. Wall: A fence built of solid material such as stone, brick, or concrete.

3. A row of bushes or shrubs used as a fence.

4. Front lot line: The lot line abutting the street, or in case of a lot abutting more than one street, the boundary line fronting the same street as parallel adjoining lots of similar shape and size.

SECTION 2. HEIGHT RESTRICTIONS.

1. Maximum Height Limit. No fence, wall or hedge shall exceed six (6) feet in height as measured from the surface of the ground, except as follows:

   (a) Where there is a change in grade between adjacent properties, a fence, wall or hedge which runs along the change in grade and defines or outlines the lot line may exceed six (6) feet in height, as measured from the downhill property, so long as it does not exceed six (6) feet as measured from the uphill property.

   (b) To protect adjacent residential uses, fences and/or screening walls up to ten (10) feet in height are permissible upon non-residential property used to store

dump trucks, police cars or heavy equipment, or upon which salt, sand or other raw materials are stockpiled.

2. Maximum Height Limit in Side Yard. No fence, wall or hedge shall exceed six (6) feet in height in the side yards.

3. Maximum Height Limit in Front Yard. No fence, wall or hedge shall be erected, constructed, planted, maintained or rebuilt in the front yard, except a hedge which is less than forty eight (48) inches in height may be located in the front yard, subject to the following conditions:

   (a) The outer growth of the hedge shall not project over the lot line.

4. Fences and walls already erected as of the date this Ordinance becomes effective may be maintained at their current height so long as such is in compliance with the law existing at the time of erection. However the height of any such fence or wall must be made to comply with this section if any structural alteration is made, or if any structural alteration is necessary to safely or properly maintain the fence or wall. All hedges must be maintained at or below the height limits specified herein whether planted before or after the effective date of this Ordinance.

SECTION 3. DRIVEWAY CLEARANCE.

1. No fence, wall or hedge which obstructs the visibility of sidewalks or streets from any driveway on the property, or any pre-existing driveway on adjacent property, may exceed forty eight (48) inches in height if located within ten (10) feet of the intersection of the driveway edges and the sidewalk.

SECTION 4. OTHER RESTRICTIONS.

1. Vacant Lots. On a vacant lot, no fence or wall may be erected nearer to the front lot line than twenty five (25) feet.

2. One Fence Per Lot Line. Only one fence or wall may be erected along a common lot line in the combined required side and rear yards.

3. Maintenance Agreement. A fence or wall requiring routine maintenance may only be erected in the combined required side and rear yards upon submission of a signed maintenance

agreement from each adjoining property owner whose land the fence is not required for a perpendicular connection to fence or wall along a lot line.

4. A fence, wall or outer growth of a hedge shall be a minimum of one (1) foot from any city sidewalk.

5. City Right-of-Way. No fence, wall or hedge may be located in the City's right-of-way, including but not limiting to, that area between the street and the sidewalk.

SECTION 5. PROHIBITED MATERIALS.

1. No fence or wall shall be constructed, in whole or in part, of barbed wire or in such a manner as to attach any spike, nail, or other sharp point, instrument or material.

2. No fence or wall shall be constructed or maintained which is connected to an electrical current.

SECTION 6. SEVERABILITY.

1. No other Ordinances shall be affected by this ordinance except as to the above section, and in the event any portion, section or subsection of this ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this ordinance or ordinances of the Village of Laurium.

SECTION 7. CRIMINAL LIABILITY; EQUITABLE REMEDY

1. No owner or occupant shall fail to abate a nuisance as above defined within seven days after receiving a notice to abate.

2. In addition to the penalty provided, if an owner or occupant fails to abate, as above defined, within fifteen days after receiving a notice to abate, the Village shall make the corrective clean-up or repairs and assess the cost against the property receiving the same and collect such costs in accordance with the special assessment procedures established.

SECTION 8. **This Ordinance shall be effective under publication and expiration of the time prescribed by law.**

Adopted and approved by the Village Council of the Village of Laurium on this 21st day of October, 1997

Amber Small
Amber Small, Village Clerk

Leonard Miller
Leonard Miller, Village President

I hereby certify that the foregoing is true and complete copy of an Ordinance adopted by the Village Council of the Village of Laurium, County of Houghton, State of Michigan, on the 21st day of October, 1997, and that public notices of said meeting was given to and in compliance with Act Number 267, Public Acts of Michigan, 1976.

Amber Small
Amber Small, Village Clerk