

ORDINANCE NO. 2021- 05 - 01

ORDINANCE UPDATING AND CLARIFYING THE ZONING CODE
PROVISIONS FOR APPROVING FENCING IN RESIDENTIAL DISTRICTS

WHEREAS, the Village has presented a petition to the Zoning Board for the Village of Princeville to amend the Zoning Code for the Village of Princeville to revise the provisions of the Zoning Code that address approval of fencing in Residential Districts in the Village; and

WHEREAS, the Zoning Board for the Village of Princeville properly held a meeting on April 29, 2021, after giving proper notice of the meeting to consider this proposed change to the Zoning Code for the Village of Princeville,

WHEREAS, at their meeting, the Zoning Board approved the Village's petition to revise the provisions of the Zoning Code that address approval of fencing in Residential Districts in the Village, and has recommended that this change be made to the Zoning Code for the Village of Princeville; and

WHEREAS, the Village Board hereby finds that it is in the best interests of the Village to follow the recommendation of the Zoning Board and to make this change to the Zoning Code for the Village of Princeville;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Princeville, Peoria County, Illinois, that:

SECTION 1. Section 010 of Title 17, Chapter 52 of the Village of Princeville Municipal Code ("Meetings") is hereby amended to read as follows (additions are indicated by underline; deletions by ~~strikeout~~):

§17.52.010 Fence Requirements in Residential Districts.

No person shall construct or erect a fence within the Village without first having received a permit from the Zoning Officer. Applications for a fence permit shall be submitted with the appropriate fee to the Zoning Officer. No fence or fences may be constructed or erected which does not comply with the following:

- A. *Front Yard Fences on Interior and Corner Lots – Ornamental fences at least fifty percent (50%) open and not exceeding four (4) feet in height are permitted in front yards. Privacy fences are not permitted in front yards.*
- B. *Side Yard and Rear Yard Fences on Interior Lots – Ornamental and privacy fences not exceeding six (6) feet in height are permitted in the required side and rear yards of interior lots.*
- C. *Side Yard Fences on and Fences at the Rear of Corner Lots – Ornamental and privacy fences are permitted on corner lots provided they meet the following criteria:*
 - 1. *When the fence is adjacent to an intersection, the triangle bounded on two (2) sides by the intersecting property lines, measured ten (10) feet in each direction from their point of intersection and on the third side by the diagonal line connecting the ends of the ten (10) foot sides must be maintained for visibility purposes.*
 - 2. *When the fence is next to an alley, it must be erected within the property boundaries.*
 - 3. *Privacy fences may not be constructed or erected beyond the front line of the principal structure.*
- D. *Fences to Contain No Dangerous Materials – No fence may be constructed with or contain barbed wire, metal spikes (not to include wrought iron), or any other sharp pointed materials. Chain link fences shall be constructed with the barb portion of the fence at the bottom of the fence. No fence may be electrified.*
- E. *Each time a temporary fence is constructed within the Village, the property owner or person must receive a permit from the Zoning Officer. Applications for a temporary fence permit shall be submitted with the appropriate fee to the Zoning Officer.*
- F. *Miscellaneous:*
 - 1. *The unfinished or rough side of all fences, as well as all posts, must face the interior side of the lot.*
 - 2. *Maintenance of fences are the responsibility of the property owner.*
 - 3. *Fences must be constructed of standard commercial materials intended for fences.*
 - 4. *Fences located in residential districts shall have a setback requirement of no less than one (1) foot from the property line.*
 - 5. ~~*Fences placed on the property line must be mutually agreed upon by the property owner requesting the fence and the adjacent property owner, therefore a signed legal document must be presented to the board prior to the placement of the fence. This document would be disclosed at which time the property is sold by either party.*~~

G. Any fence variance or alteration must be approved by Zoning Board pursuant to the variance application and approval provisions in Section 17.44.050. In addition to the requirement to publish notice of hearing on the proposed variance or alteration in compliance with Section 17.48.040, notice shall be provided by regular U.S. mail or other similar means no less than one week prior to the hearing to all property owners who own property adjacent to the location of the proposed fence on the requesting party's property.

SECTION 2. This Ordinance is hereby ordered to be published in pamphlet form by the Village Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

SECTION 3. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith except as to that part in direct conflict with another ordinance, and in the event of such conflict, the provisions hereof shall govern.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

PASSED THIS 3rd DAY OF May, 2021.

AYE: Delbridge, Hughes, Peterson, Gilroy, Wilson, Pope

NAYES: Ø

ABSENT: Ø

APPROVED THIS 3rd DAY OF May, 2021.

Jeff Troutman
Jeff Troutman, President
Village of Princeville, Illinois

ATTEST:

Sarah Cordis
Sarah Cordis, Clerk
Village of Princeville, Illinois

