

20.500

**FENCES
CITY OF GAYLORD, MICHIGAN
Effective March 29, 1992**

Any and all fences now or hereafter constructed in or on any parcel of land in the City of Gaylord are subject to the provisions of this Ordinance.

20.501

Sec. 1. DEFINITION.

A man-made structure, barricade or demarcation intended to serve or in fact serving the purpose of confining or marking the boundaries or a boundary of property or preventing or controlling access to property.
(ord. amend. eff. Mar. 29, 1992)

20.502

Sec. 2. PERMIT REQUIRED.

It shall be unlawful for any person to construct, or cause to be constructed, a fence upon property within the City of Gaylord without first having obtained a permit from the City Clerk or City Manager. The fee for a permit to construct a fence shall be determined by resolution of the City Council. Written application for a Fence permit shall be made to the City Clerk and shall contain a drawing showing the location, type of fence to be constructed, description of the property and such other information as may be required in order to determine that such fence will not violate any provision of this Ordinance or state law.
(ord. amend. eff. Mar. 29, 1992)

20.503

Sec. 3. EXISTING FENCES.

Any fence presently in existence shall not be enlarged, altered or reconstructed until the property owner obtains a permit in the manner provided for in Section 2 (20.502), PERMIT REQUIRED.
(ord. eff. Mar. 29, 1992)

20.504

Sec. 4. EXEMPTIONS.

The provisions of this Ordinance shall not apply to properties owned by the City of Gaylord.
(ord. amend. eff. Mar. 29, 1992)

20.505

Sec. 5. GENERAL REQUIREMENTS.

1. All fences shall be located entirely on the private property of the person, firm or corporation constructing the same; however, if adjoining property owners jointly apply for the permit to erect a fence upon their common property line, such fence may be erected.
2. The City of Gaylord shall not be responsible in any manner for the enforcement of any agreement relative to mutual or separate payment for the

cost of construction of fences.

3. The City shall not be responsible for the determination of the location of any fence to be erected on lot lines.
4. No fence shall be located nearer than one (1) foot to the inside sidewalk line.
5. Fences parallel to one another shall be prohibited unless special provision is made to specifically provide for the proper maintenance of both fences, including, but not limited to, adequate distances between fences and construction design details.
6. Gates in fences shall not open over public property.
7. No fence shall be constructed or maintained which is charged or connected with an electrical current.
8. Except as provided for in Section 8 (20.508), FENCES: M-1 MANUFACTURING DISTRICT, no barbed wire fence shall be constructed or maintained nor any spike, nail, barb or other pointed instrument shall be affixed or placed on any fence so to project therefrom. (ord. amend. eff. Mar. 29, 1992)

20.506

Sec. 6. FENCES: R-1, R-2 RESIDENTIAL DISTRICTS.

Any and all fences now or hereafter constructed in or on any parcel of land used, designed, occupied or intended for residential purposes are subject to the following:

1. Method of construction and type of materials used shall be of a kind normally and customarily associated with residential property.
2. Fences shall be finished on both sides and of a color normally and customarily associated with residential type fences.
3. Fences which enclose the rear yard and/or are within a required rear yard or side yard shall not exceed a maximum of six (6) feet in height, as measured from the surface of the ground and shall not extend toward the front of the lot nearer than the front of the principal building or the required front setback, whichever is greater.
4. Those portions of fences which enclose or are within the required front yard and extend from the primary front of the dwelling or the required front yard setback, whichever is greater, to the front property line shall not exceed a height of four (4) feet as measured from the surface of the ground. (ord. amend. eff. July 13, 1997)
5. Fences which are constructed on corner lots shall be required to conform to front yard requirements for the primary front of the dwelling only.

(ord. amend. eff. Mar. 29, 1992)

20.507 **Sec. 7. FENCES: C-1, C-2 COMMERCIAL DISTRICTS.**

Any and all fences now or hereafter constructed in a C-1 or C-2 District on any parcel of land used, designed, occupied or intended for residential purposes are subject to the provisions of Section 6 (20.506), FENCES: R-1, R-2 RESIDENTIAL DISTRICTS. All other fences now or hereafter constructed in a C-1 or C-2 District on any parcel of land used, designed or intended for other than residential purposes are subject to the following:

1. Method of construction and type of materials used shall be of a kind normally and customarily associated with commercial property.
2. Fences shall be finished on both sides and of a color normally and customarily associated with commercial type fences.
3. Fences shall not be permitted to extend beyond the primary front of the principal building.
4. Fences which enclose the rear yard and/or are within a required rear yard or side yard shall not exceed a maximum of six (6) feet in height, as measured from the surface of the ground and shall not extend toward the front of the lot nearer than the front of the principal building.
5. Fences which are constructed on corner lots shall be required to conform to front yard restrictions for the primary front of the principal building only.
(ord. amend. eff. Mar. 29, 1992)

20.508 **Sec. 8. FENCES: M-1 MANUFACTURING DISTRICT.**

Any and all fences now or hereafter constructed in an M-1 District on any parcel of land are subject to the following:

1. Method of construction and type of materials used shall be of a kind normally and customarily associated with commercial or industrial property.
2. Fences shall be finished on both sides and of a color normally and customarily associated with commercial or industrial type fences.
3. Fences which enclose or are within the required front, side or rear yard shall not exceed a maximum of ten (10) feet in height.
4. Fences which are erected on corner lots shall be constructed in a manner and of such materials so as to not impair the vision of the driver of any motor vehicle.
5. Stranded barbed wire may be installed on the top of fences at least eight (8) feet in height as measured from the surface of the ground, provided it is

braced by arms or supports which are angled toward the confined area. No coils or concertina is permitted.
(ord. amend. eff. Mar. 29, 1992)

20.509

Sec. 9. **SEVERABILITY.**

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

(ord. amend. eff. Mar. 29, 1992)