

Ordinance No. 7-17-24

## TOWN OF SARATOGA

### FENCES AND WALLS

#### **Section 1. Permits**

Permits are required for all fences and walls including dog runs. When applying for a permit please provide a detailed plot plan of the fence location, fence height, and materials to be used to erect the fence.

Exceptions:

No permit is required for Agricultural wire fences and open wire fences erected in other districts solely to keep out animals.

Fences located on property lines (less than the required 12" (inches) set back inside the property line) that were constructed prior to July 16, 2003, and providing that such fences met the specification standards put forth in this ordinance may remain in place with the approving consent of the abutting property owners. Municipality parcels are exempt from this ordinance.

#### **Section 2. Location**

No closer than 12" (inches) from any lot line, unless by mutual agreement with adjoining property owner. Fences whose primary purpose is to enclose dogs shall be at least 9' (foot) from the lot line. If within 30' (feet) street setback area, may not be higher than 2.5' (feet). Fences located within the 30' (feet) setback area may not exceed 2.5' (feet) unless the fence is an "open fence", such as chain link or split-rail, and does not interfere with a clear vision triangle at an intersection. Modifications may be allowed with majority Town Board approval.

#### **Section 3. Appearance**

Fences and walls shall be constructed and maintained so as to be pleasing in appearance and not degrade adjoining property. If replacing a fence, the existing fence must be removed. The maximum height of a fence is 6' (feet) from finished grade to top of fence, except in salvage yards where 7' (feet) high fences are required. If both side of the fence are not identical in appearance, the more pleasing side must be placed toward the adjacent property.

#### **Section 4. Prohibited Fences**

Barbed wire, spike or picket fences, other than those with round tops.

Exceptions:

Barbed wire fences may be erected in the Agricultural District and may be on the property line. Barbed wire fences may be erected in the Industrial District but must be at least 12" (inches) from any lot line.

#### **Section 5. Swimming Pools**

All permanent outdoor swimming pools must be enclosed to a height of not less than 5' (feet) and guarded against accidental trespassers or frequenters. A gate is required on any steps leading to a deck along a swimming pool.

Exception: Above-ground pools are not required to be fenced if they have removable ladders.

#### **Section 6. Fees**

The fence permit fee shall follow the fee schedule in effect at the time of permit submission.

**Section 7. Penalty Provision**

Any person that fails to comply with the provisions of this Ordinance shall, upon conviction, pay a forfeiture of not less than \$50 (dollars) nor more than \$100 (dollars), plus the cost of prosecution. Each day a violation exists or continues shall be considered a separate offense under this ordinance.

**Section 8. Severability Clause**

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.

**Section 9. Revocation of Previous Ordinance**

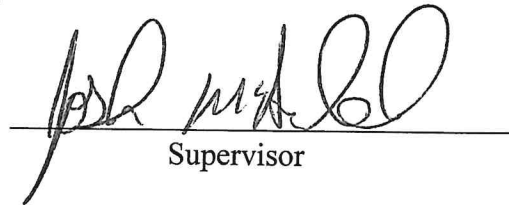
Town of Saratoga Ordinance 2-17-16A shall be revoked upon the passage of this Ordinance.

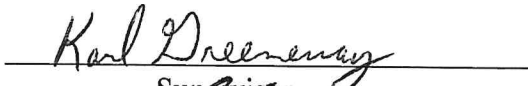
**Section 10. Effective Date**

This Ordinance is effective on publication. The town clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. Stats.

Revised 17 (day) of July (month) of 2024.

  
Chairman

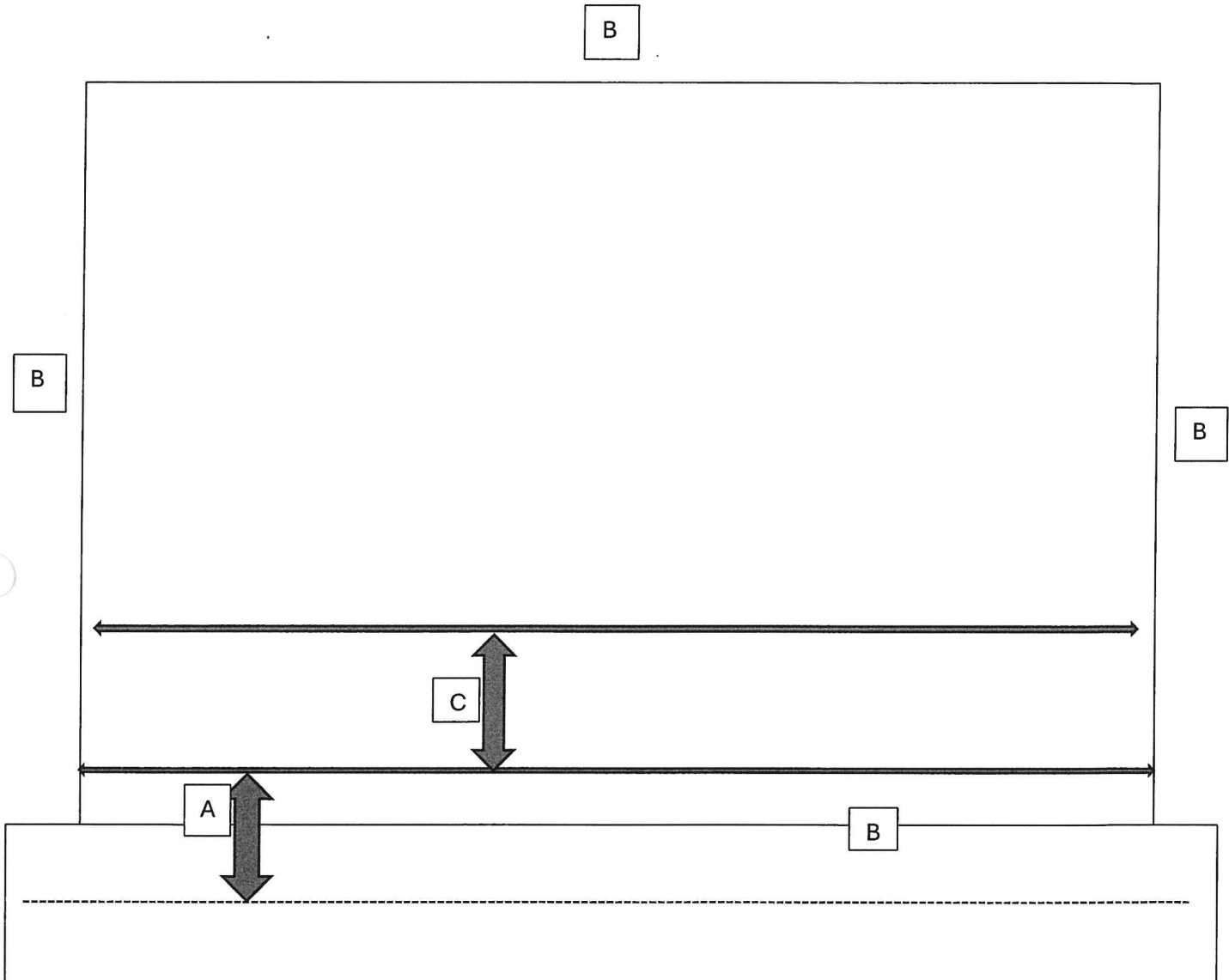
  
Supervisor

  
Supervisor

\_\_\_\_\_  
Supervisor

  
Supervisor

# Fence Ordinance



**A = Right of Way**

**B = Lot lines**

**C = Street Setback (usually 30' on Town roads)**



TOWN OF SARATOGA

FENCES AND WALLS

**Section 1. Permits**

Permits are required for all fences and walls including dog runs. When applying for a permit please provide a detailed plot plan of the fence location, fence height, and materials to be used to erect the fence.

Exceptions:

No permit is required for Agricultural wire fences and open wire fences erected in other districts solely to keep out animals.

Fences located on property lines (less than the required 12" set back inside the property line) that were constructed prior to July 16, 2003, and providing that such fences met the specification standards put forth in this ordinance may remain in place with the approving consent of the abutting property owners. Municipality parcels are exempt from this ordinance.

**Section 2. Location**

Not within road right-of-way without Town Board approval.

No closer than 12" from any lot line, unless by mutual agreement with adjoining property owner. Fences whose primary purpose is to enclose dogs shall be at least 9' from the lot line. If within 30' street setback area, may not be higher than 2 ½', except this height limitation within the 30' street setback area will not apply if the fence is an "open fence", such as chain link or split-rail, as long as such a fence does not interfere with a clear vision triangle at an intersection.

**Section 3. Appearance**

Fences and walls shall be constructed and maintained so as to be pleasing in appearance and not degrade adjoining property. If replacing a fence, the existing fence must be removed. The maximum height of a fence is 6' from finished grade to top of fence, except in salvage yards where 7' high fences are required. If both side of the fence are not identical in appearance, the more pleasing side must be placed toward the adjacent property.

**Section 4. Prohibited Fences**

Barbed wire, spike or picket fences, other than those with round tops.

Exceptions:

Barbed wire fences may be erected in Agricultural District, and may be on the property line. Barbed wire fences may be erected in Industrial District, but must be at least 12" from any lot line.

**Section 5. Swimming Pools**

All permanent outdoor swimming pools must be enclosed to a height of not less than 5 foot and guarded against accidental trespassers or frequenters. A gate is required on any steps leading to a deck along a swimming pool.

Exception: Above-ground pools are not required to be fenced if they have removable ladders.

**Section 6. Fees**

The fence permit fee shall follow the fee schedule in effect at the time of permit submission.

**Section 7. Penalty Provision**

Any person that fails to comply with the provisions of this Ordinance shall, upon conviction, pay a forfeiture of not less than \$50 nor more than \$100, plus the cost of prosecution. Each day a violation exists or continues shall be considered a separate offense under this ordinance.

**Section 8. Severability Clause**

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.

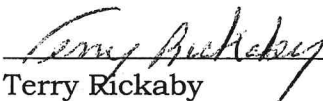
**Section 9. Revocation of Previous Ordinance**

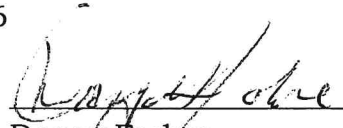
Town of Saratoga Ordinance 10-5-11 shall be revoked upon the passage of this Ordinance.


**Section 10. Effective Date**

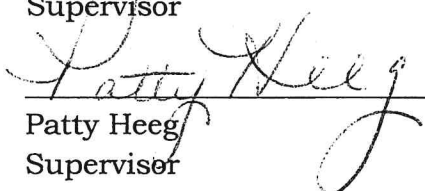
This Ordinance is effective on publication. The town clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. Stats.

Adopted this 17<sup>th</sup> day of February, 2016

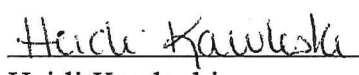
  
\_\_\_\_\_  
Terry Rickaby  
Chairman

  
\_\_\_\_\_  
Danny Forbes  
Supervisor

  
\_\_\_\_\_  
John Frank  
Supervisor

  
\_\_\_\_\_  
Patty Heeg  
Supervisor

\_\_\_\_\_  
Douglas Passineau  
Supervisor

  
\_\_\_\_\_  
Heidi Kawleski  
Clerk