

**Ordinance 05-07-07-02**  
**An Ordinance to Amend Section 18.27(f)(1), Accessory uses and structures, of the Village of Fontana on Geneva Lake Municipal Code regarding exceptions**

The Board of Trustees for the Village of Fontana on Geneva Lake, Walworth County, Wisconsin do ordain as follows:

**Section I.** Section 18-27(f)(1) of the Municipal Code of the Village of Fontana-on-Geneva Lake, is hereby amended as follows:

Section 18-27. Accessory uses and structures.

(f) *Exceptions.*

(1) Fences and Decorative Posts. are permitted anywhere on a lot in residential districts only, but shall not in any case exceed a height of six feet. Furthermore, residential fences shall not exceed a height of four feet in the setback area, and shall not be closer than four feet to any existing public or private right-of-way. No fence shall be permitted within the minimum setback from the shore of Geneva Lake as set forth in subsection 18-21(c)1. No fence may be constructed, in whole or in part, of barbed wire, nor shall any portion of any fence be electrified. A fence in excess of four feet in height must be at least 50 percent open to the passage of light and air. All fences shall be erected and constructed so as to locate all visible supports and other structural components toward the subject property. The purpose of this subsection is to regulate the materials, location, height, and maintenance of fencing, landscaping walls and decorative posts in order to prevent the creation of nuisances and to promote the general welfare to the public. Within this section, the term 'fence' shall mean fencing and decorative posts.

(a) Materials. Acceptable materials for constructing fencing include wood, stone, brick, wrought iron, and chain link. No fence may be constructed, in whole or in part, of barbed wire, nor shall any portion of any fence be electrified. Any fence within a street yard, including along property lines which intersect a right-of-way, and any fence in excess of four feet in height, shall be a minimum 40% open, or no more than 60% opaque.

(b) Location. Fences are permitted anywhere on a lot but no fence shall be located closer than 4 feet to the front property line, or street right-of-way, whichever is closest to the primary structure. No fence shall be permitted within the minimum setback from the shore of Geneva Lake as set forth in subsection 18-21(c)(1). Fences may be located on any property line abutting an offset (side or rear yard). Any and all fences shall be erected and constructed so as to locate visible supports and other structural components toward the subject property.

(c) Maximum Height. Fences shall not in any case exceed a height of 6 feet. Furthermore, fences shall not exceed a height of 4 feet in height within the setback area, except with the granting of a conditional use permit per Article VI of the Village of Fontana on Geneva Lake Municipal Code.

(d) Temporary Fencing. Temporary fencing may be permitted on a case by case basis, as approved by the Building Inspector, and shall be permitted for no more than 180 consecutive days per calendar year.

(e) Snow Fencing. The use of fences for the purpose of limiting snow drifting shall be permitted as temporary fences only and shall only be erected and maintained between November 1 and April 1 of each calendar year.

(f) Swimming Pools. Fencing for swimming pools shall be provided in accordance with Article II, Division 4 of the Village of Fontana on Geneva Lake Municipal Code.

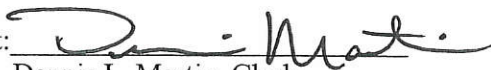
(g) Maintenance. Any and all fences shall be maintained in a structurally sound and attractive manner.

**Section II.** Effective Date: This Ordinance shall be in full force and effect upon its passage, approval, and publication as required by law.

Approved and Adopted by the Village Board of the Village of Fontana-on-Geneva Lake, Walworth County, Wisconsin this 7<sup>th</sup> day of May, 2007.

Village Board of the Village of Fontana-on-Geneva Lake

By:   
Ronald E. Pollitt, President

Attest:   
Dennis L. Martin, Clerk