

Penn Township  
Cass County, Michigan

ORDINANCE-----No. 1-10, 2009

AN ORDINANCE TO AMEND THE PENN TOWNSHIP ZONING ORDINANCE BY REVISION OF SECTION 6.12 THEREOF.

THE TOWNSHIP OF PENN ORDAINS:

Section 1: That existing Section 6.12, FENCES, WALLS AND SCREENS of the Penn Township Zoning Ordinance be and hereby is repealed and replaced with an amended Section 6.12 to read as follows:

1. **Front Yards.** Front yard requirements are as follows:
  - a. Within a Residential district any fence, wall, or screening erected for the purposes of enclosing a front yard shall not exceed 4(four) feet in height above the ground surface. Any fence, wall, or screening constructed in the front yard of a residential district must be non opaque.
  - b. Within a Residential district any hedgerow, uniform planting, or organic screening, installed for the purpose of screening or enclosing a front yard shall not at any time, exceed 42 inches in height above the ground surface, nor be any closer to the front property line than 24 inches.
2. **Side and Rear Yards.** Side and rear yard requirements are as follows:
  - a. Within a Residential district any fence, wall, or screening erected for the purposes of enclosing a side or rear yard shall not exceed 6 (six) feet in height above the ground surface. All vertical support members (posts) shall not exceed the six-foot height by more than 4 inches. When the rear yard is located on a lake front lot, no fence, wall, or screening shall be located closer to the rear lot line than 12 feet.
  - b. Within a Residential district any hedgerow, uniform planting or organic screening, installed for the purpose of screening or enclosing a side or rear yard shall not, at any time, exceed 6 (six) feet in height. When the rear yard is located on a lake front lot, no hedgerow, uniform planting or organic screening shall be located

closer to the rear lot line than 12 feet.

**3. Commercial and Industrial Districts.**

- a. Within Commercial or Industrial districts, no such fence, wall, or screening structure located in side or rear yard shall exceed 8 (eight) feet in height above the natural grade.

**4. Additional Regulations.** Additional regulations are as follows:

- a. In residential districts no fence shall have placed upon it any sharp spikes, barbed wire or sharp pointed cresting, or other thing dangerous and liable to snag, tear, cut or otherwise injure anyone coming in contact therewith. No fences in Residential districts shall be constructed of barbed wire or electrically charged. Fences located on property zoned as Commercial or Industrial may have barbed wire installed, provided that the barbed wiring is located on arms or supports projecting over the private property side of the fence at least 6 (six) feet above the natural grade. Fences located on property zoned as "Agricultural" or "Agricultural-Residential" may be constructed of barbed wire or be electrically charged.
- b. Visibility at intersections is to be maintained in accordance with Section 6.09 VISIBILITY AT INTERSECTIONS of this zoning ordinance.
- c. Fences, walls, and screening structures shall be located adjacent to a property line, but shall be constructed and located entirely on the lot of the person responsible for the construction or erection of the structures or plantings.
- d. All fences, walls and screening structure shall be erected so that the finished face of the fence, wall, or screening structure faces outside the property, with any visible posts or supports being located on the inside of the fence or structure."

Section 2: That this Ordinance shall be effective thirty (30) days following publication in any newspaper of general circulation within the Township of Penn.

Moved by: RUTHERFORD

Seconded by: LEACH

Ayes: 5 Nays: 0

Adopted: 1/11/2010

  
LISA FITZSIMONS

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Lisa Fitzsimons, Penn Township Clerk

I, Lisa Fitzsimons, do hereby certify that I am the duly elected, qualified and acting Clerk of the Township of Penn and that the above Ordinance was duly adopted by the Penn Township Board at its regular meeting held 1/11/2010 notice of which was made and given as required by the provisions of the Michigan Open Meetings Act.

  
LISA FITZSIMONS

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Lisa Fitzsimons, Penn Township Clerk