



FENCE PERMIT APPLICATION

Application Date: _____

Permit # _____

Fence Permit Fee \$50.00

Owner Name:			
Owner Address:			Parcel #
City:	State:	Zip Code:	
Phone:		Email:	
Are you insured? Yes <input type="checkbox"/> No <input type="checkbox"/>		Will you be doing the work? Yes <input type="checkbox"/> No <input type="checkbox"/>	

Contractor Name:		Supervisor:	
Contractor Address:			
City:	State:	Zip Code:	
Phone:		Email:	

Approximate Start Date:			
Type of Property: Commercial <input type="checkbox"/> Residential: <input type="checkbox"/> Multi-Family: <input type="checkbox"/>			
Site Plan Showing Lot Line Setbacks Attached: Yes <input type="checkbox"/> No <input type="checkbox"/>		Addendum Attached: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Fence Material:			
Fence Height:			

The undersigned understands and agrees that the permitted work shall comply with all permit provisions and conditions. The undersigned also agrees that if the work does not comply with all permit provisions, the applicant shall make needed corrections directed by the Village of Holmen Staff.

Applicant Signature

Date

OFFICE USE ONLY

Fence Permit Fee: \$50.00	Paid Date:
Approved: <input type="checkbox"/> Public Works Director:	
Approved: <input type="checkbox"/> Administrator:	
Issued Date:	
(Permit expires 12 months after the issued date)	
Village (608) 526-4336	Fax (608) 526-4357

**Village of Holmen Building Permit Addendum
Owner's Testimonial Regarding New Construction and Easements**

Please read carefully

Addendum to Building Permit # _____

I hereby acknowledge and accept all responsibility for the construction of a new structure on my property, and agree that I (including my builder/contractor) will comply with all zoning and building regulations of the Village of Holmen, La Crosse County and the State of Wisconsin. I further acknowledge that should I (including my builder/contractor) fail to comply with any zoning and building regulations that I shall be subject to fines, forfeitures and penalties, and shall be immediately responsible to rectify any such violation to the specifications of the Village.

Initials: _____

I hereby acknowledge that I have properly indicated all recorded easements (ie: electric, telecommunication, sewer, water, storm sewer, gas, etc.) on my permit application and that no encroachment on any such easement will occur due to the construction and building activities for which I am seeking a building permit. I further acknowledge that should my activities (including the activities of my builder/contractor) violate any easement restrictions on my property, that I hereby hold the Village of Holmen harmless, and I shall be immediately responsible to rectify any such violation, including the complete removal of the structure if so directed, and I shall immediately forfeit my building permit and all rights given to me therefor, until such time the violation to the easement is made whole.

Initials: _____

Signed: _____ Date: _____

(Owner/Rep)

Witnessed: _____ Date: _____

(Village/Rep)

OFFICE STAFF USE

NOTES:

- There are **no** known easements that affect this construction.
- This property **has** a utility easement that will require a waiver (see contacts below).

Utility Contacts:

___ Xcel Energy (Electric)-Ed Przytarski (608) 789-3631

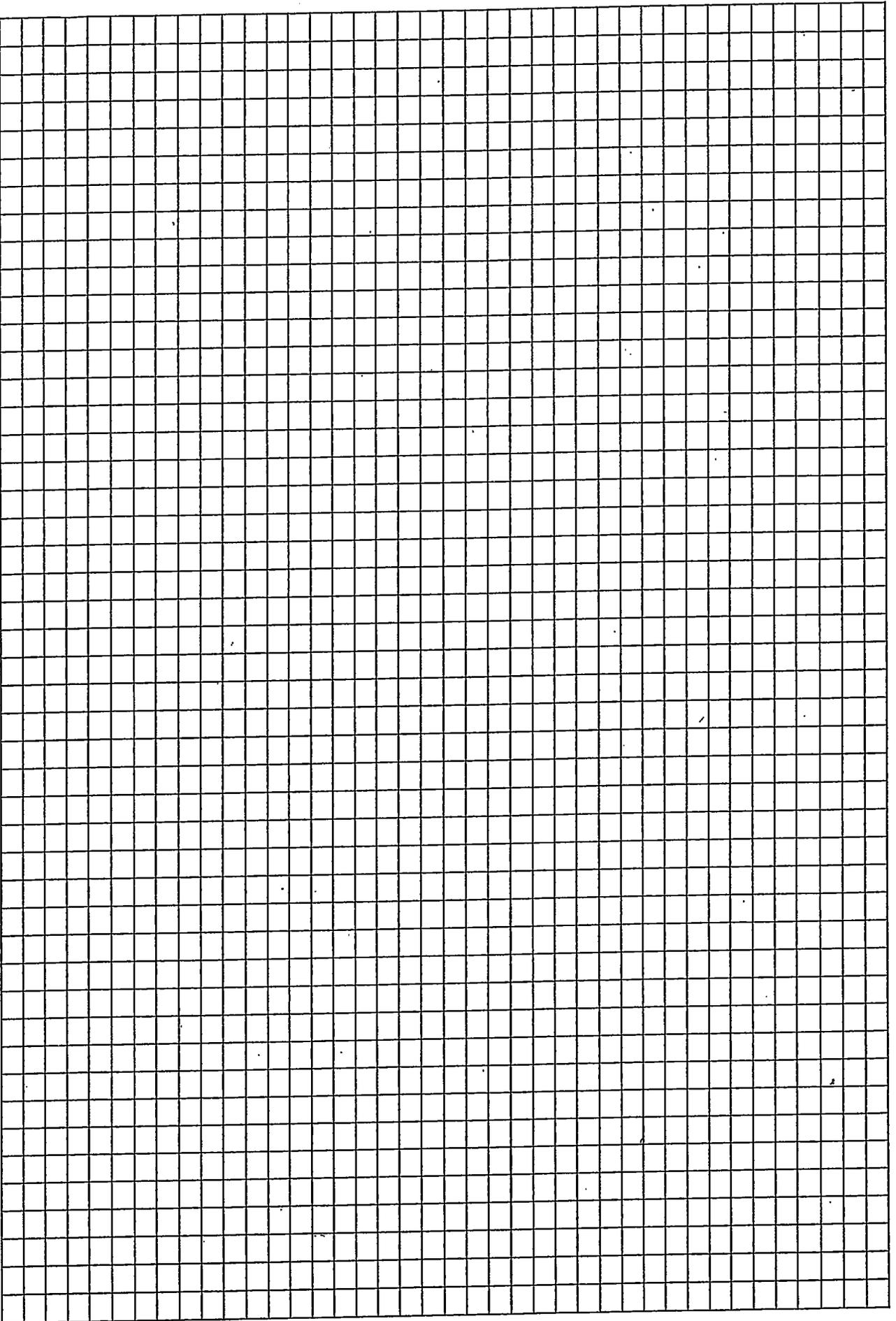
___ Xcel Energy (Gas)- Ed Przytarski (608) 789-3631

___ River land Energy -Sharon Sluga (608) 323-3381

___ Charter Communications-Perry McClellan (608) 317-6213

___ Century Link-Methuria Rashad (651) 312-5503 or Julie North (608) 317-9225

**Village of Holmen
Situation Plan**



FYI - Final Copy for
consideration on 5/9/13
- J.A.

VILLAGE OF HOLMEN
LA CROSSE COUNTY, WISCONSIN

ORDINANCE 5-2013

AN ORDINANCE AMENDING SECTION 195-8H OF THE CODE OF THE VILLAGE OF HOLMEN

BE IT ORDAINED by the Village Board of Trustees, Village of Holmen, La Crosse County, Wisconsin as follows:

Section 1. Section 195-8H Fences and Hedges, is hereby amended to read as follows:

§ 195-8. General regulations.

H. Fences and hedges. [Amended 5-9-2002 by Ord. No. 2.02; 6-12-2003 by Ord. No. 3.03; 11-9-2006 by Ord. No. 9.06]

~~1. Maintenance free fences (i.e., vinyl fence) and hedges may be placed, erected or grown upon a property line in the rear or side yard and shall not exceed six feet in height in all residential districts. Fences constructed in a manner and/or of a material (i.e., wood) that would require periodic maintenance shall require a minimum setback of three feet in the rear or side yard in all zoning districts in order to facilitate routine property maintenance without trespass. In all other districts, fences shall not exceed a height of 12 feet. Fences or shrubs may be placed, erected or grown in the front yard building setback area and shall not exceed a height of four feet. A fence may encroach upon a vision triangle, provided it does not exceed four feet, is ninety percent see through and does not obstruct the vision of either pedestrians or motorists. The finished side should face the abutting property. On the side yard, abutting the street of a corner lot, fences greater than four feet in height shall be set back a minimum of 10 feet from the property boundary. Per Village Code § 195-8(j) the side yard next to the street of a corner lot shall conform to the front yard requirements of the district in which said corner lot is located.~~

~~2. Fences may be constructed of wood, wire, metal, stone, vinyl, plastic, shrubbery or a combination thereof. Wire fences shall be of a mesh or woven design. No single stranded wire fences are permitted. No barbed wire shall be used in fence construction in any residential district. No fence shall be less than 30 inches in height. All fences shall be kept in good repair and condition.~~

(1) Fences Defined. For the purpose of this Section, a "fence," is herein defined as a barrier consisting of vegetation, wood, stone, vinyl, brick, fieldstone, wrought iron, or metal intended to prevent ingress or egress. For the purposed of this section, the term "fence," shall include plantings, such as hedges and shrubbery in the front yard. No fence shall be constructed of unsightly or dangerous materials which would constitute a nuisance.

- (a) Fences to be situated in side and/or rear yards shall be constructed using materials suitable for residential-style fencing, including, but not limited to, brick, fieldstone, wrought iron, vinyl, chain-link (with a minimum thickness of nine (9) gauge and a required top rail support), stockade or board-on-board wood.
- (b) No fence shall be constructed of used or discarded materials in disrepair, including, but not limited to, pallets, tree trunks, trash, tires, junk, or other similar items. Materials not specifically

manufactured for fencing, such as, but not limited to, railroad ties, doors, landscape timbers or utility poles shall not be used for, or in the construction of a fence.

- (c) Agricultural/farm fences shall only be permitted in agriculturally zoned or used districts and can only exceed six (6) feet with a Conditional Use Permit.
- (d) Fences associated with baseball and/or softball fields and surrounding tennis courts may be erected in conformance with accepted industry standards. A Fence Permit shall be required for such installation.

(2) Fences Categorized. Fences shall be categorized into six (6) classifications:

- (a) Boundary Fence. A fence placed on or within three (3) feet of the property lines of adjacent properties.
- (b) Protective Fence. A fence constructed to enclose a hazard to the public health, safety and welfare.
- (c) Architectural or Aesthetic Fence. A fence constructed to enhance the appearance of the structure or the landscape.
- (d) Hedge. A row of bushes or small trees planted close together which may form a barrier, enclosure or boundary in the front yard.
- (e) Picket Fence. A fence having a pointed post, stake, pale or peg laced vertically with the point or sharp part pointing upward to form a part of the fence.
- (f) Dog Kennel Fence. A chain link enclosure which is enclosed on three or four sides in the side or rear yard of a property.

(3) Height and Setback of Fences Regulated.

- (a) Residential fences are permitted up to the property lines in Residential Districts but shall not, in any case, exceed a height of six (6) feet in the rear and side yards, shall not exceed four (4) feet in height in the front yard, shall not exceed four (4) feet in height from grade in the front, side, or rear yard setback abutting a public sidewalk, shall not encroach into any vision corner and shall not be closer than three (3) feet to any public right-of-way along a public alley. The height of any fence shall be measured as an average and shall not include the posts or pillars to which a fence is attached.
 - i. Decorative wrought iron, brick, stone, PVC or painted picket style fences less than 48 inches (average) in height from grade or decorative lot corner landscape may be placed up to the property line in Residential Districts and shall not violate vision corner ordinances.
 - ii. Chain-link and unpainted/unstained fencing is not permitted in residential front, side or rear yards abutting a public sidewalk.
 - iii. A fence located in an interior side yard between dwellings shall not exceed four (4) feet in height. However, a fence may be erected to a height of six (6) feet if the entire fence is constructed of wrought iron or similar open construction or if the area above four (4) feet is at least fifty percent (50%) open. An example of the latter is a fence that is opaque to a height of four (4) feet and is topped with not more than two (2) feet of lattice. Any interior side-yard fence may be erected to a height of six (6) feet if it is located more than ten (10) feet from the side wall of the adjacent neighboring dwelling.
 - iv. A fence located in a rear yard abutting a public sidewalk may be erected to a height of six (6) feet if the entire fence is constructed of wrought iron or similar open construction

or if the area above four (4) feet is at least fifty percent (50%) open. An example of the latter is a fence that is opaque to a height of four (4) feet and is topped with not more than two (2) feet of lattice.

- v. All fences must be constructed and maintained in a good state of repair and appearance. The finished side or decorative side of a fence shall face adjoining property.
- (b) No fence, wall, hedge, or shrubbery shall be erected, placed, maintained or grown along a lot line on any non-residentially zoned property, adjacent to a residentially zoned property, to a height exceeding eight (8) feet.
- (c) Property owners shall locate fences no closer than three (3) feet from the property line so that each side of the fence may be properly maintained by the owner of the fence while on said owners property, unless an affidavit in recordable form is provided signed by the adjacent property owner agreeing to maintain the opposite side of the fence or agreeing to permit the owner of the fence to maintain said fence. This requirement can be waived if a maintenance free fence is installed.
- (d) In the case of a proposed fence installation within three (3) feet of a lot line where no record of a fence existed, a survey prepared by a Registered Land Surveyor or Professional Engineer is required to obtain a fence permit. No survey is required if a recordable affidavit signed by all affected property owners establishing an agreed upon lot line.

(4) Fences on Non-Residential Property. Fences are permitted on the property lines, following approval through Site Plan & Architectural Review per Article XVI of the Village Code, in all commercial and industrial zoning districts but in no case shall not exceed a maximum of eight (8) feet in height in commercial zoning districts and ten (10) feet in height in industrial districts. Ultimately, all fence materials, heights and locations shall be determined through the processes outlined in Article XVI.

(5) Prohibited Fences. No fence shall be constructed which is in a dangerous condition, or which conducts electricity or is designed to electrically shock or which uses barbed wire, provided, however, that barbed wire may be used exclusively in industrially zoned areas with a conditional use permit, only if the devices securing the barbed wire to the fence are no more than ten (10) feet above grade and project toward the fenced property and away from public area.

(a) No person shall construct or install:

- (1) Any wire or chainlink-type fence with the cut or salvage end of the fence exposed at the top.
(2) A fence which creates a hazard to users of the street, sidewalk or to nearby property.
(3) An incomplete fence, consisting only of posts and supporting members.
(4) A fence on a vacant lot or parcel.

(6) Fences to be Repaired. All fences shall be maintained and kept safe and in a state of good repair, and the finished side or decorative side of a fence shall face adjoining property.

(7) Temporary Fences. Fences erected for the protection of planting or to warn of construction hazard, or for similar purposes, shall be clearly visible or marked with colored streamers or other such warning devices at four (4) foot intervals. Such fence shall comply with the setback requirements set forth in this section. The issuance of a permit shall not be necessary for temporary fences as described herein, but said fences shall not be erected for more than forty-five (45) days or in the case of a construction project, shall only be for the duration of said construction project.

(8) Nonconforming Fences and Hedges. Any fence or hedge existing on the effective date of this Code of Ordinances shall not be modified, enlarged, extended or replaced, except in strict compliance with all of the requirements of this Ordinance. The replacement of a non-conforming fence as to height, setbacks (vision corner requirements shall still be met), or fence material type may be made provided that the fence material be the same or higher grade as outlined below:

Ascending order of fence types:

- i. Chain link
- ii. Chain link with PVC coating
- iii. Stained treated wood
- iv. Cedar
- v. Vinyl
- vi. Wrought Iron or Aluminum
- vii. Field stone or brick (does not include split face block)

(9) Fences Required Under Conditional Use Permits. An opaque fence of six (6) feet in height may be required on property for which a Conditional Use Permit is granted in those cases in which such a fence is determined to be beneficial to the health, safety, or welfare of the public or adjoin property owners. Such fence shall comply with material requirements as specified hereunder.

(10) Permit Required. A Village of Holmen Fence Permit is required for any newly installed fence or for a total fence replacement. A Fence Permit fee shall be paid at the rate established in the annual Fee Schedule. Commercial, Industrial or Multi-family fences must adhere to Article XVI of the Village Code.

(11) Vision Clearance. No fence, structure, post, pillar or object of natural growth shall hereafter be maintained or allowed to grow higher in the vision clearance area than thirty-six (36) inches above the highest grade of the adjacent sidewalk or the required sidewalk grade where no sidewalk exists. This provision shall likewise apply to alley vision clearance areas.

- (a) The requirement of vision clearance shall not apply at a height of six (6) feet or more above the highest grade of the adjacent sidewalk or the required sidewalk grade where no sidewalk exists.
- (b) Objects of narrow width, which do not exceed ten (10) inches in diameter, which do not impair corner vision, may at the discretion of the Inspection Department be permitted in the vision clearance area.
- (c) Right-of-way. All permanent fences shall be located outside the public right-of-way.
- (d) Public Nuisance. Obstruction to visual clearance, as regulated by this section, shall be deemed to be a public nuisance and the Inspection Department, Police Department and Village Attorney are authorized to abate said nuisance, and to enforce penalties in accordance with Section 195-53 of the Village Code.

(12) Obstruction of Ingress/Egress Area of a Dwelling. No fence shall be installed in any yard that will shield any window or opening in a habitable space of a dwelling. A minimum distance of six (6) feet shall be maintained between any solid fence and any such window or opening in a dwelling.

- (a) The Fire Department and Inspection Department may approve a fence adjacent to a required ingress/egress opening of a dwelling between four (4) feet and six (6) feet if the fence has one of the following features:

- (i) for basement ingress/egress openings, the fence opening or gate shall be the width of the ingress/egress opening or four (4) feet whichever is greater with no ability to lock or secure said gate, or a four (4) foot wide approved breakaway fence panel and the area on both sides of the gate/fence shall continuously be free from all obstruction including vegetation and snow and ice buildup and shall swing or break away in the direction of egress.
- (ii) for ingress/egress opening above grade, the fence opening or gate shall be the width of the ingress/egress opening or four (4) feet whichever is greater with no ability to lock or secure said gate, or a four (4) foot wide approved breakaway fence panel, or the top of the fence shall be no taller than the bottom of the sill of the ingress/egress opening and the area on both sides of the gate/fence shall continuously be free from all obstructions including vegetation and snow and ice buildup and shall swing or break away in the direction of egress.

(13) Fences Permitted Without a Permit. The following types of fences are permitted, as specified, without a permit, subject to the following restrictions and providing that said fence does not in any way interfere with traffic visibility, or block, redirect or cause a drainage problem for the adjacent or downstream properties:

- (a) Snow fencing shall be permitted in all districts not exceeding four (3) feet in height provided it is removed between April 1 and December 1 of each year. No snow fence shall extend into the street right-of-way line unless installed by the Village or a contractor having a permit from the Village.
- (b) Agricultural/Farm fences are limited to agriculturally zoned or used districts. An agricultural/farm fence is a fence consisting of chicken wire, deer fence, hog wire, high tensile, wire strand and barbed wire used in the agricultural, farming and livestock business, specifically for livestock, animal, and bird control.
- (c) Fences not exceeding two (2) feet in height shall be permitted in all districts. Such fences shall not be placed in any manner which presents a hazard to pedestrians on any public or private sidewalk.
- (d) Underground electrical fences are permitted in all districts.

(14) Penalties. Any person, firm or corporation who or which violates, disobeys, neglects, omits or refuses to comply with or who or which resists the enforcement of any of the provisions of this Section shall be subject to penalties per Section 195-53 of the Village Code.

Section 2. Effective Date. This ordinance shall become effective on the date of passage, following publication.

Date introduced, approved and adopted: May 9, 2013

VILLAGE OF HOLMEN

Nancy Proctor, Village President

Angela Hornberg, Clerk/Treasurer

