

**CARROLLTON TOWNSHIP  
SAGINAW COUNTY, MICHIGAN**

**ORDINANCE NO. 2016-02**

The Board of Trustees of Carrollton Township, Saginaw County, Michigan ordains that the Carrollton Township Code of Ordinances be amended as follows:

**SECTION I: PURPOSE.**

CHAPTER 66, ZONING, ARTICLE IV, GENERAL REQUIREMENTS, SEC. 66-95 OF THE CARROLLTON TOWNSHIP CODE OF ORDINANCES is hereby amended to read as follows:

**ARTICLE IV. GENERAL REQUIREMENTS**

**Sec. 66-95. – Fences, walls and screens.**

- (a) *Intent.* This section is intended to provide for the regulation of the height and location of fences, walls, screens and other similar obstructions for the purpose of providing for light, air, and privacy and safeguarding the public welfare by preventing visual obstructions at street and highway intersections.
- (b) *Height.* For the purposes of this section, "height" shall mean the vertical distance from existing grade to the top of the fence, hedge, or wall.
- (c) *Location.*
  - 1. *Front yard.* No fence, wall or hedge planting shall exceed a height of three feet within any front yard in any zoning district. Plant materials located within 30 feet of the edge of the pavement of a public street shall not obstruct visibility at a level between three-feet and eight feet.

Exceptions:

- a. Commercial, Manufacturing and Institutional Districts, fences located within the front yard area may be five feet tall, provided they are of a decorative design approved by the planning commission. Certain design elements of the fence, such as posts, masonry pilasters or other detailing, may be permitted up to six feet in height. (Fencing shall not include fences constructed with material such as chain-link, wood, barbed wire, chicken wire).
- b. Residential Districts, fences located within the front yard or corner lots or street-side yard area may be four-feet tall. This is only if it is in a design nature such as being constructed with wrought-iron, steel or aluminum, vinyl or chain-link and must be see-through, with no more than a 50% obstruction. (Fencing shall not include fences constructed with material such as barbed wire, chicken wire, square wire (highway type) fencing.)

2. *Side and rear yard.* No fence, hedge or wall greater than six feet in height shall be permitted within any side or rear yard setback.

Exceptions:

- a. A fence located on a residential parcel which abuts a commercial, manufacturing or institutional use may be eight-feet tall, provided the adjoining residential property owners give their consent. Consent shall be in the form of an affidavit signed by the adjoining residential property owners and submitted to the community development department.

- b. Fencing around tennis courts and recreational amenities shall be exempt from the six-foot height limitation.

3. *Corner lots.* On a corner lot, a fence, wall or hedge planting cannot exceed a height of three-feet in the street side yard setback unless it follows b) Residential above or unless all of the following conditions can be satisfied:

- a. Must begin at the back of the house or primary structure.

- b. Does not create any safety or traffic hazard.

- c. Houses or buildings on property adjacent to the rear of the subject parcel shall not face the same street as the street side yard in which the fence will be located.

- d. Will not exceed a maximum height of six-feet.

- e. Will not encroach upon any existing or proposed right-of-ways.

- (d) *Maintenance of fences.* All fences shall be maintained in their upright condition. Missing boards, pickets or posts shall be replaced in a timely manner with material of the same type and quality.
- (e) *Barbed wire, electrified components or similar fencing types.* Under no circumstances shall barbed wire, electrified components or similar fencing type that is likely to cause harm or injury to any persons be used in any residential district.
- (f) *Visual Screen.* To qualify as a visual screen, the planting must achieve at least 75-percent obscuring value.
- (g) *Clear vision area for traffic to face interior.* Any fence or screen in front yard must maintain a clear vision area for vehicular and pedestrian traffic.
- (h) *Supporting posts and cross-members.* All supporting posts and cross-members of all fences shall face toward the interior of the lot of the person erecting the fence.
- (i) *Permit and fee required.* Prior to construction, reconstruction or establishment of a fence, wall or screen regulated by this section, a permit shall be obtained from the Township.

1. Applications for permits shall be on forms prescribed by the Building Inspector or Zoning Administrator and shall be accompanied by such plans or drawings

required by the Zoning Administrator and payment for the Fence Permit fee is determined by the yearly Township Fee Schedule.

2. The issuance of a fence permit is not intended, nor should it be construed to abrogate or modify the applicant's duties as contained in covenants and restrictions arising from a deed or other document.
3. Permits shall continue until revoked or for such period of time as designated therein at the time of issuance. The issuance or granting of a permit shall not be construed to be a permit for or an approval of any violation of the provisions of this Ordinance. No permit presuming to give authority to violate the provisions of this Ordinance shall be valid.
4. The Building Inspector or Zoning Administrator may, in writing, suspend or revoke a permit issued under the provisions of this section whenever the permit is issued in error or on the basis of incorrect information supplied or in violation of any ordinance or regulation or any of the provisions of this Ordinance.

## **SECTION II: REPEAL AND SAVINGS CLAUSE**

All other ordinances or parts of ordinances inconsistent or in conflict herewith are hereby repealed.


## **SECTION III: PUBLICATION**


This Ordinance shall be published in a newspaper circulated within the Township of Carrollton within ten (10) days following the adoption thereof.

## **SECTION IV: EFFECTIVE DATE**

This Ordinance shall take effect thirty (30) days after publication.

Adopted: December 28, 2016  
Published: December 30, 2016  
Effective: January 30, 2017

  
Phillip E. Abney, Supervisor

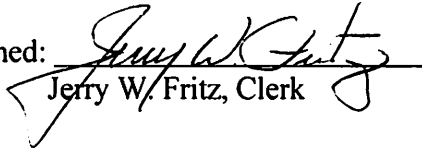
  
Jerry W. Fritz, Clerk

**CERTIFICATION**

STATE OF MICHIGAN  
COUNTY OF SAGINAW

I, Jerry W. Fritz, the duly elected Clerk of Carrollton Township, do hereby declare that the foregoing is a complete and true copy of Ordinance No. 2016-02, which was adopted at a regular meeting of the Carrollton Township Board held December 28, 2016, the original of which proceedings is on file in my office. Public notice of said meeting was given to and in compliance with Act 267, Public acts of Michigan, 1976.

Signed:

  
Jerry W. Fritz, Clerk

Date: December 28, 2016