

**ORDINANCE NO. 138**  
**(FENCE ORDINANCE)**

**AN ORDINANCE TO REGULATE THE INSTALLATION AND CONSTRUCTION**  
**OF FENCES WITHIN THE VILLAGE OF DECATUR, MICHIGAN.**

**THE VILLAGE OF DECATUR, MICHIGAN ORDAINS:**

**Section 1:** This Ordinance shall be known and cited as the Village of Decatur Fence Ordinance.

**Section 2:** Definitions:

A. Front Yard: A yard across the full width of the lot extending from the front line of the main building to the front line of the lot.

B. Rear Yard: A yard extending the full width of the lot from the rear line of the main building to the rear lot line.

C. Side Yard: A yard between the main building and the side line of the lot, and extending from the front yard line to the rear yard line.

D. Corner Lot: A lot abutting two or more streets at their intersection.

**Section 3:** Fences on Non-Corner Lots:

No fence over seven (7) feet in height measured from the surface of the ground shall be erected in a rear yard area or side yard area. No fence over four (4) feet in height measured from the surface of the ground shall be erected in a front yard area and a minimum of fifty percent (50%) of the surface area of said fence shall be open to permit visibility through same; provided however, that said fence shall be set back two (2) feet from any sidewalk to permit snow removal.

**Section 4:** Fences on Corner Lots:

No fence over seven (7) feet in height measured from the surface of the ground shall be erected in a rear yard area or side yard area not adjoining a road right of way. No fence over four (4) feet in height measured from the surface of the ground shall be erected in a front yard area, or a side yard area adjoining a road right of way, and a minimum of fifty percent (50%) of the surface area of said fence shall be open to permit visibility through same, provided however, that said fence shall be set back two (2) feet from any sidewalk to permit snow removal.

**Section 5:** Fences in all districts shall be constructed in such a manner that supporting posts and framework are on the interior, or fence owner's side of the fence, unless otherwise agreed to in writing by the adjoining property owners.

**Section 6:** Fences which enclose public parks, playgrounds, or other public areas situated in the Village of Decatur, Michigan shall not exceed eight (8) feet in height measured from the surface of the ground, and shall not obstruct vision to an extent greater than fifty percent (50%) of the total surface area of said fence.

**Section 7:** No fence shall contain barbed wire, electric current, or a charge of electricity.

**Section 8:** All Ordinances or parts thereof of the Village of Decatur, Michigan in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

**Section 9:** Violations:

A violation of this Ordinance is a Municipal Civil Infraction and any person who shall violate this Ordinance shall be responsible for a civil infraction and subject to a civil fine not exceeding Five Hundred and 00/100 (\$500.00) Dollars, plus any costs, damages, expenses and other sanctions as authorized under Chapters 83 and 87 of Act No. 236 of the Michigan Public Acts of 1961 as amended, being MSA 27A.8302 and 27A.8701 et seq., respectively.

**Section 10:** This Ordinance shall become effective the 1st day of February, 2001.

Adopted by the Village Council of the Village of Decatur, Michigan on this 8th day of  
January, 2001.