

**HOPE TOWNSHIP
BARRY COUNTY, MICHIGAN**

ORDINANCE NO. 87

AN ORDINANCE TO AMEND THE HOPE TOWNSHIP ZONING ORDINANCE (ORDINANCE 15, AS AMENDED); TO AMEND SECTION 10.21 PERTAINING TO FENCING.

HOPE TOWNSHIP, BARRY COUNTY, MICHIGAN, ORDAINS:

Section 1. Amendment of Section 10.21. Section 10.21 of the Hope Township Zoning Ordinance is amended to read as follows:

SECTION 10.21 FENCING

- A. A zoning compliance permit is required for fences in all districts except on farms or farm operations.
- B. No fence, wall, other than necessary retaining wall, or other screening structure located within the side or front yard of a lot in any RL or RR zoning district, (other than the front yard of a waterfront lot) shall exceed six (6) feet in height.
- C. No fence, wall or other screening structure located within a lake-front yard shall exceed four (4) feet in height.
- D. No fence, wall, or other screening structure located within a rear yard of a lot in a RL or RR zoning district, shall exceed eight (8) feet in height.
- E. There shall be no electric fences allowed in any RL or RR zoning district or residential platted area. There shall be no barbed wire, spiked fence, or similar fences allowed in a RL zoning district or residential platted area.
- F. Measurement, Materials, Orientation, and Maintenance
 - a) The maximum height of a fence shall be measured from ground level adjacent to the fence, provided that fill shall not be permitted for the purpose of achieving a greater height than otherwise would be permitted.
 - b) Fences shall be made of materials that are commonly used in conventional fence construction, such as wood, vinyl, wrought iron, chain link, or other high-quality, rigid, durable materials.
 - c) If one side of a fence, wall, or screen has a more finished appearance than the other, then it shall be erected so that the finished side faces adjacent properties with any posts or supports located on the inside of the fence.
 - d) Fences, walls, and screens shall be maintained in good repair and in safe and attractive condition, including but not limited to replacement of missing, decayed or broken structural and decorative elements with the same materials.

- e) All fences shall be constructed in such a manner as to adequately provide the purpose for which they are installed and shall not be injurious or disruptive to adjoining properties.
- G. A zoning compliance permit shall not be required for the placement of temporary fences (6 months or less) that are used in accordance with the purpose for which they were designed, such as the placement of a snow fence during the winter or a silt fence for construction.
- H. Fences meeting the standards of this Section are not subject to minimum setback requirements of the zoning district in which they are located.

Section 2. Severability and Captions. This Ordinance and the various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared severable. If any part, section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. The captions included at the beginning of each Section are for convenience only and shall not be considered a part of this Ordinance.

Section 3. Repeal. Any existing ordinance or resolution that is inconsistent or conflicts with this Ordinance is hereby repealed to the extent of any such conflict or inconsistency.

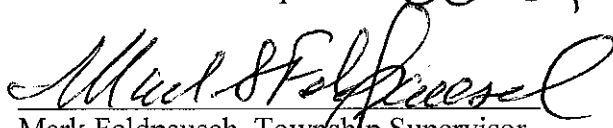
Section 4. Effective Date. This Ordinance is ordered to take effect eight (8) days following publication of adoption in *The Hastings Banner*, a newspaper having general circulation in the Township, under the provisions of 2006 Public Act 110, except as may be extended under the provisions of such Act.


ROLL CALL VOTE:

YES: Messelink, Jackson, Peake, Tonkin, Feldpausch

NO: none

Declared adopted on: Oct 8, 2018


Mark Feldpausch, Township Supervisor


Deborah Jackson, Township Clerk