

**MUSKEGON CHARTER TOWNSHIP  
COUNTY OF MUSKEGON  
STATE OF MICHIGAN**

AN ORDINANCE TO AMEND FENCES AND HEDGES ORDINANCE 58-66

Ordinance #12-09

THE CHARTER TOWNSHIP OF MUSKEGON ORDAINS:

**Section 1.** Purpose.

This ordinance is to regulate fences and hedges in residential zones.

**Section 2.** That Section 58-66 of the Zoning Ordinance is amended by adding thereto new language to read as follows:

Sec. 58-66. Fences and hedges in Residential Zones.

No fence, hedge, berm, or planting of shrubs exceeding 3 feet in height measured from the established grade line, shall be erected or maintained within 15 feet of the front lot line or any other lot line which is adjacent to a street. Fences may be placed on the property line. However, make sure to determine exactly where the property line is located in order to avoid conflicts with neighbors. The township knows the dimensions of all lots, but not precisely where the lot lines are located. Lot lines must be located by a surveyor. Fences must be out of the road right-of-way.

Except in the case of a swimming pool fence as provided in section 58-65(j), no fence or hedge exceeding six feet in height shall be erected or maintained in residential zoning districts. The planning commission may, in its discretion, authorize fences at a height greater than six feet\*\*. In granting such authorization, the planning commission shall consider the following standards:

- (1) The effect upon adjoining lands.
- (2) Whether the proposed fence will affect the light and air circulation of any adjoining land.
- (3) Whether the fence will adversely affect the view from any adjoining lands.
- (4) The reason for the request to construct a fence higher than permitted by this chapter.
- (5) The size, type and kind of construction, location and general character of the fence.
- (6) Size of other fences on lands which are adjoining and in the surrounding neighborhood.

Fences located against alleys should have a gate for emergency access. Fences consisting or constructed of tires, vehicle or motor vehicle component parts, tree stumps, rotting lumber, any materials capable of providing habitat or harborage for pests or vermin or any other material described as "Unwholesome Substances" are not approved. No razor or barbed wire fences are allowed in residential areas. For stockade fences, we encourage (but don't require) you to put the "good" side

out. This prevents others from climbing into your yard from the outside and also promotes good relationships between neighbors.

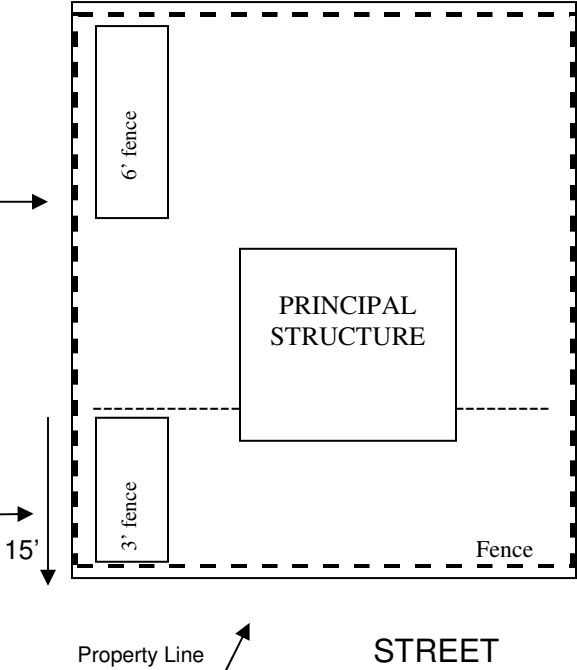
### Residential Lots

Behind Front Building Line:

- Fences can't be higher than 6 feet\*\*
- No barbed wire allowed

In Front of Front Building Line:

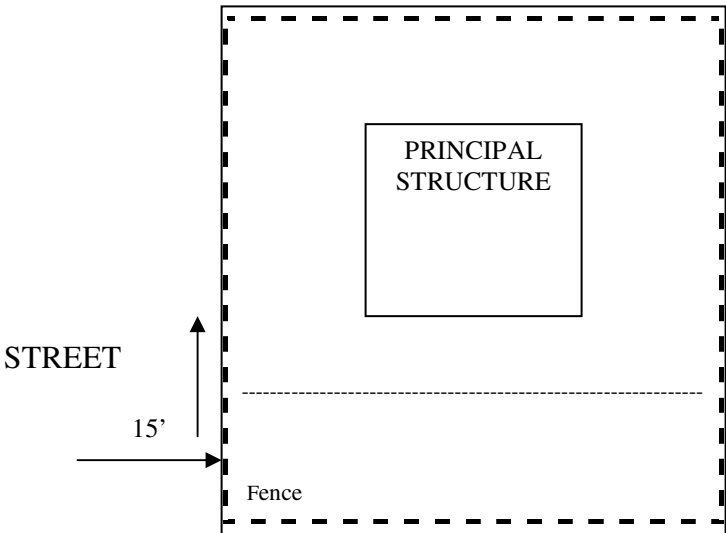
- Fence height can't exceed 3 feet  
For the first fifteen feet in from  
the front property line



### CORNER LOTS

Corner lots should be reviewed by the Zoning Administrator or Building Official on a case by case basis.

Each yard facing a street is considered a “front yard” when defining fence height. No fence, hedge, berm, or planting of shrubs exceeding 3 feet in height measured from the established grade line, shall be erected or maintained within 15 feet of the front lot line or any other lot line which is adjacent to a street.



Fence can't exceed 3 feet for the first fifteen feet in from both “front yard” property lines.

**Section 3. Severability.**

Should any section, clause or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be invalid.

**Section 4. Conflicting Provisions.**

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed upon the effective date of this Ordinance.

**Section 5. Effective Date.**

This Ordinance shall be effective immediately upon publication.

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Ann D. Oakes  
Township Clerk

Introduced:

Adopted:

Published:

Effective: