

3.16 FENCES

3.16(1) Permit Required. No person shall erect, alter or relocate any fence within the Village of Hillside without first obtaining a permit from the office of the Zoning Administrator, and making payment of the fee required in Article XIII of this ordinance.

3.16(2) Building Code. All fences shall be constructed or erected in accordance with the applicable provisions of the building codes of the village.

3.16(3) Location of Fences in Residential Districts.

3.16(3)(a) Front Yard - Fences shall not be constructed or erected closer to any street or roadway than the front building line. Decorative shrubbery may be planted in the required front yard, provided it is not permitted to grow more than 24 inches in height.

3.16(3)(b) Side and Rear Yards - In all residential districts a fence may be erected or shrubbery planted along the property lines on the side and rear yards, provided, the fence so erected shall not be nearer than three (3) inches, and the shrubbery shall not be planted nearer than twelve (12) inches to a side property line.

3.16(3)(c) Additional Requirements for Corner Lots. On a corner lot in a rectangular or substantially rectangular-shaped block, fences may be constructed or erected on the property line abutting the side street, provided that there are only two lots at the end of the block and that the houses, if any, built on the two end lots are not fronting on the side street, and provided further that the fence shall not extend closer to the street corner than the rear line of the principal structure located closest to the side street. For all other corner lots, a fence may not extend any closer to the side street than that point at which the house being fenced or the adjacent house fronting on the side street is closest to the side street.

3.16(4) Height in Residential Districts. Fences erected in residential districts shall not exceed six (6) feet in height. However, upon a petition submitted by a residential property owner, the Village Board may, upon a majority vote, allow the owner to construct a fence of up to 8 feet in height along a property line, adjacent to a non-residential district.

3.16(5) Special Fences.

3.16(5)(a) Dog Enclosures - A dog enclosure shall be permitted only within the rear of the principal building and shall be confined within the buildable area except where there is an alley abutting the property at the rear lot line, it shall be confined to the rear yard area. Such enclosures shall be constructed of chain link fencing not to exceed six (6) feet in height, and fifty (50) feet in total length for all walls.

3.16(5)(b) Electric Current Fences - Construction and Maintenance of electric current fences shall be in conformance with provisions set forth in Section 9.117 of the Hillside Municipal Code.

3.16(6) Fences in Business and Industrial Districts. All uses in B-1, M-1, M-2 and M-3 districts shall be fenced on each side adjoining or fronting on any residential district, or in other locations whenever required by the Village Board. Such fencing shall be of a wooden decorative type, so constructed as to obscure the view of activities inside the fence. As an alternative or in addition to a fence, the Village Board may require the planting of trees or densely planted evergreens. Fences shall not exceed eight (8) feet when adjacent to residential districts, otherwise they shall not exceed ten (10) feet; provided, however, in any instance, the Village Board may require a fence of a certain height which may be more or less than said height limitation where public safety would be better served. Additionally, the Village Board may order the removal of any fence not in compliance with this ordinance.

3.16(7) Orientation of Fences. Whenever a fence is installed, it shall be oriented so that fence posts and the rough or unfinished side of the fence faces toward the interior of the lot.