

ORDINANCE 2019-30

AMENDING CHAPTER 15.52 OF THE STREATOR MUNICIPAL CODE TO ADD REGULATIONS CONCERNING THE PLACEMENT OF FENCES ON CORNER LOTS

WHEREAS, the City Council of the City of Streator, LaSalle and Livingston Counties, Illinois has adopted Chapter 15.52 of the Streator Municipal Code which regulates the construction of fences within the City of Streator (the "City"); and

WHEREAS, the City's Plan Commission has recommended Chapter 15.52 of the Streator Municipal Code be amended; and


WHEREAS, the City Council finds it necessary and appropriate to amend Chapter 15.52 to adopt regulations for the placement of fences on corner lots.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Streator, LaSalle and Livingston Counties, Illinois as follows below.

- Section 1: Chapter 15.52 of the Streator Municipal Code is hereby amended by adding the provisions attached hereto and incorporated herein as Exhibit "A."
- Section 2: Nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited above; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.
- Section 3: Except as to the amendment provided for by this ordinance, all titles, chapters, and sections of the Streator Municipal Code shall remain in full force and effect.
- Section 4: Each section, paragraph, sentence, clause and provision of this ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this ordinance nor any part thereof, other than that part affected by such decision.
- Section 5: This ordinance shall be published in pamphlet form and shall take effect after approval and publication and shall be incorporated into the Streator Municipal Code.

Passed by the Mayor and City Council of the City of Streator, LaSalle and Livingston Counties, Illinois at a regular meeting thereof held on **November 20, 2019** and approved by me as Mayor on the same day.

APPROVED:


Jimmie D. Lansford, Mayor

RECORD OF THE VOTE	Yes	No	Abstain	Absent
Mayor Jimmie Lansford	√			
Councilwoman Tara Bedei	√			
Councilman Ed Brozak	√			
Councilman Brian Crouch	√			
Councilman Joe Scarbeary	√			

ATTEST:


Patricia L. Henderson, City Clerk

Prepared by Patricia L. Henderson, City Clerk, Streator, Illinois
Return after recording to:
Streator City Clerk
Streator City Hall
204 S. Bloomington Street
Streator, IL 61364
815.672.2517

Chapter 15.52

FENCE PROVISIONS

Amend subsection "A" as **shown** and add the following **subsection, "M"** to Section 15.52.010

15.52.010 Established

Upon approval of a permit as provided in Section 15.12.080 of this title, fences may be erected in compliance with the following standards:

- A. No fence shall exceed four feet in height within the front yard area of any residential lot **except as described in subsection M below**. The front yard area is that area between the side of the house and any accessory buildings facing a street and the front property line; however, if a public sidewalk is on the house side of the front property line, then in that case the fence shall not encroach upon the sidewalk. All corner lots shall treat each street frontage area as a separate front yard.
- B. No fence in the front yard area of any residential lot shall be erected or constructed as to obstruct visibility through more than seventy-five (75) percent of the fence surface when viewed from a perpendicular angle.
- C. No fence shall exceed six feet and four inches in height on residential lot side or rear yard.
- D. No fence shall be allowed within a triangular area of a corner lot at the intersection of two streets or a street and an alley as to limit a safe line-of-sight for vehicle drivers. The triangle area shall be defined as the area formed by measuring a distance of fifteen (15) feet on each property line back from the intersection and then a diagonal line between these two points.
- E. All fences shall be located within the lot's property lines. Fences that face adjoining private property shall be set back a sufficient distance from the property to allow the owner to maintain the exterior side of the fence.
- F. All fences of other than masonry construction shall be securely anchored below ground level at depths equal to or exceeding forty (40) percent of the aboveground height and shall conform with all applicable building codes as adopted by the city council.
- G. The unfinished side of any fence, including exposed posts, framing, and cross members, shall face the interior of the lot.
- H. No fence shall be erected except those of board panel, picket, split rail, wrought iron, chain link, heavy woven wire, or masonry construction.
- I. No board panel fence constructed of boards greater than one inch in thickness or twelve (12) inches in width shall be erected.
- J. No fence shall be erected or constructed on posts greater than eight inches in width or diameter.
- K. Both sides of all fences shall be maintained in good repair, and any fence determined by the building inspector to be unsafe and a hazard to the public safety or unsightly due to its disrepair, shall be considered a violation of this chapter.
- L. Property designated CBD, Central Business District, on the official City zoning map as established or amended by Section 17.32.020 of the Code may only erect fence of the following types in the front, corner, or side lot line setback areas:
 - a. Black vinyl panel
 - b. Wrought iron
 - c. Masonry
 - d. A combination of masonry, iron, and/or black vinyl panel fences as may be approved by the building inspector

All other code approved fence types will be allowed in rear lot line setback areas

- M. An exception to subsection “A” in an established neighborhood of the City shall be allowed for the installation of a fence up to six feet and four inches on a corner lot within the defined front yard area opposite the defined side yard area of the lot provided the following stipulations are met:**
- a. The existing roadway berm adjacent to the proposed fence location measures at least 25 feet from the back of the curb to the property line or in the case of a non-curbed street at least 27 feet from the edge of the pavement and**
 - b. No parking lane exists adjacent to the proposed fence location and the City Engineer has determined that no parking lane will be required in the future, and**
 - c. The proposed fence does not extend along the length of the home to the other defined front yard area of the lot, but simply extends out from the rear of the home perpendicular to the roadway adjacent to the proposed fence to create a defined rear yard area**
 - d. The rear of the lot adjoins an alley**
 - e. The existing setback of 40 percent or more of the buildings along the roadway for a distance of one block in either direction adjacent to the proposed fence is 10 feet or less**
 - f. All other requirements of this Section are met.**