

**VILLAGE OF MAPLE PARK
KANE AND DEKALB COUNTIES, ILLINOIS**

ORDINANCE NO. 2017-15

**AN ORDINANCE AMENDING TITLE 11 “ZONING REGULATIONS,”
CHAPTER 2 “GENERAL PROVISIONS,” SUBSECTION 4 “ADDITIONAL
REGULATIONS FOR UNIQUE USES,’ A. “FENCES, WALLS AND
HEDGES,” OF THE VILLAGE CODE OF THE VILLAGE OF MAPLE
PARK, ILLINOIS**

**ADOPTED BY
THE BOARD OF TRUSTEES
OF THE
VILLAGE OF MAPLE PARK, ILLINOIS**

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WHEREAS, the Board of Trustees has deemed it to be in the best interest of the Village of Maple Park, Illinois to amend this section of the village code; and

WHEREAS, the necessary public hearing required by 65 ILCS 5/11-13-14 for a zoning chapter text amendment has taken place on June 8, 2017, and the Plan Commission of the Village of Maple Park has favorably recommended such changes to the Board of Trustees.

NOW THEREFORE, BE IT ORDAINED by the Village Board of the Village of Maple Park, Illinois, that the Village Code be amended as follows:

SECTION 1. TITLE 11 ZONING REGULATIONS, CHAPTER 2, GENERAL PROVISIONS, SUBSECTION 4 ADDITIONAL REGULATIONS FOR UNIQUE USES, A. FENCES, WALLS AND HEDGES, shall be amended to read as follows:

11-2-4: ADDITIONAL REGULATIONS FOR UNIQUE USES:

A. Fences, Walls, And Hedges:

4. Except as provided elsewhere in this title, a fence or wall may be erected, placed or maintained along a lot line on residentially zoned property except that no such fence or wall which is located in a required front yard shall exceed a height of three feet (3'). ~~However, such height limitation shall be six feet (6') if the fence or wall is located within a required rear or side yard.~~

A corner lot shall be considered to have two front yards; example, the yards that face the public roadway. A fence installed on a corner lot may only be 3 feet solid board or 4 feet with 50% open slotting in the front yards.

A 6-foot fence is not to exceed past the most exterior wall of the house on either yard.

Where such lot line is adjacent to non-residentially zoned property, there shall be an eight-foot (8') limit on the height of a fence or wall along such lot lines, except that no such fence or wall which is located in a required front yard shall exceed a height of three feet (3').

2. No fence or wall shall be erected, placed or maintained along a lot line on any non-residentially owned property, adjacent to residentially owned property, to a height exceeding eight feet (8') except that no such fence or wall which is located in a required front yard shall exceed a height of three feet (3').
3. In any district, no fence, wall, hedge, or shrubbery shall be erected, constructed, maintained, or grown to height exceeding three feet (3') above the street curb nearest

thereto, within twenty-five feet (25') of the intersection of any street lines or of street lines projected.

4. Unless a written agreement signed by the adjacent owner of record is filed with the village clerk, a fence or wall must be erected, placed, or maintained at least six inches (6") inside the lot line.
5. No fence equipped with or having barbed wire, spikes, or any similar device, or any electrically charged fence sufficient to cause shock, shall be erected, placed, or maintained within six feet (6') of ground level. However, no such fence shall be allowed in residentially zoned districts.
6. Screening for daycare centers and nursery schools: The outdoor play area shall be completely screened from view from adjacent uses by solid wood fencing to a height of six feet (6') or by landscaping six feet (6') high by three feet (3') deep. All state regulations concerning outdoor play areas shall apply.
7. Fence poles and stakes shall be placed on the interior side of the fence so that the more attractive side of the fence faces the exterior of the yard.
8. Inground swimming pools/aboveground swimming pools and spas over twelve inches (12") deep, having a surface of at least two hundred fifty (250) square feet, or are permanently equipped with a water recirculating system:
 - a. Shall have any wall of a private swimming pool located at least ten feet (10') from the property line and from the principal structure.
 - b. Shall be located from septic tank/field or sewer line at least twenty-five feet (25') for an inground pool; at least ten feet (10') for an aboveground pool.
 - c. Shall have erected and maintained an adequate enclosure either surrounding the property or pool/spa area. Such enclosure must not be less than four feet (4') high with latching gate.

SECTION 3: That each Section and part hereof of this Ordinance is deemed to be severable and should any section or part thereof be held invalid or unconstitutional by any court of competent jurisdiction, such ruling shall not affect the validity or the constitutionality of the remaining portions of this Ordinance.

SECTION 4: All ordinances, resolutions or orders or parts thereof, which conflict with the provisions of this ordinance, are to the extent of such conflict hereby repealed.

SECTION 6: This ordinance shall be in full force and effect ten (10) days after its passage and publication according to law.

PASSED by the President and the Board of Trustees of the Village of Maple Park, DeKalb County, Illinois, on the 1st day of August, 2017, and deposited and filed in the office of the Village Clerk in said Village on that date pursuant to roll call vote as follows:

AYES: Shaver, Dries, Goucher, Harris, Dalton, Higgins

NAYS: None

ABSENT: None

APPROVED by the President of the Village of Maple Park, Illinois, this 1st day of August, 2017.



Kathleen Curtis

Kathleen Curtis, Village President

ATTEST:

Elizabeth Peerboom

Elizabeth Peerboom, Village Clerk

STATE OF ILLINOIS)
) SS
COUNTIES OF DEKALB AND KANE)

I further certify that on the 8th day of August, 2017, the Board of Trustees of the Village of Maple Park passed and approved Ordinance 2017-15, entitled “AN ORDINANCE AMENDING TITLE 11 “ZONING REGULATIONS,” CHAPTER 2 “GENERAL PROVISIONS,” SUBSECTION 4 “ADDITIONAL REGULATIONS FOR UNIQUE USES,” A. “FENCES, WALLS AND HEDGES,” OF THE VILLAGE CODE OF THE VILLAGE OF MAPLE PARK, ILLINOIS.”

Dated at Maple Park, Illinois, this 8th day of August, 2017.


Elizabeth Peerboom, Village Clerk
Village of Maple Park
Kane and DeKalb Counties, Illinois

