

Section 320 Fences & Walls

A. General Regulations.

1. Fence regulations within this Section apply to perimeter fences which are constructed for the purpose of controlling access to a property, for privacy, and are typically located on or near a parcel boundary.
2. Fences and walls do not require a permit but must comply with all relevant provisions of this Ordinance.
3. **Property Line Determination.** In the installation of any fence, the property owner is responsible for the location of property lines and should obtain a professional survey if necessary to determine accurate property lines. The Charter Township of Alpena shall not be held responsible for any property line or fence disputes between adjacent property owners.
4. **Barbed Wire and Electrified Fences.** Barbed wire fences are permitted on non-residential parcels. Electrified fences shall be permitted on agricultural parcels. For the safety and protection of neighboring residents or pets, electrified fences shall be setback from a secondary fence by a minimum of two (2) feet. The secondary fence may be constructed at the property line.
5. **Fence Posts.** Fence posts shall be placed on the inside of the property line of the owner erecting the fence.
6. **Finished Side of Fence.** The portions of all fences facing property other than the property of the fence owner or facing a street right-of-way shall be finished and constructed so that, to the extent possible by the design of the fence, the fence posts and the horizontal and/or vertical fence supports are not visible from that other property or from the street right-of-way.
7. **Materials.** Fence and wall materials may include treated wood, painted/stained wood, treated split rail, ornamental wrought iron, brick, stone, masonry block, molded vinyl, chain link, or other materials designed for fence construction. Scrap lumber, plywood, woven wire (except for agricultural purposes), sheet metal, plastic or fiberglass sheets, old signage, old doors, or other materials not designed for fence construction are specifically prohibited.
8. **Intersection Visibility.** Fences and walls installed, constructed, or planted in accordance with the provisions of this Ordinance shall not obstruct corner clearance areas as regulated in **Section 324**.

B. Location and Height.

1. Fence and Wall Location and Heights – Residential Lots			
Yard	Location¹	Height²	Additional Standards
Front Yard	In front setback	4 ft high maximum	Fence shall be constructed of non-obscuring materials and shall not obstruct clear vision for traffic purposes.
	In front yard, outside of front setback	6 ft high maximum	----
Side Yard	In side yard	6 ft high maximum	----
Rear Yard	In rear yard	6 ft high maximum	----
Waterfront Lots	Waterfront Yard. Fencing shall be set back from the ordinary high water by twenty-five (25') feet.	A fence placed in any yard on a waterfront lot shall not exceed four (4') feet in height.	Fences greater than 4 feet in height may be approved as part of a Special Land Use. In reviewing any Special Land Use application for a fence exceeding four (4') feet in height on the waterfront side of such lot, the Planning Commission shall consider whether or not the proposed fence unreasonably restricts, or may in the future unreasonably restrict, the waterfront view of neighboring residents.

¹Fences may be located directly on the lot line.

²Fence height is measured from the average grade of the lot. On residential lots, fences shall not be placed on berms. Fences greater than the maximum height may be approved as a Special Land Use.

2. Fence and Wall Location and Heights – Non-Residential Lots

Yard	Location ^{1,2}	Height	Additional Standards
Front Yard	In front yard	6 ft high maximum	Fences greater than 6 feet in height may be approved as part of a Special Land Use.
Side Yard	In side yard		
Rear Yard	In rear yard		
Waterfront Lots	Waterfront Yard. Fencing shall be set back from the ordinary high water by twenty five (25') feet.	A fence placed in any yard on a waterfront lot shall not exceed four (4') feet in height.	Fences greater than 4 feet in height may be approved as part of a Special Land Use. In reviewing any Special Land Use application for a fence exceeding four (4') feet in height on the waterfront side of such lot, the Planning Commission shall consider whether or not the proposed fence unreasonably restricts, or may in the future unreasonably restrict, the waterfront view of neighboring residents.

¹Fences may be located directly on the lot line.

²Fences may be located in a publicly owned right-of-way only in commercial or industrial zones after written permission is received from the entity having jurisdiction over the right-of-way and a copy of the same is submitted to the Zoning Administrator, and further providing that in no case shall such fence be located closer than fifteen (15') feet from a vehicle travel lane.

C. Fences & Walls Required for Screening Purposes: Commercial, Institution, and Industrial Uses.

For those districts and uses listed below, there shall be provided and maintained on those sides abutting or adjacent to a residential use of property or a residential district an obscuring fence or wall or a combination thereof as required below (except otherwise regulated by this Ordinance):

Side & Rear Yard Screening Requirements

Use or District	Screening Required
All off street parking areas	Four (4') foot high fence or wall
Commercial District or Commercial Use	Minimum six (6') foot high fence or wall as per Planning Commission approval.
Institutional Use	
Industrial/Extractive District or Industrial Use	
Outdoor storage areas (commercial or industrial)	
Utility buildings, stations, and substations	

- Screening Materials.** Solid fences, walls, and chain link or other wire fence utilizing metal, plastic, or wood slats shall be considered an obscuring wall for the purpose of this Ordinance. The Planning Commission may, in its review of site plans for specific uses, allow or require the provision of a vegetative buffer strip consisting of trees and shrubs alone or in addition to a fence or wall to serve as a screen where such screens are required under this Ordinance or where conditions are such that a more effective and harmonious development with abutting or neighboring land uses would result. Vegetative buffer strips shall be regulated under [Section 321](#). The construction of a fence or wall in combination with a berm to achieve the required height standards for screening purposes may also be approved. The height of the berm in addition to the fence atop of the berm shall not exceed the total allowable fence height as permitted by district.
- Construction for Screening Purposes.** All walls herein required shall be constructed of materials approved by the Zoning Administrator to be durable, weather resistant, rustproof, and shall be maintained by the commercial or industrial property owner or tenant at all times equal in condition to the completed structure at the time of initial installation. Wood or wood products, when utilized, shall be treated (wolmanized or equivalent) and maintained at all times.
- The requirement for an obscuring wall between off-street parking areas or outdoor storage areas and abutting residential districts or uses shall not be required when such areas are located more than two hundred (200') feet from such abutting residential use or district.
- The Planning Commission may waive or modify the foregoing requirements where cause can be shown that no good purpose would be served with conformance to [Subsection C](#).