

VILLAGE OF DAKOTA
STEPHENSON COUNTY, ILLINOIS

ORDINANCE NO. 2023-0501

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES
OF THE VILLAGE OF DAKOTA
REGARDING FENCES

AMENDS TITLE 5, CHAPTER 4 – D-1 RESIDENCE DISTRICT
SECTION 5-4-5 - FENCES

ADOPTED BY THE
VILLAGE BOARD

OF THE

VILLAGE OF DAKOTA, ILLINOIS

THIS 1st DAY OF May, 2023

Published in pamphlet form by authority of the

Village Board of the Village of Dakota,

Stephenson County, Illinois, this

1st day of May, 2023.

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**AMENDS TITLE 5, CHAPTER 4 – D-1 RESIDENCE DISTRICT
SECTION 5-4-5 - FENCES**

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WHEREAS, the Village of Dakota, Illinois (“Village”) has Codified Ordinances of the Village (the “Code”); and

WHEREAS, the Code currently regulates the size, configuration, and location of fences in the D-1 Residential District in Section 5-4-5 of the Code; and

WHEREAS, the Village wishes to update and expand the existing provisions in the interests of promoting community harmony and development.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE BOARD OF THE VILLAGE OF DAKOTA, ILLINOIS AS FOLLOWS:

Section 1. The above-recitals are incorporated herein and made a part hereof.

Section 2. Section 5-4-5 of the Codified Ordinances is hereby DELETED in its entirety, and replaced with the following provision:

5-4-5 FENCES: The following shall apply in all residential districts:

- A. A Building Permit is required to construct any fence over three feet (3') in height, which permit must be approved prior to construction.
- B. The Village shall not be responsible for locating property lines. The owner is solely responsible for determining property lines prior to requesting a permit application. Provided, the Village may require, at its sole option, a survey, corner pin location, or other similar proof of location of the property prior to issuance of a Building Permit.
- C. Fences in required rear and side yards may not exceed six feet (6') in height
- D. Fences in required front yards may only be decorative in nature, may not be used as part of an enclosure, and shall not exceed four feet (4') in height.
- E. Fences shall be installed with the finished side facing the neighboring property.
- F. Fences constructed along property lines shall not be placed closer than two feet (2') from any property line, public right of way or permanent easement.
- G. Fences shall be of uniform height and of a uniform material.

- H. Allowed fence materials include wood, chain link, vinyl, composite, and wrought iron. Wooden pallets, barbed wire, electric charge and agricultural fencing are not allowed.
- I. All fences shall be safely maintained by the owner and shall be kept clear of obnoxious weeds and rubbish.
- J. No fence shall be constructed in such a manner that visibility is obstructed within the intersection of the street centerlines.
- K. Temporary fences for planting, protection or construction hazards shall be visibly marked. The issuance of a permit is not necessary for a temporary fence. Temporary fences shall not be erected for more than 180 days in any 365 day period.
- L. Height of any fence, where a restriction is established, shall be measure from the ground to the top of the topmost fence rail. No portion of the fence shall exceed the maximum height specified in this Section at any point along its run.
- M. Variances to the requirements of this Section may be granted by the Village Board in the same manner as provided in these Codified Ordinances for other Variations to provisions of the Zoning Code..

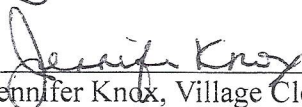
Section 3. This Ordinance shall be effective upon its passage by the Village Board, its approval by the Village President, and its publication as provided by law.

Section 4. This ordinance is expressly adopted pursuant to the Regulatory Authority granted to the Village of Dakota by the Illinois Municipal Code and other applicable statutes.

Section 5. All ordinances or parts of ordinances in conflict with this Ordinance are repealed insofar as they conflict.

Section 6. If any section, clause or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid, and this Village Board hereby expressly declares that it would have enacted this Ordinance even with the invalid portion deleted.

PASSED BY A ROLL CALL VOTE OF THE VILLAGE BOARD OF THE VILLAGE OF DAKOTA, ILLINOIS this 1st day of May, 2023.



 Jennifer Knox, Village Clerk

YEAS: 6
 NAYS: 0
 ABSTAIN: 0
 PRESENT: 6

APPROVED by the President of the Village of Dakota this 1st day of May, 2023.

Alisha M Lizer
Alisha Lizer, Village President

Date Published:

Date Effective:

Approved as to form:


Village Legal Counsel