

City of Waukesha, Wisconsin

Ordinance No. 2021 - _____

**An Ordinance Amending Section 22.58(2)(j)(3) of the Waukesha Municipal Code,
Regarding Solid Fences in Street Yards of Corner Lots**

The Common Council of the City of Waukesha do ordain as follows:

Section 1. Subsection (2)(j)(3) of Municipal Code §22.58 is amended to read in its entirety as follows:

3. Solid Fences are permitted in residential zoning districts, subject to the following rules:
 - A. Solid Fences shall not exceed a height of 6 feet, measured vertically from the ground.
 - B. On residential lots having only one street frontage, Solid Fences are permitted only in Side Yards and Rear Yards, but may extend into the Street Yard as far as the line of the front of the house in an adjoining lot (see Illustration 4).
 - C. On residential lots having two street frontages (for example, a corner lot or a lot having street frontage at both the front and the rear), Solid Fences are allowed in Side Yards, and Rear Yards. For purposes of this subsection, only the Yard fronting the street that is the property's address is deemed to be a Street Yard; Solid Fences are permitted in the Yard fronting a street that is not the property's address (see Illustration 5).
 - D. Solid Fences may not be located closer than 3 feet to a public right-of-way (see Illustration 6). Note: Public sidewalks and alleys are within public right-of-way. In most cases, this means that Solid Fences may not be closer than 3 feet to a public sidewalk or alley.
 - E. Solid Fences shall provide for a vision triangle 6 feet on the right-angle sides at driveways and alleys (see Illustration 6).
 - F. Solid Fences that are, as of [the effective date of this amendment], not in compliance with this subsection 3, may remain in place until more than 50% of the supporting structure is removed or in need of

replacement, at which time the Solid Fence must be relocated and otherwise brought into full compliance with this subsection 3.

G. For lots having an address-side Street Yard less than 20 feet in depth, compliance with Municipal Code §22.53(1) may be required.

Section 2. Illustrations 5 and 6, as shown below, are added to Municipal Code §22.58(2)(j), placed immediately after Illustration 4:

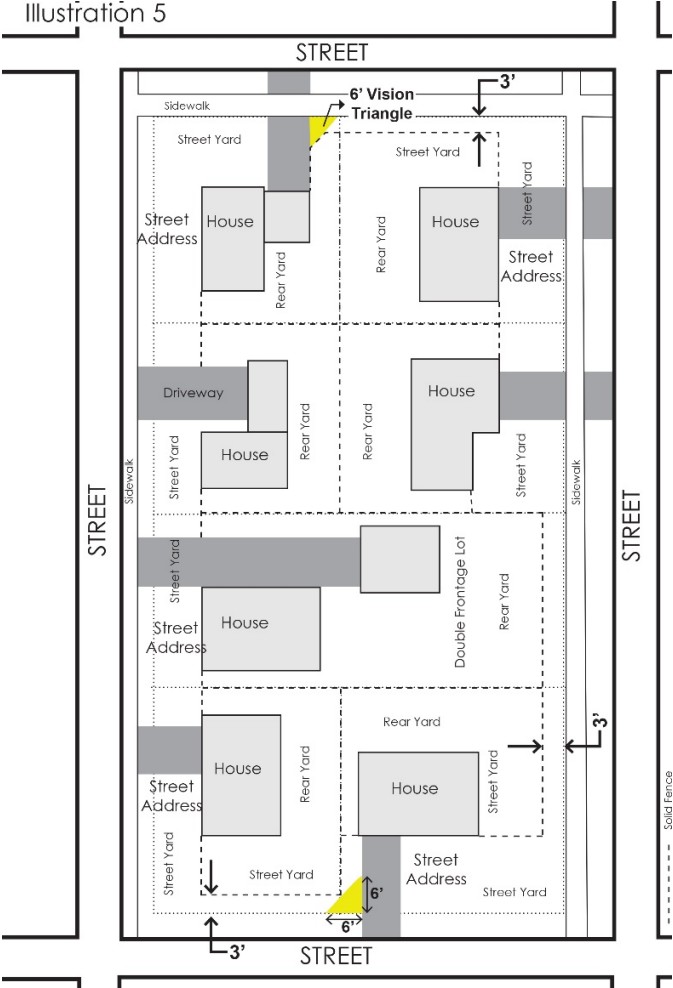
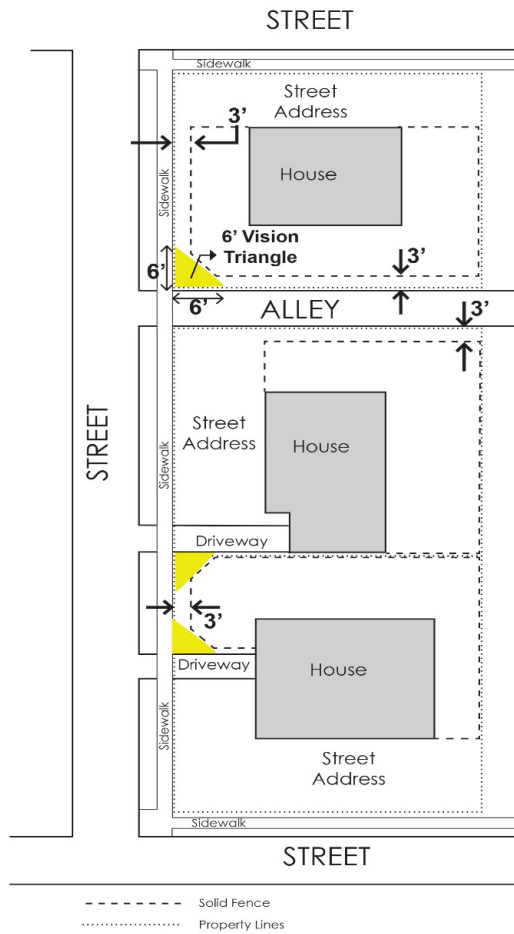


Illustration 6



Section 3. All ordinances, or portions of ordinances, inconsistent with this ordinance are hereby repealed.

Section 4. This Ordinance shall be effective the day after its publication.

Passed the _____ day of June, 2021.

Shawn N. Reilly, Mayor

Attest: Gina L. Kozlik, City Clerk