

**ORDINANCE NO. 2018-5**

**AN ORDINANCE REGARDING SPECIAL NEEDS RESIDENT FENCING**

The Village Board of the Village of Bristol, Kenosha County, Wisconsin, do ordain as follows:

**SECTION I. AMENDMENT OF PROVISIONS.**

Section 13-1-402(n) of the Village of Bristol Code of Ordinances is amended with the addition of the following:

- (n) **Special Needs Residents – Fencing.** Owners of a residence where a special needs resident has a documented need for a special contained yard area are permitted to provide an enclosed fenced yard in the rear of the lot. The property owner, in order to secure a permit to construct and maintain such a fence, shall provide to the Village independent medical documentation of a resident's special needs requiring a contained yard area. The right to maintain such a fence shall expire when the special need no longer exists and the fence shall then be removed, at the owner's expense, at such time. The fence shall be constructed at the owner's expense and shall conform with the following:
- (1) **Location.** Fenced enclosures under this Subsection shall be placed in the rear of the home in a manner that preserves existing vegetation and natural screening, except that lots five (5) acres or larger may have a special needs fenced enclosure in the front yard with appropriate natural screening and landscaping designed to minimize the visual impact of such fence.
  - (2) **Enclosure Materials.** Only materials such as masonry, wrought iron, chain link, wood stockade, board on board, or composite materials shall be used. Such fencing shall be consistent with applicable private restrictive covenants, where applicable, which may impose additional requirements as to fencing and materials which may be used.
  - (3) **Color.** Special needs fencing shall utilize natural colors, with no painting.
  - (4) **Landscaping.** When a suitable planting screen is not present on the site, plantings shall be added to any non-residential side of the special fence. Plants shall be spaced so that in ten (10) years' time the plants shall have matured into a continuous vegetative screen. Suitable plants include upright evergreens and coniferous trees and shrubs such as lilac.
  - (5) **Height.** The special needs fence shall not be more than seven (7) feet in height.

**SECTION II. SEVERABILITY.**

If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

**SECTION III. EFFECTIVE DATE.**

This Ordinance shall take effect upon passage and publication as provided by law.

ADOPTED this 9<sup>th</sup> day of April, 2018.

VILLAGE OF BRISTOL, WISCONSIN



Village President



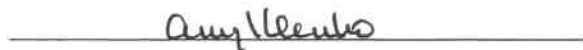
Clerk-Treasurer

INTRODUCED: 4/9/18  
ADOPTED: 4/9/18  
POSTED/PUBLISHED: \_\_\_\_\_

State of Wisconsin:  
County of Kenosha:

I hereby certify that the foregoing Ordinance is a true, correct and complete copy of an Ordinance duly and regularly adopted by the Village Board of the Village of Bristol on the 9<sup>th</sup> day of April, 2018, and that said Ordinance has not been repealed or amended and is now in full force and effect.

Dated this 23<sup>rd</sup> day of April, 2018.

  
Amy Klemko, Clerk-Treasurer