

ORDINANCE NO. 21-26

**AN ORDINANCE MAKING AMENDMENTS TO TITLE 10 OF THE MORTON MUNICIPAL CODE
REGARDING CHAIN LINK FENCES**

WHEREAS, the Morton Municipal Code was adopted on March 2, 1970, and duly published in book form; and

WHEREAS, the Board of Trustees has conducted a public hearing, and has duly recommended the adoption of certain amendments to the Morton Municipal Code pertaining to chain link fences.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON, as follows:

SECTION 1: Section 10-2-1 of the Municipal Code of the Village of Morton is hereby amended as follows, with additions shown in underlined font:

10-2-1: DEFINITIONS: Wherever anywhere in this Title any of the following terms are used, they shall have the meaning indicated hereafter in this Chapter.

....

FENCE, CHAIN LINK: A fence made of loops of metal wire interconnected in a series of joined links, and which shall be at least 75% open.

SECTION 2: Section 10-5-2(D) of the Municipal Code of the Village of Morton is hereby amended as follows, with additions shown in underlined font and deletions shown in strikethrough font:

10-5-2 R-S RESIDENTIAL SUBURBAN DISTRICT AND PLANNED RESIDENTIAL DISTRICT

...

(D) Required Yard Areas: Every building hereinafter erected or structurally enlarged within the R-S District shall provide or maintain the following yard requirements, except the lots of record which shall meet the reduced requirements of Section 10-4-4 of this Title and except for those general exceptions to yard requirements as outlined in Section 10-4-3 of this Title

....

4. Fences: Ornamental fences, and enclosure fences, and chain link fences meeting the required conditions are exempt from the specific yard requirements as noted. Except those fences specifically permitted pursuant to the terms of this section, no other fences shall be permitted within required yard area.

...

(b) Side and Rear Yard Fences. Ornamental fences and enclosure fences not exceeding six feet (6') in height are permitted in the side and rear yards. Chain link fences not exceeding four feet (4') in height are permitted in the side and rear yards.

SECTION 3: Section 10-5-2 of the Municipal Code of the Village of Morton is hereby amended by inserting a new subparagraph (F) which shall be as follows:

10-5-2 R-S RESIDENTIAL SUBURBAN DISTRICT AND PLANNED RESIDENTIAL DISTRICT

...

(F) Fences: Chain link fences not exceeding four feet (4') in height shall be permitted in the R-S District in areas outside of the required yard area. Ornamental fences and enclosure fences not exceeding six feet (6') in height shall be permitted in the R-S District in areas outside of the required yard area. It shall be unlawful for any person to erect, construct, maintain or permit a fence that is constructed of materials that are not specifically manufactured as fencing materials, such as rope, string, galvanized sheet metal, plywood, corrugated metal, or the like. It shall be unlawful for any person to erect, construct, maintain, or permit a fence that is constructed of materials that are intended for agricultural usage or for retaining livestock, such as barbed wire, chicken wire, hog wire, wire fabric, or other similar welded or woven wire fabrics. It shall further be unlawful for any person to construct a fence with slats of any material (including but not limited to metal, fiberglass or bamboo) threaded through a chain link fence. A direct path unobstructed from fencing shall be maintained between the street and the gas meter and water meter electronic reading device.

SECTION 4: Section 10-5-3(D) of the Municipal Code of the Village of Morton is hereby amended as follows, with additions shown in underlined font and deletions shown in strikethrough font:

10-5-3 R-1 ONE-FAMILY AND PLANNED RESIDENTIAL DEVELOPMENT DISTRICT:

...

(D) Required Yard Areas: Every building hereinafter erected or structurally enlarged within the R-1 District shall provide or maintain the following yard requirements, except the lots of record which shall meet the reduced requirements of Section 10-4-4 of this Title and except for those general exceptions to yard requirements as outlined in Section 10-4-3 of this Title

....

7. Fences: Ornamental fences, ~~and enclosure fences,~~ and chain link fences meeting the required conditions are exempt from the specific yard requirements as noted. Except those fences specifically permitted pursuant to the terms of this section, no other fences shall be permitted within the required yard area.

...

(b) Side and Rear Yard Fences. Ornamental fences and enclosure fences not exceeding six feet (6') in height are permitted in the side and rear yards. Chain link fences not exceeding four feet (4') in height are permitted in the side and rear yards.

SECTION 5: Section 10-5-3 of the Municipal Code of the Village of Morton is hereby amended by inserting a new subparagraph (F) which shall be as follows:

10-5-3 R-1 ONE-FAMILY AND PLANNED RESIDENTIAL DEVELOPMENT DISTRICT:

...

(F) Fences: Chain link fences not exceeding four feet (4') in height shall be permitted in the R-1 District in areas outside of the required yard area. Ornamental fences and enclosure fences not exceeding six feet (6') in height shall be permitted in the R-1 District in areas outside of the required yard area. It shall be unlawful for any person to erect, construct, maintain or permit a fence that is constructed of materials that are not specifically manufactured as fencing materials, such as rope, string, galvanized sheet metal, plywood, corrugated metal, or the like. It shall be unlawful for any person to erect, construct,

maintain, or permit a fence that is constructed of materials that are intended for agricultural usage or for retaining livestock, such as barbed wire, chicken wire, hog wire, wire fabric, or other similar welded or woven wire fabrics. It shall further be unlawful for any person to construct a fence with slates of any material (including but not limited to metal, fiberglass or bamboo) threaded through a chain link fence. A direct path unobstructed from fencing shall be maintained between the street and the gas meter and water meter electronic reading device.

SECTION 6: Section 10-5-4(D) of the Municipal Code of the Village of Morton is hereby amended as follows, with additions shown in underlined font and deletions shown in strikethrough font:

10-5-4 R-2 TWO-FAMILY AND PLANNED RESIDENTIAL DEVELOPMENT DISTRICT:

...

(D) Required Yard Areas: Every building hereinafter erected or structurally enlarged within the R-2 District shall provide or maintain the following yard requirements, except the lots of record which shall meet the reduced requirements of Section 10-4-4 of this Title and except for those general exceptions to yard requirements as outlined in Section 10-4-3 of this Title

....

4. Fences: Ornamental fences, ~~and enclosure fences~~, and chain link fences meeting the required conditions are exempt from the specific yard requirements as noted. Except those fences specifically permitted pursuant to the terms of this section, no other fences shall be permitted within the required yard area.

...

(b) Side and Rear Yard Fences. Ornamental fences and enclosure fences not exceeding six feet (6') in height are permitted in the side and rear yards. Chain link fences not exceeding four feet (4') in height are permitted in the side and rear yards.

SECTION 7: Section 10-5-4 of the Municipal Code of the Village of Morton is hereby amended by inserting a new subparagraph (H) which shall be as follows:

10-5-4 R-2 TWO-FAMILY AND PLANNED RESIDENTIAL DEVELOPMENT DISTRICT:

...

(H) Fences: Chain link fences not exceeding four feet (4') in height shall be permitted in the R-2 District in areas outside of the required yard area. Ornamental fences and enclosure fences not exceeding six feet (6') in height shall be permitted in the R-2 District in areas outside of the required yard area. It shall be unlawful for any person to erect, construct, maintain or permit a fence that is constructed of materials that are not specifically manufactured as fencing materials, such as rope, string, galvanized sheet metal, plywood, corrugated metal, or the like. It shall be unlawful for any person to erect, construct, maintain, or permit a fence that is constructed of materials that are intended for agricultural usage or for retaining livestock, such as barbed wire, chicken wire, hog wire, wire fabric, or other similar welded or woven wire fabrics. It shall further be unlawful for any person to construct a fence with slats of any material (including but not limited to metal, fiberglass or bamboo) threaded through a chain link fence. A direct path unobstructed from fencing shall be maintained between the street and the gas meter and water meter electronic reading device.

SECTION 8: Section 10-5-5(D) of the Municipal Code of the Village of Morton is hereby amended as follows, with additions shown in underlined font and deletions shown in strikethrough font:

10-5-5 R-3 THREE OR FOUR-FAMILY AND PLANNED RESIDENTIAL DEVELOPMENT DISTRICT:

...

(D) Required Yard Areas: Every building hereinafter erected or structurally enlarged within the R-3 District shall provide or maintain the following yard requirements, except the lots of record which shall meet the reduced requirements of Section 10-4-4 of this Title and except for those general exceptions to yard requirements as outlined in Section 10-4-3 of this Title

....

4. Fences: Ornamental fences, ~~and enclosure fences~~, and chain link fences meeting the required conditions are exempt from the specific yard requirements as noted. Except those fences specifically permitted pursuant to the terms of this section, no other fences shall be permitted within the required yard area.

...

(b) Side and Rear Yard Fences. Ornamental fences and enclosure fences not exceeding six feet (6') in height are permitted in the side

and rear yards. Chain link fences not exceeding four feet (4') in height are permitted in the side and rear yards.

SECTION 9: Section 10-5-5 of the Municipal Code of the Village of Morton is hereby amended by inserting a new subparagraph (F) which shall be as follows:

10-5-5 R-3 THREE OR FOUR-FAMILY AND PLANNED RESIDENTIAL DEVELOPMENT DISTRICT:

...

(F) Fences: Chain link fences not exceeding four feet (4') in height shall be permitted in the R-3 District in areas outside of the required yard area. Ornamental fences and enclosure fences not exceeding six feet (6') in height shall be permitted in the R-3 District in areas outside of the required yard area. It shall be unlawful for any person to erect, construct, maintain or permit a fence that is constructed of materials that are not specifically manufactured as fencing materials, such as rope, string, galvanized sheet metal, plywood, corrugated metal, or the like. It shall be unlawful for any person to erect, construct, maintain, or permit a fence that is constructed of materials that are intended for agricultural usage or for retaining livestock, such as barbed wire, chicken wire, hog wire, wire fabric, or other similar welded or woven wire fabrics. It shall further be unlawful for any person to construct a fence with slats of any material (including but not limited to metal, fiberglass or bamboo) threaded through a chain link fence. A direct path unobstructed from fencing shall be maintained between the street and the gas meter and water meter electronic reading device.

SECTION 10: Section 10-5-6(D) of the Municipal Code of the Village of Morton is hereby amended as follows, with additions shown in underlined font and deletions shown in strikethrough font:

10-5-6 R-4 MULTI-FAMILY AND PLANNED RESIDENTIAL DEVELOPMENT DISTRICT:

...

(D) Required Yard Areas: Every building hereinafter erected or structurally enlarged within the R-4 District shall provide or maintain the following yard requirements, except the lots of record which shall meet the reduced

requirements of Section 10-4-4 of this Title and except for those general exceptions to yard requirements as outlined in Section 10-4-3 of this Title

....

4. Fences: Ornamental fences, ~~and~~ enclosure fences, and chain link fences meeting the required conditions are exempt from the specific yard requirements as noted. Except those fences specifically permitted pursuant to the terms of this section, no other fences shall be permitted within the required yard area.

...

(b) Side and Rear Yard Fences. Ornamental fences and enclosure fences not exceeding six feet (6') in height are permitted in the side and rear yards. Chain link fences not exceeding four feet (4') in height are permitted in the side and rear yards.

SECTION 11: Section 10-5-6 of the Municipal Code of the Village of Morton is hereby amended by inserting a new subparagraph (F) which shall be as follows:

10-5-6 R-4 MULTI-FAMILY AND PLANNED RESIDENTIAL DEVELOPMENT DISTRICT:

...

(F) Fences: Chain link fences not exceeding four feet (4') in height shall be permitted in the R-4 District in areas outside of the required yard area. Ornamental fences and enclosure fences not exceeding six feet (6') in height shall be permitted in the R-4 District in areas outside of the required yard area. It shall be unlawful for any person to erect, construct, maintain or permit a fence that is constructed of materials that are not specifically manufactured as fencing materials, such as rope, string, galvanized sheet metal, plywood, corrugated metal, or the like. It shall be unlawful for any person to erect, construct, maintain, or permit a fence that is constructed of materials that are intended for agricultural usage or for retaining livestock, such as barbed wire, chicken wire, hog wire, wire fabric, or other similar welded or woven wire fabrics. It shall further be unlawful for any person to construct a fence with slats of any material (including but not limited to metal, fiberglass or bamboo) threaded through a chain link fence. A direct path unobstructed from fencing shall be maintained between the street and the gas meter and water meter electronic reading device.

SECTION 12: This ordinance shall be in full force and effect immediately upon its passage and approval.

SECTION 13: If any section or part of this Ordinance is held invalid, it shall not affect the validity of the remainder of this Ordinance.

PASSED AND APPROVED at a regular meeting of the President and Board of Trustees of the Village of Morton this 2nd day of November, 2020; and upon roll call the vote was as follows:

AYES: Blunier, Leitch, Leman, Menold, Newman, Parrott

NAYS:

ABSENT:

ABSTAINING:

APPROVED this 2nd day of November, 2020.

Jeffrey L. Kaufman
President

ATTEST:
[Signature]
Village Clerk

