

TOWNSHIP OF PENTWATER
COUNTY OF OCEANA, MICHIGAN

At a regular meeting of the Township Board of the Township of Pentwater, held at the Pentwater Community Hall, 500 N. Hancock Street, within the Township, on the **14th** day of **May 2025**, at 6:00 p.m.

PRESENT: Members: Cavazos, Flynn, & Holub

ABSENT: Members: Douglas & Murphy

The following ordinance was offered by Member **Holub** and seconded by Member **Flynn**:

ORDINANCE NO. 2025-03

AN ORDINANCE TO AMEND THE TOWNSHIP ZONING ORDINANCE
[Fences]

THE TOWNSHIP OF PENTWATER ORDAINS:

Section 1. “Section 3.11 Fences” is hereby amended to read in its entirety as follows:

SECTION 3.11 Fences

(Amended 12-27-00) (Amended 12-11-02) (Amended 05-14-25)

- A. Fences shall not be constructed in any public right-of-way.
- B. Residential Districts
 - 1. Non-Waterfront Lots
 - a. A fence may not be located within any front setback unless such fence is a height of three (3) feet or less and of a type which is not more than fifty percent (50%) solid, so as not to obscure vision at the right-of-way or property line of the lot or parcel on which it is placed.
 - b. Corner lots have two (2) front yard setbacks and Section 3.11.B.1.a will apply to these setbacks.
 - c. Fences may not exceed a height of six (6) feet above grade in any other area; provided, however, in circumstances

where the grade slopes, standard six-foot fence panels may be installed, even though the fence as installed may slightly exceed six feet in height because of the slope. The fence panels or material in such a case shall be installed as near to the surface of the ground as is practical. For purposes of this section, height should be measured from the finished grade, but all alterations to grade shall comply with the provisions of Section 3.33 governing alterations to grade. Fence or support posts may not exceed a height of seven (7) feet above grade. (Amended 1-16-08)

2. Waterfront Lots

- a. Except as noted in subsections “b” and “d” below, a fence may not be located within any front yard.
 - b. A fence may not be located within any front yard or rear yard unless such fence is a height of four (4) feet or less and of a type which is not more than fifty percent (50%) solid, so as not to obscure vision at the right-of-way or property line of the lot or parcel on which it is placed.
 - c. Fences may not exceed a height of six (6) feet in any other area.
 - d. A seasonal fence, not exceeding four (4) feet in height, may be erected and maintained on or after October 30 of each year and removed on or before May 1 of the following year. Seasonal fences shall be set back a minimum of twenty (20) feet from the side lot line. For the purposes of this subsection, a seasonal fence shall be considered a temporary fence used for the purpose of controlling drifting sand or snow. No permit fee shall be required for a seasonal fence.
- C. No fence shall contain any barbed wire or electrification except in the R-R District where necessary for agricultural purposes, or for the protection of public utility buildings or improvements. The barbed portion of the fence shall be at least six (6) feet from the ground, in which case the height of a fence may extend to a maximum of eight (8) feet.
- D. Fences in the R-R District used to enclose vacant land or land used for agricultural purposes may be erected within any yard up to a height of six (6) feet. Such fences shall be of an open type so as to not obstruct vision.
- E. Densely landscaped areas, such as hedges and closely spaced bushes or other plant materials, may be considered as a fence when they have the effect or accomplish the purposes normally associated with fences.

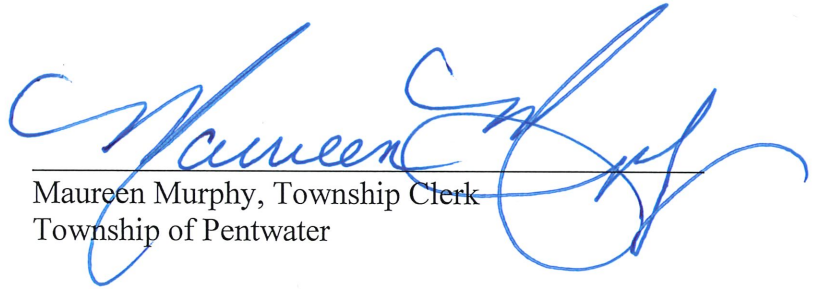
- F. No fence shall be constructed of used or discarded materials, including but not limited to broken concrete, railroad ties, pallets, tree stumps, trash, tires, junk or other discarded items.
- G. The finished side of a fence shall face outward, toward an adjacent property.
- H. All fences shall be well-maintained and in safe condition.
- I. All new fences shall require a zoning permit, in accordance with the requirements of Section 19.07. All seasonal fences shall comply with Section 3.11.B.2.d.

Section 2. **Effective Date.** This ordinance shall become effective seven (7) days after its publication or seven (7) days after the publication of a summary of its provisions in a local newspaper of general circulation in the Township.

AYES: Members: **Holub, Flynn, & Cavazos**

NAYS: Members: **None**

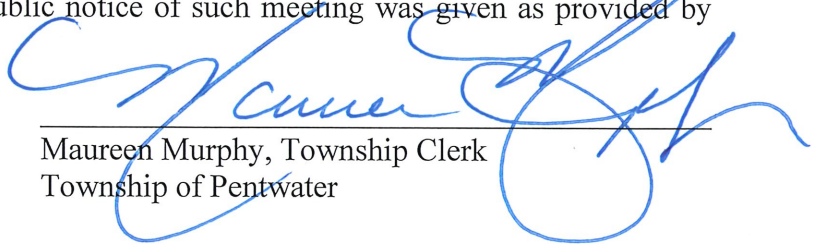
ORDINANCE DECLARED ADOPTED.



 Maureen Murphy, Township Clerk
 Township of Pentwater

STATE OF MICHIGAN)
) ss.
 COUNTY OF OCEANA)

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board of the Township of Pentwater at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.



 Maureen Murphy, Township Clerk
 Township of Pentwater