

VILLAGE OF CARLETON

Ordinance No. 11

An Ordinance regulating the erection of fences, walls and other protective barriers and the erection or construction of swimming pools in the Village of Carleton, to provide a penalty for the violation thereof and to repeal all Ordinances and parts of Ordinances contravening the provisions of this Ordinance.

THE VILLAGE OF CARLETON ORDAINS:-

SECTION 1. FENCES, WALLS and OTHER PROTECTIVE BARRIERS.

That all fences of any nature, type or description located in the Village of Carleton shall conform to the following regulations:-

A. The erection, construction or alteration of any fence, wall or other type of protective barrier shall be approved by the Building Inspector as to their conforming to the requirements of the Zoning District wherein they are required because of land use development, and to the requirements of this Section.

B. Fences which are not specifically required under the regulations for the individual zoning districts, shall conform to the following requirements:-

(1). No fence shall hereafter be erected along the line dividing two lots or parcels of land in excess of seven (7) feet in height, or less than three (3) feet in height above the grade of the surrounding land.

(2). No fence shall hereafter be erected in the front yard more than three (3) feet in height; no fence shall be erected in a side yard more than seven (7) feet in height; and no fence shall be erected in a rear yard more than seven (7) feet in height; provided further, that no fence shall be erected closer than one (1) foot to any sidewalk.

(3). All fences hereafter erected shall be of an ornamental nature. Barbed wire, spikes, nails or any other sharp point or instrument of any kind is prohibited on top or on the sides of any fence, except that barbed wire cradles may be placed on top of fences enclosing public utility buildings or wherever deemed necessary in the interests of public safety.

C. No fence, wall, structure or planting shall be erected, established or maintained on any corner lot which will obstruct the view of a driver of a vehicle approaching the intersection, excepting, that shade trees would be permitted where all branches are not less than eight (8) feet

above the road level. Such unobstructed corner shall mean a triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street property lines extended.

## SECTION 2. SWIMMING POOLS

That all swimming pools erected in the Village shall comply with the requirements of this section.

### A. Application

Any person, firm or corporation desiring to erect or construct a swimming pool in the Village of Carleton shall make application for a building permit. Said application shall include the name of the owner, the manner of supervision of pool, a plot plan and location of adjacent buildings, fencing, gates, public utilities, plans and specifications to scale of pool walls, slope, bottom, walkway, and diving boards, type and rating of auxiliary equipment, piping and valve layout, and any other detailed information affecting construction and safety features deemed necessary by the Building Inspector.

### B. Pool Location

Minimum side yard setback shall comply with the provisions of the district. Furthermore, the pool fence must not be built within the required front yard or required corner lot side yard. Rear yard setback shall not be less than four (4) feet between the pool outside wall and the rear property line, or less than the established easement width at the rear property line, or less than four (4) feet between pool wall and any building on the lot.

### C. Fences

For the protection of the general public, all swimming pools shall be completely enclosed by a fence, of a type described in Section 1 B (3), not less than four (4) feet in height and set at a distance of not less than four (4) feet and not more than fifteen (15) feet from the outside perimeter of the pool wall, provided, that if a building not having any means of open access thereto is located on the lot not more than fifteen (15) feet from any side of the pool, a fence shall not be required on any such side. All openings in any such fence shall be equipped with a self-closing, self-latching gate which shall be securely locked with a tamper-proof lock when the pool is not in use. No fence shall be required in connection with above-ground swimming pools, however, except that the entrance to such a pool shall be equipped with a self-closing, self-latching gate which shall be securely locked with a tamper-proof lock when the pool is not in use.

## SECTION 3.

That any person violating any provision of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$100.00, or confined in the County Jail of Monroe County for a period not exceeding ninety (90) days, or both such fine and imprisonment in the discretion of the Court.

SECTION 4.

That all Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 5.

This Ordinance shall be in full force and effect twenty (20) days after final passage.

The undersigned hereby certify that the above Ordinance was adopted by the Village Council at a meeting held on the 8<sup>th</sup> day of July, 1968.

Gladys Anderson  
Gladys Anderson  
Village Clerk

ATTEST:

Harold Buckingham  
Harold Buckingham - President

CERTIFICATION

This is to certify that the foregoing Ordinance was duly published in the Carleton Messenger, Carleton, Michigan, on the 11<sup>th</sup> day of July, 1968.

Gladys Anderson  
Gladys Anderson - Clerk