

Village of McLean

Ordinance#

20-09-14

**An Ordinance Providing Amendments Relating to
Fences**

Adopted by the Village Board
Of the
Village of McLean

Published in pamphlet form by authority of the Village of McLean, McLean

County, Illinois this 15th day of September, 2020.

ORDINANCE NO. 20-09-14

AN ORDINANCE AMENDING THE VILLAGE OF MCLEAN MUNICIPAL CODE SAID MUNICIPAL CODE BEING ORDINANCE NO. 96-5-6A OF THE VILLAGE OF MCLEAN TO PROVIDE AMENDMENTS RELATING TO FENCES

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MCLEAN:

SECTION 1: §178.008 E (2) is hereby amended by adding at the end of that subsection “The fence height shall be measured from the established grade on the fence owner’s property to the top of the highest section of the fence.”

SECTION 2: §178.008 E of the Village Code of the Village of McLean is hereby amended by adding a new subsection (5) which is as follows:

(5) All supporting poles must be placed on the inside of the property where the fence is erected, and the finished side of the fence must face out away from the property. No fence shall be constructed in any drainage or access easement.

SECTION 3: §178.017 of the Village of Code of the Village of McLean is hereby amended by adding the following definitions which shall be inserted in correct alphabetical order:

FENCE: A structure erected for the purpose of separating properties or enclosing or protecting or screening the property within its perimeter.

FENCE, PRIVACY: A site-obscuring fence used to block the area enclosed by the fence from view from neighboring properties or public right-of-way.

OBSCURING, SIGHT: Opaque or having such qualities as to constitute a complete visual barrier to persons outside the perimeter of the sight-obscuring object. A fence which partially obscures sight shall not be considered sight-obscuring if the distance or open space between boards, slats, rails, stanchions, or balusters (which shall not exceed four (4) inches in width) equals or exceeds the width of said boards, slats etc., measured at ninety (90) degree angles.

SECTION 4: §178.017 of the Village of Code of the Village of McLean is hereby amended by deleting the definition of “lot line, front” and inserting in place thereof in correct alphabetical order the following definition:

LOT LINE, FRONT: The boundary of a lot which is along an existing or dedicated street as determined by the location of the main entrance of the residence or primary structure.

SECTION 5: Chapter 178 of the Village Code of the Village of McLean is hereby amended by adding a new §178.121 which is as follows:

§178.121 Required fencing for outdoor storage.

The following restrictions shall apply to outdoor storage:

(A) **DEFINITION OF OUTDOOR STORAGE.** Outdoor storage is defined as keeping in a yard, any components, products, debris, material, merchandise, equipment, supplies, parts or materials.

(B) **OUTDOOR STORAGE ALLOWED.** Outdoor storage is allowed as an accessory use to the main use of the property. The materials contained in the outdoor storage area may only be utilized for manufacturing operations occurring within an enclosed building. Utilization of the outdoor storage area for the purpose of manufacturing and operations is not permitted.

(C) **FENCING REQUIREMENTS.** The following requirements shall apply to the outdoor storage:

(1) The outdoor storage area shall be located so as to minimize a view from the adjacent public right-of-way, residential development or zoning districts and adjacent developments. Where it possible, the outdoor storage area should be located behind buildings, away from streets and obscure from public view from driveways.

(2) Outdoor storage areas must be screened on all sides, with either a privacy fence or with the wall of the building that adjoins the outdoor storage area.

(3) The materials set forth in the outdoor storage may not extend above the height of the fencing.

(4) The materials stored in the outdoor storage area must be stored in an orderly manner so that fire codes are met and access to the area enclosed is possible.

(5) The requirements of §178.008 (E) must be complied with.

SECTION 6: Chapter 178 of the Village Code of the Village of McLean is hereby amended by adding a new **§178.136** which is as follows:

The same requirements as set forth in **§178.121**.

SECTION 7: Chapter 178 of the Village Code of the Village of McLean is hereby amended by adding a new **§178.151** which is as follows:

The same requirements as set forth in **§178.121**.


SECTION 8: If any section or part of this Ordinance is held invalid, it shall not affect the validity of the remainder of this Ordinance.

SECTION 9: This Ordinance shall take effect 10 days after publication thereof as provided by law.

SECTION 10: Ordinance No. 96-5-6A of the Village of McLean, as amended by this Ordinance, shall remain in force and effect and all previous amendments to Ordinance No. 96-5-A shall remain in force and effect except as modified by this Ordinance.

PASSED in due form on a roll call vote by the Board of Trustees of the Village of McLean at a duly held meeting on the 14th day of September, 2020.

APPROVED:



President of the Board of Trustees of the
Village of McLean

ATTEST:



Village Clerk

AYES: 6

NAYS: 0

ABSENT: 0

STATE OF ILLINOIS)

) SS

COUNTY OF MCLEAN)

PUBLICATION CERTIFICATE

I, the undersigned Village Clerk, certify that I am the duly elected and acting Village Clerk of the Village of McLean, McLean County, Illinois.

I further certify that on Monday, September 14, 2020, the Board of Trustees of such municipality passed and approved Ordinance No. 20-09-14, entitled:

An Ordinance Providing Amendments Relating to Fences

Board of Trustees of the Village of McLean previously adopted a Resolution that authorized all Village Ordinances to be published in pamphlet form.

The pamphlet form of Ordinance No. 20-09-14, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on 9-25, 2020 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

Dated at McLean, Illinois, this 15th day of September, 2020.


Village Clerk

(SEAL)