

owner of the satellite earth stations shall promptly take steps to eliminate the harmful interference in accordance with Federal Communications Commission regulations.

- (11) Compliance with Federal Regulations. The installation and use of every satellite earth station shall be in conformity with the Federal Cable Communications Policy Act of 1984 and regulations adopted thereunder.
- (12) Color. The color of any satellite dish shall be such that it blends into its surroundings and shall be approved by the Village Board as part of the application.
- (e) **Variances.** Requests for variances from the standards established by this Section may be made to the Board of Appeals pursuant to Section 13-1-193 of this Chapter.
- (f) **Enforcement.**
 - (1) It shall be unlawful to construct, use, build or locate any satellite television dish in violation of any provisions of this Section. In the event of any violation, the Village Board or any property owner who would be specifically damaged by such violation may institute appropriate action or proceedings to enjoin a violation of this Section.
 - (2) Any person, firm or corporation who fails to comply with the provisions of this Section shall, upon conviction, be subject to the general penalty found in Section 1-1-6.

SEC. 13-1-131 RADIO OR TELEVISION ANTENNA TOWERS.

- (a) No radio or television antenna tower shall be erected or installed within the front yard or side yard. The rear setback and the side setback in rear yards shall be that for the principal structure with the respective zoning district. The exact location of the antenna tower shall be subject to approval by the Village Board.
- (b) No radio or television tower shall exceed a height of twenty (20) feet above the roof line of the building on the property upon which the antenna is located or sixty (60) feet above the ground measured at grade level, whichever is the minimum.
- (c) Radio or television antenna towers shall be erected and installed in accordance with the Wisconsin State Electrical Code, National Electrical Safety Code and the instructions of the manufacturer. In cases of conflict, the stricter requirements shall govern.

SEC. 13-1-132 THROUGH SEC. 13-1-139 RESERVED FOR FUTURE USE.

ARTICLE K

Accessory Uses and Structures; Fences and Hedges

SEC. 13-1-140 ACCESSORY USES OR STRUCTURES.

- (a) **Principal Use to be Present.** An accessory use or structure in any zoning district shall not be established prior to the principal use or structure being present or under construction. Any accessory use or structure shall conform to the applicable regulations of the district in which it is located, except as specifically otherwise provided.
- (b) **Placement Restrictions — Residential District.** An accessory use or structure in a residential district may be established subject to the following regulations:
- (1) **Accessory Building Number Limits.** In any residential district, in addition to the principal building, a detached garage or attached garage and one (1) additional accessory building may be placed on a lot.
 - (2) **Accessory Building Size Limits.** Garages and other detached accessory buildings shall be less than fifteen (15) feet in height.
 - (3) **Attached Accessory Buildings.** All accessory buildings which are attached to the principal building shall comply with the yard requirements of the principal building.
 - (4) **Detached Accessory Buildings.** No detached accessory building shall occupy any portion of the required front yard, and no detached accessory building shall occupy more than thirty percent (30%) of the required rear yard or be located within three (3) feet of any other accessory building or five (5) feet of any lot line. An accessory building shall not be nearer than ten (10) feet to the principal structure unless the applicable building code regulations in regard to one (1) hour fire-resistive construction are complied with. In no event can the accessory uses or structures be forward of the front line of the principal structure.
- (c) **Use Restrictions — Residential District.** Accessory uses or structures in residential districts shall not involve the conduct of any business, trade or industry except for home occupations as defined herein and shall not be occupied as a dwelling unit.
- (d) **Placement Restrictions — Nonresidential Districts.** An accessory use or structure in a business or manufacturing district may be established in the rear yard or side yard and shall not be nearer than three (3) feet to any side or rear lot line.
- (e) **Reversed Corner Lots.** When an accessory structure is located on the rear of a reversed corner lot, it shall not be located beyond the front yard required on the adjacent interior lot to the rear, nor nearer than three (3) feet to the side line of the adjacent structure.
- (f) **Landscaping and Decorative Uses.** Accessory structures and vegetation used for landscaping and decorating may be placed in any required yard area. Permitted structures and vegetation include flag poles, ornamental light standards, lawn furniture, sun dials, bird baths, trees, shrubs and flowers and gardens.
- (g) **Temporary Uses.** Temporary accessory uses such as real estate sale field offices or shelters for materials and equipment being used in the construction of the permanent structure may be permitted by the Zoning Administrator.
- (h) **Garages in Embankments in Front Yards.** Where the mean natural grade of a front yard is more than eight (8) feet above the curb level, a private garage may be erected within the front yard, provided as follows:

- (1) That such private garage shall be located not less than five (5) feet from the front lot line;
 - (2) That the floor level of such private garage shall be not more than one (1) foot above the curb level; and
 - (3) That at least one-half (1/2) the height of such private garage shall be below the mean grade of the front yard.
- (i) **Outdoor Lighting.** Outdoor lighting installations shall not be permitted closer than three (3) feet to an abutting property line and, where not specifically otherwise regulated, shall not exceed fifteen (15) feet in height and shall be adequately shielded or hooded so that no excessive glare or illumination is cast upon the adjoining properties.
 - (j) **Lawn Accessories.** Walks, drives, paved terraces and purely decorative garden accessories such as pools, fountains, statuary, flag poles, etc., shall be permitted in setback areas but not closer than three (3) feet to an abutting property line other than a street line.
 - (k) **Retaining Walls.** Retaining walls may be permitted anywhere on the lot, provided, however, that no individual wall shall exceed six (6) feet in height, and a terrace of at least three (3) feet in width shall be provided between any series of such walls and provided further that along a street frontage no such wall shall be closer than three (3) feet to the property line.
- (1) **Agricultural Structures.** Agricultural structures such as barns, silos and wind-mills shall not exceed in height twice their distance from the nearest lot line.

SEC. 13-1-141 OUTSIDE STORAGE OF FIREWOOD.

- (a) No person shall store firewood in the front yard on residentially zoned property, except that firewood may be temporarily stored in the front yard for a period of thirty (30) days from the date of its delivery.
- (b) Firewood should be neatly stacked and may not be stacked closer than two (2) feet to any lot line and not higher than six (6) feet from grade, except adjacent to a fence where firewood can be stacked against the fence as high as the fence. Fences as used in this Section shall not include hedges and other vegetation.
- (c) All brush, debris and refuse from processing of firewood shall be promptly and properly disposed of within fifteen (15) days and shall not be allowed to remain on the premises.
- (d) Woodpiles that contain diseased wood that is capable of transmitting disease to healthy trees and woodpiles that harbor or are infested or inhabited by rats or other vermin are public nuisances and may be abated pursuant to the provisions of this Code of Ordinances.
- (e) Not more than twenty percent (20%) of the side and rear yard may be used for storage of firewood at any one (1) time.

SEC. 13-1-142 FENCES.

- (a) **Fences Defined.** For the purpose of this Section, a "fence" is herein defined as an enclosed barrier consisting of wood, stone or metal intended to prevent ingress or egress. No fence shall be constructed of unsightly or dangerous materials which would constitute a nuisance.

- (b) **Fences Categorized.** Fences shall be categorized into five (5) classifications:
- (1) Boundary Fence. A fence placed on or within three (3) feet of the property lines of adjacent properties.
 - (2) Protective Fence. A fence constructed to enclose a hazard to the public health, safety and welfare.
 - (3) Architectural or Aesthetic Fence. A fence constructed to enhance the appearance of the structure or the landscape.
 - (4) Picket Fence. A fence having a pointed post, stake, pale or peg laced vertically with the point or sharp part pointing upward to form a part of the fence.
- (c) **Height of Fences Regulated.**
- (1) A fence or wall may be erected, placed, maintained or grown along a lot line on residentially zoned property or adjacent thereto to a height not exceeding six (6) feet above the ground level and be no closer than three (3) feet to a public right-of-way, except that no such fence or wall which is located in a required front or corner side yard shall exceed a height of three (3) feet. Where such lot line is adjacent to a non-residentially zoned property, there shall be an eight (8) foot limit on the height of a fence or wall along such lot line.
 - (2) No fence or wall shall be erected, placed, maintained or grown along a lot line on any non-residentially zoned property, adjacent to a residentially zoned property, to a height exceeding eight (8) feet.
 - (3) In any residence district, no fence or wall shall be erected, constructed or maintained to a height exceeding three (3) feet above the street grade nearest thereto, within twenty-five (25) feet of the intersection of any street lines or of street lines projected.
- (d) **Security Fences.** Security fences are permitted on the property liens in all districts except residential districts, but shall not exceed ten (10) feet in height and shall be of an open type similar to woven wire or wrought iron fencing.
- (e) **Prohibited Fences.** No fence shall be constructed which is a picket fence or which is of an otherwise dangerous condition, or which conducts electricity or is designed to electrically shock or which uses barbed wire, provided, however, that barbed wire may be used in industrially zoned areas if the devices securing the barbed wire to the fence are ten (10) feet above the ground or height and project toward the fenced property and away from any public area.
- (f) **Fences to be Repaired.** All fences shall be maintained and kept safe and in a state of good repair, and the finished side or decorative side of a fence shall face adjoining property.
- (g) **Temporary Fences.** Fences erected for the protection of planting or to warn of construction hazard, or for similar purposes, shall be clearly visible or marked with colored streamers or other such warning devices at four (4) foot intervals. Such fences shall comply with the setback requirements set forth in this Section. The issuance of a permit shall not be necessary for temporary fences as described herein, but said fences shall not be erected for more than forty-five (45) days.
- (h) **Nonconforming Fences and Hedges.** Any fence existing on the effective date of this Municipal Code and not in conformance with this Section may be maintained, but no alteration, modification or improvement of said fence shall comply with this Section.

SEC. 13-1-143 SWIMMING POOLS.

- (a) **Definition.** A private or residential swimming pool is an outdoor structure containing a body of water in a receptacle or other container having a depth for water at any point greater than one and one-half (1-1/2) feet located above or below the surface of ground elevation, used or intended to be used solely by the owner, operator or lessee thereof and his family, and by friends invited to use it, and includes all structural facilities, appliances and appurtenances, equipment and other items used and intended to be used for the operation and maintenance of a private or residential swimming pool.
- (b) **Exempt Pools.** Storable children's swimming or wading pools, with a maximum dimension of fifteen (15) feet and a maximum wall height of fifteen (15) inches and which are so constructed that it may be readily disassembled for storage and reassembled to its original integrity are exempt from the provisions of this Section.
- (c) **Construction Requirements.** In addition to such other requirements as may be reasonably imposed by the Village, the Village shall not issue a permit for construction as provided for in Subsection (b), unless the following construction requirements are observed:
- (1) All materials and methods of construction in the construction, alteration, addition, remodeling or other improvements and pool installation shall be in accord with all state regulations and code and with any and all Ordinances of the Village now in effect or hereafter enacted.
 - (2) All plumbing work shall be in accordance with all applicable Ordinances of the Village and all state codes. Every private or residential swimming pool shall be provided with a suitable draining method and, in no case, shall waters from any pool be drained into the sanitary sewer system, onto lands of other property owners adjacent to that on which the pool is located or in the general vicinity.
 - (3) All electrical installations, including lighting and heating but not limited thereto, which are provided for, installed and used in conjunction with a private swimming pool shall be in conformance with the state laws and Village Ordinances regulating electrical installations.
- (d) **Setbacks and Other Requirements.**
- (1) Private swimming pools shall be erected or constructed on rear or side lots only and only on a lot occupied by a principal building. No swimming pool shall be erected or constructed on an otherwise vacant lot. A lot shall not be considered vacant if the owner owns the contiguous lot and said lot is occupied by a principal building.
 - (2) No swimming pool shall be located, constructed or maintained closer to any side or rear lot line than is permitted in the Zoning Code for an accessory building, and in no case shall the water line of any pool be less than six (6) feet from any lot line.
- (e) **Fence.**
- (1) Pools within the scope of this Section which are not enclosed with a permanent building shall be completely enclosed by a fence of sufficient strength to prevent access to the pool. Such fence or wall shall not be less than six (6) feet in height and so constructed as not to have voids, holes or openings larger than four (4) inches in one (1) dimension. Gates or doors shall be kept locked while the pool is not in actual use.

- (2) The pool enclosure may be omitted where portable pools are installed above ground and have a raised deck around the entire pool perimeter with an attached enclosed railing a minimum of thirty-six (36) inches high on the top, or if the sidewalls are unobstructed and a minimum of thirty-six (36) inches high.

Compliance. All swimming pools existing at the time of passage of this Code of Ordinances not satisfactorily fenced are not required to comply with the fencing requirements of this Section.

SEC. 13-1-144 THROUGH SEC. 13-1-149 RESERVED FOR FUTURE USE.