

ORDINANCE NO.: \_\_\_\_\_

A SECOND AMENDED ORDINANCE to amend Sections 115-398(d) and (e) of the Code of Ordinances of the City of La Crosse regarding fences on nonresidential property and prohibited fences.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Section 115-398(d) is hereby amended to read as follows:

- (d) *Fences on nonresidential property.* Fences are permitted on the property lines in all commercial zoning districts but shall not exceed eight feet in height in commercial zoning districts and ten feet in height for property zoned Light or Heavy Industrial and shall be of an open type similar to woven wire, chainlink or wrought iron fencing. Solid vinyl or composite fences are **only** allowed on property lines abutting a residential property, but cannot be taller than six (6) feet. The fence can be up to eight (8) feet tall by a Conditional Use Permit. ~~with the approval of The Fire Department — Division of Fire Prevention & Building Safety and the abutting property owner.~~

SECTION II: Section 115-398(e) is hereby amended to read as follows:

- (e) *Prohibited fences.* (1) d. A fence on a vacant lot or parcel. ~~on residential zoned lots.~~ Fences on vacant commercial or industrial zoned lots or parcels may be permitted by a Conditional Use Permit.

SECTION III: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of the article shall not be affected.

SECTION IV: This Ordinance shall take effect and be in full force from and after its passage and publication.

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Timothy Kabat, Mayor

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Teri Lehrke, City Clerk

Passed:

Approved:

Published: