



193 E. MICHIGAN AVENUE • ROGERS CITY, MI 49779-1615

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**CITY OF ROGERS CITY
PUBLIC NOTICE**

The City of Rogers City Planning Commission has scheduled a public hearing March 28, 2024 at 4 p.m. at City Hall, 193 E. Michigan Ave., Rogers City, MI 49779, to consider an amendment to Article 3, Section 32-41 Fences & Walls, of the Rogers City Zoning Ordinance (Ordinance 2011-1, as amended) which, if enacted, would amend text, tables and diagrams in subsections A and B.

Complete copies of the proposed amendments can be viewed at City Hall or at www.rogerscity.com. The public can provide input at the hearing or in advance in writing mailed or dropped off to the address above. Questions should be directed to the City Planner at (989) 734-2191 Ext. 205.

Terri L. Koss
City Clerk/Treasurer

CITY OF ROGERS CITY
STATE OF MICHIGAN
ORDINANCE 2024-__

AN ORDINANCE AMENDING ARTICLE 3, SECTION 32-41 OF THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) BY AMENDING THE TEXT, TABLES, AND DIAGRAMS IN SUBSECTIONS A AND B

THE CITY OF ROGERS CITY ORDAINS:

Section 1. Article 3 (General Provisions), Section 32-41 (Fences and Walls), Subsections A (Construction and Maintenance – all districts) and B (Residential fences and walls), including Table 32-41 B (Residential fences and walls) and the Residential Fence Diagram, are amended to read as follows:

A. CONSTRUCTION AND MAINTENANCE - ALL DISTRICTS:

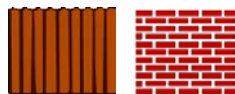
1. Fence and wall materials may include treated wood, painted/stained wood, split rail, ornamental wrought iron, brick, stone, masonry block, molded vinyl, or chain link. Scrap lumber, plywood, woven wire, welded wire, agricultural or livestock wire fencing, slab wood, rough sawn lumber, sheet metal, plastic, or fiberglass sheets are specifically prohibited. ⁽⁴⁰⁾*Amended by Ordinance 2018-07* **Wood fences must be painted or stained. Wolmanized/pressure-treated components visible to the eye are not considered finished.**
 - a. Fences located in front yards shall be constructed using split rail, pickets, wrought iron, molded vinyl or brick. No chain link fences or masonry block walls shall be permitted in front yards. Fences in a front yard must contain openings at least fifty (50) percent the width of the slats. A fence, wall, or wall/fence combination is allowed and the wall may be solid up to two (2) feet in height and an open-style fence can make up the balance to total four (4) feet in height. ⁽⁴⁰⁾*Amended by Ordinance 2018-07*
2. Fences on residential or commercial lots shall not contain barbed wire, electric current, or charge of electricity.
3. ¹⁸The portions of all fences facing property other than the property of the fence owner or facing a street right-of-way shall be finished and constructed so that, to the extent possible by the design of the fence, the fence posts and the horizontal and/or vertical fence supports are not visible from that other property or from the street right-of-way.
4. Fences shall be maintained to retain their original appearance, shape and configuration. Elements of a fence that are missing, damaged, destroyed or deteriorated shall be replaced and repaired to maintain conformity with the original fence appearance and design.
5. **CORNER AND DRIVEWAY CLEARANCE:** Fences, walls, or hedges installed, constructed, or planted in accordance with the provisions of this Ordinance shall not obstruct clear vision areas as regulated in **§32-30.** ⁽¹⁰²⁾*Amended by Ordinance 2021-20*
6. Fence height shall be measured from the existing grade. ⁽⁴⁰⁾*Amended by Ordinance 2018-07*

- B. RESIDENTIAL FENCES AND WALLS:** Fences and walls shall require a Zoning Permit issued by the Zoning Administrator and shall comply with the following regulations and requirements: ⁽¹⁰²⁾*Amended by Ordinance 2021-20*.

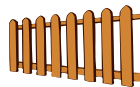
Table 32-41 B: Residential Fences & Walls (see Figure B – Fence Diagram)			
	Maximum Height Allowed	Setback	Opacity (see Figure A for opacity examples)
Front Yard	4 ft	Fences may be set on the property line except when along a developed street in which case fences shall be setback at least 1 ft from the inside edge of the existing sidewalk or from the inside edge of a future sidewalk location.	<ul style="list-style-type: none"> Fences shall contain openings at least 50% the width of the slats; or Fences may be solid up to 2 ft high, but the balance shall contain openings at least 50% of the slats.
Side Yard (Interior)	6 ft	Fences may be set on the property line.	No opacity requirement
Side Yard (Along a Developed Street)	4 ft	Fences shall be setback at least 1 ft from the inside edge of the existing sidewalk or from the inside edge of a future sidewalk location.	<ul style="list-style-type: none"> Fences shall contain openings at least 50% the width of the slats; or Fences may be solid up to 2 ft high, but the balance shall contain openings at least 50% of the slats.
Rear Yard	6 ft	Fences may be set on the property line.	No opacity requirement
Rear Yard (Along a Developed Street)	4 ft	Fences shall be setback at least 1 ft from the inside edge of the existing sidewalk or from the inside edge of a future sidewalk location.	<ul style="list-style-type: none"> Fences shall contain openings at least 50% the width of the slats; or Fences may be solid up to 2 ft high, but the balance shall contain openings at least 50% of the slats.
Note – Lot lines which abut an undeveloped street or alley are treated the same as a lot line that does not abut a street or alley.			

Figure A:

Fence with less than 50% openings:



Fence with at least 50% openings:



50% open/solid fence combination
(solid up to 2 ft high with at least 50% openings for the balance)

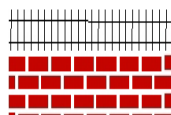
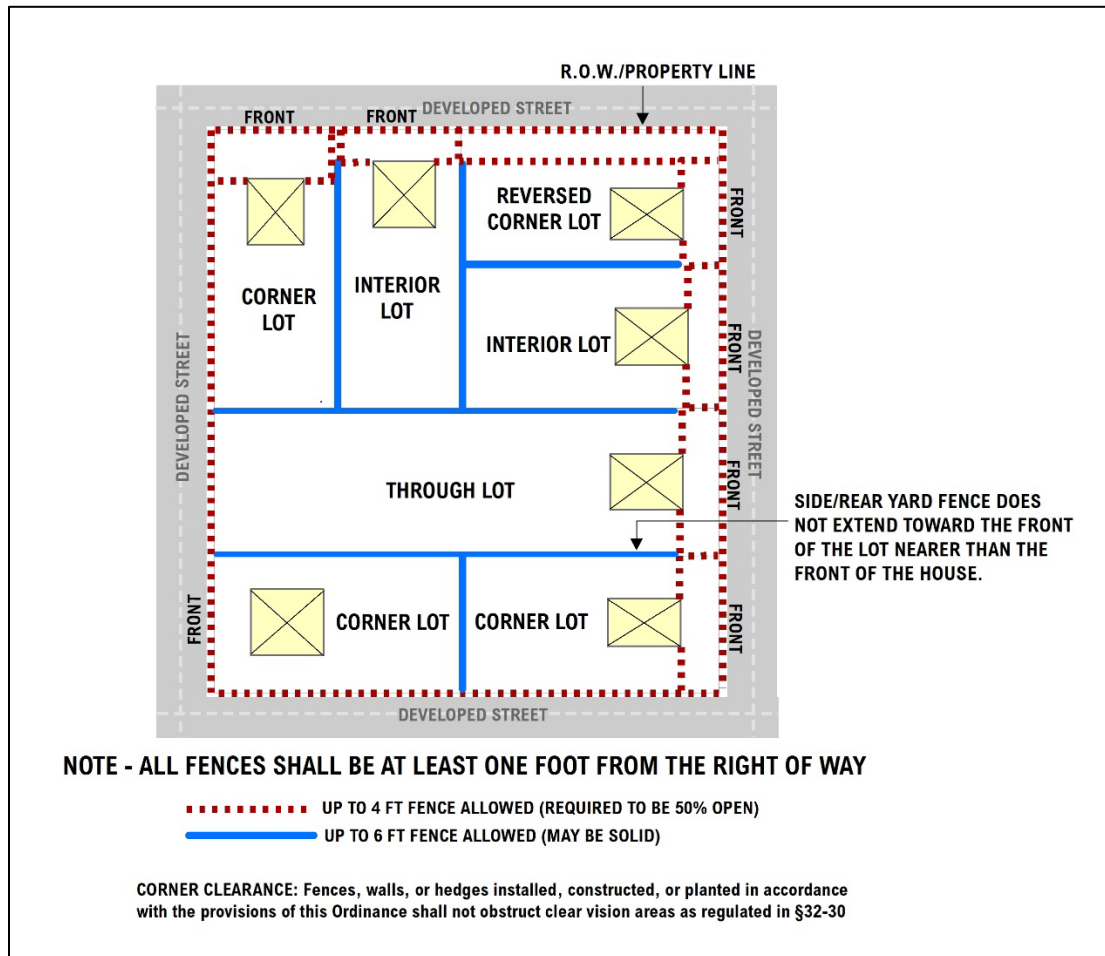


Figure B:



Section 2. If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3. The City of Rogers City Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 5. This ordinance shall take effect upon the expiration of seven days after the publication of a summary of its provisions.

Scott McLennan
Mayor

Terri Koss
City Clerk