

VILLAGE OF ST. JACOB

ORDINANCE 24-632

**AN ORDINANCE FOR THE VILLAGE OF ST. JACOB,
ILLINOIS**

**AN ORDINANCE AMENDING CHAPTER 40 OF THE REVISED
CODE OF ORDINANCES OF ST. JACOB ILLINOIS
REGARDING ZONING**

**ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
VILLAGE OF ST. JACOB**

THIS 4th day of September 2024

**Published in pamphlet form by authority of the Village President
and the Board of Trustees of the Village of St. Jacob,
Madison County, Illinois, this 4 day of September 2024.**

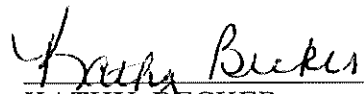
STATE OF ILLINOIS
COUNTY OF MADISON
VILLAGE OF ST. JACOB

} ss. VILLAGE CLERK'S OFFICE

CERTIFICATE

I, Kathy Becker, Village Clerk of the Village of St. Jacob, Madison County, Illinois, do hereby certify that the following Ordinance of the Village of St. Jacob, Illinois, passed on the 4th day of August 2024, published by the authority of the Village Board of Trustees was duly passed by the Village Board of Trustees of the Village of St. Jacob, Illinois, approved by the Mayor, and published in the pamphlet form according to law on this date, and that this ordinance is a true and perfect copy of the ordinance, as passed, approved, and now of record on file in my office as provided by law.

In witness whereof, I have by my hand affixed the Corporate Seal of the Village of St. Jacob, Illinois, this 4th day of August 2024.


KATHY BECKER
VILLAGE CLERK
ST. JACOB ILLINOIS

(SEAL)

**AN ORDINANCE REVOKING ORDINANCE 20-609
AND AMENDING CHAPTER 40 OF THE REVISED
CODE OF ORDINANCES REGARDING ZONING**

WHEREAS, The Village of St. Jacob, Illinois, has the authority to regulate the installation of improvements on real estate within the corporate limits of the Village of St. Jacob;

WHEREAS, it is necessary, desirable and in the public interest and in the interests of safety that the Village ensure fences installed within the Village are of a quality, style, size as provided by the Village Code; and

WHEREAS, it is further in the public interest to create a process requiring owners of real estate within the Village to file an application with Village officials to erect a fence to ensure that the planned fence complies with the Village Code; and

WHEREAS, if the Village does not have the ability to confirm that fences to be constructed conform to the Village Code it may result in safety issues, litigation between property owners, or ordinance violations as cited by the Village, which may result in a property owner having to remove an installed fence for failure to comply with the Village Code; and

WHEREAS, in 2020, the Village passed Ordinance 20-609, which at that time amended Chapter 40 of the Revised Code of Ordinance, to address various issues, including relating to fences within the Village of St. Jacob; and

WHEREAS, the Village now revokes that ordinance 20-609 in its entirety, and replaces it with this current ordinance, in order to add a provision relating to fences built or modified prior to the passage of Ordinance 20-609;

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE BOARD OF TRUSTEES OF THE VILLAGE OF ST. JACOB, STATE OF ILLINOIS, AS FOLLOWS:

SECTION 1: Section 40-7-3 and any amendments, of the Revised Code of Ordinances of the Village of St. Jacob regarding zoning, are amended by deleting from the original language and inserting in lieu thereof the following language:

40-7-3 Fences, Walls.

(a) All proposed fence installations require an approval by the Zoning Administrator or his designate. Application is to be made in Village Hall with a form provided by the Village.

(b) Residential and Agricultural districts (Divisions I-IV): (1) Fences may be placed no closer than 12 inches from any side or rear property line in residential districts. (2) Fences cannot exceed six (6) feet at the side and rear yard and cannot exceed four (4) feet in front yard in height. (3) Fences, walls, hedges or lattice screens, which form outside living rooms or provide privacy for swimming pools or other activities, may be located in any required side or rear yard or both, in

residential districts. When located in a front yard, a wall or screen must have at least 25 percent of its surface open. Any open area provided shall be evenly distributed throughout the fence, with no breach wider than four inches. Where lots are designed to have reverse frontage on a public street or alley, a solid fence or screen that has a height of six (6) feet or less is permitted along the rear property line. (4) No barbed wire or other sharp pointed fence and no electrically charged fence shall be erected or maintained.

(c) Business districts (Division V): (1) Fences may be a maximum of six (6) feet in height and may be placed no closer than 12 inches from any side or rear property line. (2) No barbed wire or other sharp pointed fence and no electrically charged fence shall be erected or maintained in the districts.

(d) Industrial districts (Division VI): (1) Fences may be a maximum of eight (8) feet in height and may be placed no closer than 12 inches from any side or rear property line. (2) No barbed wire or other sharp pointed fence shall be erected or maintained unless good cause is shown that it is required for security and other business purposes, and is approved by the Zoning Administrator or his designate after consultation with the police and fire chiefs. Concertina, razor or circular barbed wire and electrically charged fences shall only be allowed on public safety facilities. (e) No fence or other improvement shall be erected in a right-of-way or easement. No permanent fence or other improvement shall be constructed or erected within any public street, alley, right- of-way or public easement unless authorized by city council. In the event of necessity of removal, for maintenance or other purposes, of any fence or other improvement that has been previously erected in a public street, alley, right-of-way or public easement, removal and/or replacement of such fence or other such improvement shall be the responsibility of the property owner. Any fence constructed in accordance with the issuance of a city fence permit or in existence prior to the adoption of the city's ordinance requiring fence permits may be repaired and/or replaced in its current location, unless it was erected improperly or interferes with the operation of any public street, alley, right-of-way or public easement.

(e) Swimming Pools: Swimming pools shall be enclosed by a fence no less than four (4) feet in height to a maximum of six feet in height above ground level. Any open area provided shall be evenly distributed throughout the fence, with no breach wider than four inches. Fence shall be compatible with other on-site fencing and shall completely enclose pool area.

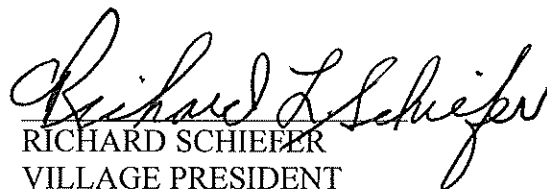
(f) Certain fences in existence before March 4, 2020. Notwithstanding any of the foregoing, this section applies to fences within residential or agricultural districts (as described in 40-7-3(b) above which were already constructed and in place, on or before March 4th of 2020, the date that the original version of this Ordinance was passed, and where the height before March 4th of 2020 exceeded the limitations in 40-7-3(b). With respect to such fences, if an owner of such a fence desires to repair, rehabilitate, or replace such a fence with a fence of a substantially similar type, such action shall be allowable, provided that the repair, rehabilitation or replacement does not increase the height of the fence beyond its original height.

SECTION 2: This ordinance shall become effective upon its passage, approval as required by law.


Adopted this 47th day of September 2024, pursuant to roll call vote by the Board of Trustees of the Village of St. Jacob, Madison County, Illinois.

Board of Trustees	Aye	Nay	Absent
Guideon Richeson	X		
Derek Ashoff	X		
Nathan Schmidt	X		
Dawn Ross	✓		
Tim Elliott			X
George Gavlick	X		

Approved by the Village President of the Village of St. Jacob, Madison County, Illinois, this 4th day of September 2024.


RICHARD SCHIEFER
VILLAGE PRESIDENT
ST. JACOB, ILLINOIS

ATTEST:


KATHY BECKER
VILLAGE CLERK
ST. JACOB, ILLINOIS

(SEAL)