



Note: With regard to fences, many ordinances allow a fence to be built on the property lines. Further, many ordinances do not require which side of the fence is to face a neighbor's yard. However, the Village advises that fences be built at least 1 foot off the property line so people may maintain their fence and clean along their fence. Again, the Village does not determine where property lines are. That is a responsibility of the property owner.

A note on long-term encroachments: (such as a fence that has been there for a long time). In some cases, after 15 years under Michigan case law, the concept of "adverse possession" may come into play. For example, if a survey *does* show the neighbor's fence has been on your property, if it has been there for 15 years or more, you may not be able to do anything about it. There are also other legal concepts like "easement of necessity," "prescriptive easements" and "negotiated property lines" that may come into play. Consult an attorney for more information. The key word here is "may."

If you feel you cannot approach your neighbor to openly discuss and resolve the issues, you may need to seek legal advice. If you cannot afford an attorney, Van Buren County Legal Aid Bureau may be able to provide some information. For a second resource try Dispute Resolution Services of Gryphon Center. They can also provide mediation services between neighbors, and the service is often free. Their number in Kalamazoo, at the time of this printing, is 381-1510.