

ARTICLE 26

FENCES

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26.010 DEFINITION

1. A structure serving as an enclosure, a barrier, or a boundary, usually made of posts or stakes joined together by boards, wire, or rails.

26.020 FENCES AND WALLS.

1. In any residential zoning district, fences not exceeding six (6) feet in height are permitted within the limits of side and rear yards. Fences are permitted in the front yard with a maximum height of forty-two (42) inches. All fences within a front yard shall be a minimum of two (2) feet from any property line abutting frontage to a public street. All fences located between the front property line and the front building setback, shall be designed with a minimum open space of 30%.
2. On residential corner lots, fences in the secondary front yard shall be a maximum of forty-eight (48) inches, and shall be a minimum of two (2) feet from any property line abutting frontage to a public street.
3. In industrial districts, fences and walls not exceeding eight (8) feet in height are permitted within the limits of the side and rear yard. Fences within a commercial district, within the front yard of an industrial district, or exceeding eight (8) feet in height in industrial districts, may be permitted by special exception of the Board of Adjustment.
4. Decorative Features: In all districts, decorative features such as individual posts, brick or stone columns, and similar features constructed as part of a

fence or wall shall be allowed to exceed the maximum fence height by no more than twelve inches (12").

5. Swimming Pool Enclosures: Barriers constructed for the purpose of enclosing swimming pools shall also be subject to the requirements of Article 19.070.
6. The frame of a fence, including posts, rails, and supports, shall be placed on the inside of the fence.

26.030 VISION CLEARANCE. On a corner lot, nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede vision between the height of two and one-half (2½) feet and ten (10) feet above the centerline grades of the area described as follows:

That area bounded by the street right-of-way lines of a corner lot and a straight line joining points on said right-of-way lines thirty-five (35) feet from the point of intersection of said right-of-way lines.

26.040 MATERIALS AND MAINTENANCE

1. Allowed Materials: Fences are to be constructed of customarily used materials such as chainlink, wrought iron, aluminum, wood, polyvinyl chloride (PVC), and other similar materials, unless specified otherwise herein. Wood fences should be constructed of treated lumber, cedar, redwood, or similar types of wood that are resistant to decay. Chain link type fences located in a residential front yard shall have a color coated finish. Determination of material acceptability shall be made by the Zoning Administrator.
2. Prohibited Materials: The use of materials such as corrugated or sheet metal, plywood, siding, chicken wire, woven wire, temporary construction fencing, snow fencing, or similar materials shall not be permitted for permanent fencing. A fence or wall may not be designed to cause pain or injury to humans or animals. Therefore, the use of spikes, broken glass, barbed wire, razor wire, nails, electrical charge or other similar materials shall be prohibited. Chain link fences located in a residential front yard shall not be of a galvanized finish.
3. Construction and Maintenance: All fences shall be constructed in a sound and sturdy manner and shall be maintained in a good state of repair, including the replacement of defective parts, painting, and other acts required for maintenance. The Zoning Administrator after ten (10) days'

notice to the owner of the fence, may order the removal of any fence that is not maintained in accordance with the provisions of this Code, and the cost assessed against the property where said fence is located. An extension of time may be granted, upon filing a verified statement that the delay is not a result of any act of the owner.

26.050 SCREENING OR BUFFER WALLS. In any zoning district where a fence or wall is required by the zoning or subdivision regulations or any other provisions of this Code of Ordinances, to serve as a screening wall, buffer wall or other separating or protective wall, the restrictions of Section 17.020 shall yield to the requirements of such other specific provision.

26.060 OVERLAND FLOWAGE EASEMENTS

1. Fences may encroach into an overland flowage easement providing measures are taken to make certain that the fence does not cause siltation buildup or restrict the water flow.
2. Permitted fence material includes chain link, wrought iron fencing, picket style fencing that is at least thirty percent (30%) open, or other fencing styles that are at least thirty percent (30%) open.

26.070 EXCEPTIONS TO FENCE REQUIREMENTS

1. Agricultural Purposes: In agriculture districts, barbed wire and woven wire fencing may be allowed, subject to a minimum setback of ten (10) feet, provided it is used to contain livestock or to protect crops and plantings.

In agriculture districts, an electrified fence may be allowed, subject to a minimum setback of ten (10) feet, provided it is used as an internal fence, not on the periphery of the property, to contain livestock.

2. Industrial Districts: In industrial districts, fences topped with barbed wire may be allowed by special exception of the board of adjustment, provided the barbed wire is not less than six (6) feet above the ground.
3. Recreational Purposes: Fences associated with the uses of a sports or recreational facility or other similar area, shall not be subject to the height restrictions specified elsewhere in this section, provided that such fence is

constructed to maintain a consistency of at least seventy five percent (75%) open space for the full length of the fence and does not impede the required vision clearance. Any such fence is subject to design review and approval of the Zoning Administrator.

4. Temporary Fences: Temporary construction fences, barricades, railings, or other similar fences installed to provide temporary site security and/or safety in conjunction with construction work may be allowed in any district during periods of construction. Any such temporary fences shall be removed upon completion of the construction work.
5. Temporary Event Fences: Temporary fencing used in conjunction with a temporary event shall be approved by the Zoning Administrator during the special events permit process.
6. Seasonal Fences: Snow fence etc.