ARTICLE XII. - FENCES AND WALLS

22.281 - Definition.

For the purposes of this Chapter, a fence is defined as a barrier constructed of materials other than living shrubbery erected for the purpose of protection, confinement, enclosure, or privacy.

22.282 - Permit required.

No fence or wall, as defined above, shall be erected or placed upon any property without first obtaining a fence permit therefor. Plans indicating specific location, material type, and height of proposed fencing shall accompany the permit application.

22.283 - Fee.

If the fence or wall, as defined above, receives approval from the Zoning Administrator, the City Building Department shall issue a permit therefor upon the payment of a fee as established in the fee ordinance.

22.284 - Grandfathering of existing fencing.

Existing fencing, legally constructed prior to the effective date of the ordinance from which this Chapter is derived, shall be allowed to continue; provided, however, that replacement of fencing on a zoning lot shall require that said fencing conform to the provisions of this Chapter.

22.285 - Specific provisions.

(a) A fence or wall may be erected, placed, or maintained adjacent to the lot line on residentially zoned property to a height not to exceed six feet above the grade level when located rear of the established front building setback line and no more than three feet above grade, forward of the principal structure or in a required front or corner side yard; provided, however, that a fence other than chain link may be allowed up to four (4) feet in height, forward of the principal structure or in a required front or corner-side yard, if such fence is at least seventy-five (75) percent open and not located within an established sight triangle from a street, alley or driveway as defined in subsection [22.285](e). On any property located within a residential zoning district a fence or wall may be erected, placed, or maintained adjacent to the lot line to a height not to exceed eight feet when such property abuts a railroad or Federal highway right-of-way provided such fence or wall is located to the rear of the established front or corner-side building setback line.

(b) The corner side yard of a lot immediately adjacent to and abutting another lot with a corner side yard may have six-foot fences rear of the principal structures.

(c) Where property within any business, commercial or industrial zoning district abuts residentially zoned property, there shall be provided a six-foot wood fence or wall to be located three feet from the property line. Exterior to such fence or wall there shall be provided appropriate landscape planting with a minimum height of thirty-six (36) inches, and a maximum height of seventy-two (72) inches above grade.

(d) In any non-residentially zoned district a fence or wall may be erected, placed, or maintained adjacent to the lot line to a height not to exceed eight feet above the grade level, provided that the maximum height of any fence in a front or corner side yard shall not exceed a height of three feet above the grade level.

(e) In any district no fence, wall, hedge or shrubbery shall be erected, constructed, maintained, or grown to a height exceeding three feet above the street grade nearest thereto, within thirty (30) feet of the intersection of any street lines or of street lines projected. Additionally, in any district no fence, wall, hedge or shrubbery shall be erected, constructed, maintained, or grown to a height exceeding three (3) feet above the grade nearest thereto, within ten (10) feet of the intersection of an alley and a sidewalk, or five feet of the intersection of a driveway and a sidewalk. The purpose of this requirement is to provide for visual clearance/traffic safety.

(f) All fences shall be erected with the "good" or "decorative" side facing outward.

(g) Swimming pools will be completely enclosed with a minimum four-foot fence in accordance with Section 24.25.

(h) Barbed wire, razor wire, concertina strands, the electrification of fencing, and the like are expressly prohibited; provided, however, that fencing which includes barbed wire or concertina strands located in the commercial, industrial or office districts may be permitted by the City Manager on the top of fences over six feet in height if erected or maintained about properties deemed to be in hazardous usage or in need of additional security.

(Ord. No. ZO-11-2015, §§ 2, 3, 10-5-2015)

22.286—22.290 - Reserved.