

§ 25-2-899 - FENCES AS ACCESSORY USES.

- (A) Except as otherwise provided in this chapter, a fence:
 - (1) is permitted as an accessory use in any zoning district; and
 - (2) must comply with the requirements of this section.
- (B) In this section:
 - (1) an ornamental fence is a fence with an open design that has a ratio of solid material to open space of not more than one to four; and
 - (2) a solid fence is a fence other than an ornamental fence.
- (C) The height restrictions of this section do not apply to an ornamental fence.
- (D) Except as otherwise provided in this section, a solid fence constructed along a property line may not exceed an average height of six feet or a maximum height of seven feet.
- (E) A solid fence along a property line may be constructed to a maximum height of eight feet if each owner of property that adjoins a section of the fence that exceeds a height of six feet files a written consent to the construction of the fence with the building official, and:
 - (1) there is a change in grade of at least two feet within 50 feet of the boundary between adjoining properties; or
 - (2) a structure, including a telephone junction box, exists that is reasonably likely to enable a child to climb over a six foot fence and gain access to a hazardous situation, including a swimming pool.
- (F) A solid fence may be constructed to a maximum of eight feet in height if the fence is located on or within the building setback lines.
- (G) a solid fence may be constructed to a height of eight feet if the fence is located between a residential use and:
 - (1) property zoned as a commercial or industrial base district;
 - (2) property used for a commercial or industrial use; or
 - (3) an alley that separates a residential use and:
 - (a) property zoned as a commercial or industrial base district; or
 - (b) property used for a commercial or industrial use.

Source: Section 13-2-308; Ord. 990225-70; Ord. 031211-11; Ord. 050127-64; Ord. No. 20141120-181, Pt. 1, 12-1-14.