

**TOWN OF BARTONVILLE  
ORDINANCE NO. 791-25**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 3, "BUILDING REGULATIONS," ARTICLE 3.10, "FENCES AND WALLS," SECTION 3.10.003, BY AMENDING FENCE REGULATIONS TO PROHIBIT PRIVACY FENCING AND OPAQUE WALLS IN CERTAIN AREAS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY FOR VIOLATION UPON CONVICTION OF A FINE IN AN AMOUNT NOT TO EXCEED \$500.00 FOR EACH OFFENSE, AND A SEPARATE OFFENSE SHALL OCCUR FOR EACH VIOLATION AND FOR EACH DAY UPON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Bartonville, Texas, is a Type A General Law Municipality located in Denton County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the Town of Bartonville, Texas ("Town"), is a general law municipality empowered under the Texas Local Government Code, Section 51.001, to adopt an ordinance or rule that is for the good government of the Town; and

**WHEREAS**, the Town desires to adopt regulations consistent with its vision and land development regulations to keep Bartonville as a community with a rural atmosphere; and

**WHEREAS**, the Town possesses a unique topography and scenic character, and it is the intent of the Town to preserve unobstructed views and maintain the open, welcoming nature of the community by minimizing the use of fences and other visual barriers; and

**WHEREAS**, the Town Council has determined that it is in the best interest of the health, safety, and welfare of its citizens to amend Chapter 3, "Building Regulations", of the Code of Ordinances to modify regulations prohibiting privacy fences or walls in certain areas and for the good government of the Town, to amend the Town Code as specified herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, THAT:**

**SECTION 1.  
INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct legislative determinations of the Town Council and are incorporated herein and made a part hereof for all purposes.

## **SECTION 2. AMENDMENT**

Chapter 3, "Building Regulations", Article 3.10, "Fences and Walls," Section 3.10.003, "Fences in General," Subsection (c), "No Privacy Fences or Walls" is hereby amended to be and read in its entirety as follows, and all other subsections and paragraphs of Section 3.10.003 not expressly amended hereby shall remain in full force and effect:

### **ARTICLE 3.10 Fences and Walls**

#### **SECTION 3.10.003 Fences in General**

...

"(c) No privacy fences or walls. Opaque screening walls and/or privacy fences shall only be allowed upon properties located within the Manufactured Homes Zoning District as defined in the Zoning Ordinance of the Town (the "MH Zoning District"). It shall be unlawful for a Person, as defined in Section 3.03.002, to erect or maintain an opaque wall or privacy fence in any district other than a MH Zoning District."

...

## **SECTION 3. SEVERABILITY**

It is hereby declared to be the intention of the Town Council of the Town of Bartonville, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the Town Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

## **SECTION 4. SAVINGS**

An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Town of Bartonville Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for that purpose.

**SECTION 5.  
PENALTY**

Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine not to exceed the sum of \$500.00. Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Chapter shall not preclude the City from filing suit to enjoin the violation and all remedies shall be cumulative.

**SECTION 6.  
ENGROSS AND ENROLL**

The Town Secretary of the Town of Bartonville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the Town Council of the Town of Bartonville and by filing this Ordinance in the Ordinance records of the Town.

**SECTION 7.  
PUBLICATION**

The Town Secretary of the Town of Bartonville is hereby directed to publish in the Official Newspaper of the Town of Bartonville the Caption and the Effective Date of this Ordinance for two (2) days.

**SECTION 8.  
EFFECTIVE DATE**

This Ordinance shall be in full force and effect upon passage and publication of its caption, as the law in such cases provides.

**PASSED AND APPROVED** by the Town Council of the Town of Bartonville, Texas, on this the 21st day of October 2025.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Jaclyn Carrington,  
Mayor

\_\_\_\_\_  
Shannon Montgomery, TRMC  
Town Secretary