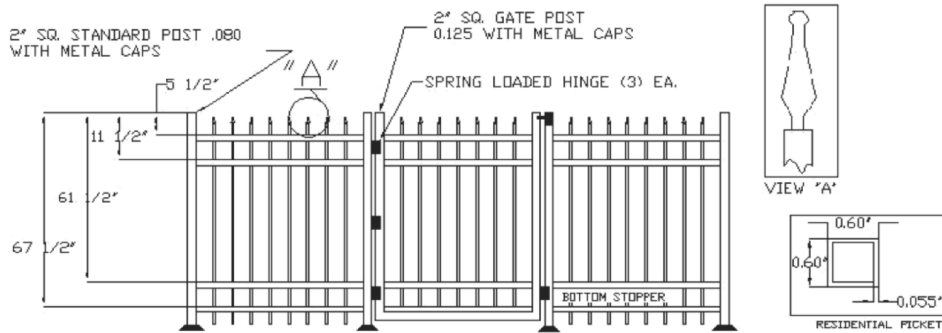


Sec. 117-788. - Fences, walls and hedges.

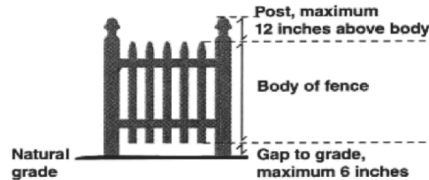
- (a) *Generally.* A building permit is required for all fences constructed.
- (b) *Compliance with state building code.* All fences and walls shall be built to comply with the state building code and in accordance with the following dimensional and use regulations. All posts must be made of materials rated to provide sufficient strength and endurance for outdoor use. The posts of each fence must be resistant to decay, corrosion, and termite infestation. All chain-link and other non-rigid fencing must include top rails for support and uniformity.
- (c) *General provisions.*
 - (1) *Restrictions.*
 - a. No barbed wire, razor wire or similar material shall be allowed for residential uses. Temporary security fencing may be allowed for construction sites in residential zones.
 - b. Barbed wire shall be prohibited for commercial and industrial uses, except when installed at an eight-foot height or greater.
 - c. No doors, aluminum siding, corrugated roofing materials, plywood, OCB boards, or scrap materials shall be used in constructing fences or walls.
 - (2) *Height.*
 - a. Fences, walls or hedges may be located in all front, side and rear yard setback areas of all residential zones. Fences or hedges shall not exceed four feet in height when placed in the front yard (the yard abutting a road or public right-of-way), except that decorative or ornamental fences made of aluminum, steel, vinyl, wood, or wrought iron may be a maximum of six feet in height with columns or gates extending up to 12 inches above the fence height. Decorative or ornamental fences shall be designed with picket spacing to provide an opacity of no greater than 40 percent allowing unobstructed visibility into the property for public safety, and any landscaping planted along the fence shall be limited to a maximum vegetation height of 30 inches. Each fence or wall located in the side and rear yard setbacks shall not exceed the height of six feet. There is no height limitation on a hedge in the rear or side yard.

Example of Six-Foot-High Residential Decorative; Ornamental Fence and Opacity Requirements



Measuring fence height

The body of the fence determines the fence height. A maximum of six inches is allowed above the natural grade (e.g. for drainage purposes). Fence posts may extend a maximum of 12 inches above the body of the fence. If the fence height has been elevated through the use of a retaining wall, the creation of a berm or another method for the primary purpose of increasing the elevation of the fence, the fence height is measured from the ground elevation prior to the grade modification.



Opacity

Fence opacity is the degree to which views are blocked.

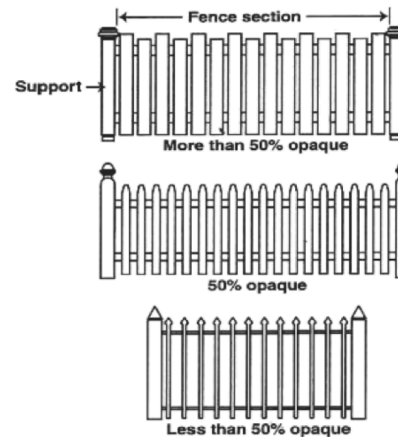
When a fence adjacent to a street is over three feet in height and does not meet the required setback for a principal structure in the zoning district, fence opacity is limited to 50 percent or less, subject to the exceptions below. See right for examples. For opacity limitations, an alley is not considered a street.

Approved materials

Fences must be constructed of wood, metal, bricks, masonry, plastic or other materials designed for permanent outdoor fencing. Wood fences must be constructed of cedar, redwood, or other decay resistant wood. Chain link fencing finer than 11-gauge in diameter is prohibited. (Note: 12-gauge is finer and 10-gauge wire is thicker than 11-gauge.) Fences must not be constructed from razor wire, snow fencing, plywood, or materials originally intended for other purposes. Above ground electric fencing is not permitted. Barbed wire is permitted only on top of fences in nonresidential districts, a minimum of six feet above the natural grade.

Fence Opacity

Opacity (the degree to which light or views are blocked) is measured perpendicular to the fence for each fence section between supports.



Exception

Temporary fences made of chicken wire in residential districts are permitted for residential garden uses only.

Installation, posts and supporting members

All fence elements must be permanently installed and constructed in a workmanlike manner to secure the fence in a vertically level position. Fences must be installed so that posts and lateral supports are not on the side of the fence facing an adjacent property or public right-of-way, unless exposed on both sides.

- b. Fences and walls in industrial (M-1, M-2) zones shall not exceed the height of ten feet.
- c. Fences and walls in commercial high intensity (CHI) zones shall not exceed a height of eight feet unless the fence or wall is considered to be a buffer to a conflicting zone or railway. A fence or wall considered to be a buffer shall not exceed a height of ten feet in a commercial high intensity (CHI) zone and the same for industrial M-1 and M-2 zones.
- d. Fences and walls in a residential professional office (RPO) zone shall not exceed the height of six feet.
- e.

No permanent fence or wall located adjacent to any public right-of-way and designed to be an integral part of a new or existing subdivision improvement, including, but not limited to, subdivision entrances and subdivision walls, shall exceed ten feet in height, including columns.

- f. On atypical or vacant lots, chain-link fences may not exceed six feet in height. If a residence is constructed on a vacant lot, the fence in the front yard must be brought to four feet unless it is a decorative or ornamental fence constructed of aluminum.
- g. Where a fence or wall transitions from a higher to a lower height, the transition must be complete at or before the point where the lower height must begin. For example, where a six-foot-tall fence transitions to a four-foot-tall fence, the transition from higher to lower must be completed where the four-foot height limitation begins, such that no portion of the fence exceeds the height limitation.

(3) *Location.*

- a. No permanent fence or wall shall be located within a city right-of-way line or utility easement.
- b. No permanent fence or wall shall be located within areas required to provide clearance for visibility in accordance with land development code triangle of visibility as referenced in section 113-76.
- c. A six-foot chain-link fence shall be required around all stormwater retention ponds for public health and safety.

(4) *Design and maintenance.*

- a. All fences and walls shall be designed to comply with the architectural and landscaping requirements of this Code, when applicable.
- b. All fences shall be maintained in their original upright condition.
- c. Fences and walls designed for painting or similar surface finishes shall be maintained in their original condition as designed.
- d. Missing boards, pickets, posts or top rails and ties shall be replaced in a timely manner with material of the same type and quality.
- e. Fences or walls having a side with exposed or irregular structural components shall face inward on the property and the more finished, uniform and aesthetically attractive side shall be installed so that the more finished, uniform and aesthetically attractive side faces outward from the fenced property toward the adjoining property. This requirement shall not be construed as to require post components of fences to be invisible from the adjoining property.
- f. The smooth side of a fence or wall shall be installed facing outward towards an adjoining property to prevent an adverse visual impact to the adjoining property.

- g. No fence or hedge shall be constructed or installed in such a manner as to interfere with drainage on the site.

(5) *Exemptions.*

- a. Customary fencing around tennis courts, other approved recreational amenities or public utility sites shall be exempt from height restrictions.
- b. Fences or hedges may be located in all front, side and rear yard setback areas. No fences or hedges shall exceed four feet in height when placed in the front yard (the yard abutting a road or public right-of-way), except in industrially zoned categories, where they shall not exceed six feet. Each fence located in the side and rear yard setbacks of a commercial high intensity and industrially zoned categories shall not exceed the height of eight feet, except for reasons as stated in subsection (2)b and c of this section, where they shall not exceed ten feet.
- c. Any fence located adjacent to a public right-of-way or private road shall be placed with the finished side facing that right-of-way.

(Code 2001, § 102-414; Ord. No. O-01-2000, § 7.01.03, 6-6-2000; Ord. No. O-08-2011, § 6, 12-6-2011)