

ORDINANCE NO. 2026 - ____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF JONESBORO, GEORGIA BY REVISING ARTICLE IX – SUPPLEMENTAL REGULATIONS, DIVISION 1, SECTION 86-264 (FENCE REGULATIONS); TO ESTABLISH UPDATED DEFINITIONS, STANDARDS GOVERNING FENCE HEIGHT, MATERIALS, DESIGN, VISIBILITY, PERMITTING, MAINTENANCE, AND ENFORCEMENT; TO PROVIDE FOR ADMINISTRATIVE REVIEW AND HISTORIC DISTRICT COMPATIBILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the Mayor and Council of the City of Jonesboro have reviewed the City’s existing fence regulations and determined that such provisions, originally adopted in 2005, no longer adequately reflect current land use conditions, development patterns, or community expectations; and

WHEREAS, the Mayor and Council recognize that fences, while serving legitimate purposes of security, privacy, and property delineation, may also impact visibility, traffic safety, neighborhood character, and adjacent property values if not properly regulated; and

WHEREAS, the Mayor and Council find that it is necessary to establish clear and objective standards governing fence height, placement, materials, and design in residential, commercial, and industrial zoning districts in order to promote consistency and avoid arbitrary enforcement; and

WHEREAS, the Mayor and Council further find that front yard fencing presents unique visibility and aesthetic concerns, and that limitations on height, material types, and opacity are necessary to preserve sightlines for motorists and maintain the visual character of residential neighborhoods; and

WHEREAS, the Mayor and Council determine that certain fencing materials, including chain link within front yards and hazardous materials such as barbed wire and razor wire, should be restricted or prohibited in order to protect public safety and maintain community standards, except where limited industrial use may justify such materials under controlled conditions; and

WHEREAS, the Mayor and Council find that flexibility in fence height in residential rear and side yards may be appropriate in limited circumstances, provided that such increases are subject to administrative review and compliance with applicable standards; and

WHEREAS, the Mayor and Council further find that properties located within Historic Overlay Districts require additional review to ensure that fencing is compatible with the historic character of such areas, and that a Certificate of Appropriateness is necessary to preserve those qualities; and

WHEREAS, the Mayor and Council recognize the need to require permits for fence construction and to establish maintenance obligations to prevent deterioration, unsafe conditions, and nuisance impacts on neighboring properties; and

WHEREAS, the Mayor and Council determine that enforcement authority must be clearly established to allow the City to address fences that create hazardous conditions, obstruct visibility, or otherwise threaten the public health, safety, and general welfare; and

WHEREAS, the Mayor and Council desire to repeal the existing Section 86-264 and replace it with a comprehensive and modernized regulatory framework consistent with these findings.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Jonesboro, Georgia:

SECTION 1.

Repeal and Replacement

Article IX – Supplemental Regulations, Division 1, Section 86-264 of the Code of Ordinances as enacted August 15, 2005, is hereby repealed in its entirety and replaced with the following:

Sec. 86-264. – Fence Regulations

(a) Definitions

Fence: Any structure used to restrict access or obstruct visibility.

Fence Height: The vertical distance measured from the mean elevation of the proposed finished grade to the highest point of the structure or its supporting structure, whichever is higher.

Front Yard: The front of a lot shall be that boundary of the lot along a public street having the least dimension.

(b) General Standards – Residential Districts

- 1. Fences located within a front yard shall not exceed four (4) feet in height.*
- 2. Fences erected in rear or side yards shall not exceed six (6) feet in height; provided, however, that the maximum height may be increased to eight (8) feet upon approval by City staff, where the additional height is justified and meets all applicable standards and requirements.*
- 3. Fences shall not encroach into any public right-of-way or easement.*
- 4. On corner lots, both street-facing yards shall be considered front yards and shall comply with front yard fence requirements.*
- 5. Fences located in front yards shall be decorative or ornamental in design and shall not obstruct visibility by more than fifty (50) percent.*
- 6. Chain link or similar woven wire fences are prohibited within front yards.*
- 7. Fences proposed within a Historic Residential Overlay District shall require a Certificate of Appropriateness (COA) prior to the issuance of a fence permit.*

(c) General Standards – Commercial and Industrial Districts

- 1. Fences used for screening shall be constructed of durable materials and designed to be compatible with adjacent properties.*
- 2. Fence height shall be a minimum of six (6) feet and shall not exceed eight (8) feet.*

3. *The use of barbed wire, razor wire, or similar fencing materials is prohibited in all zoning districts; however, such materials may be permitted in M-1 (Light Industrial) districts upon approval by the Code Enforcement Officer.*
4. *Fences proposed within any Historic Overlay District shall require a Certificate of Appropriateness (COA) prior to the issuance of a fence permit.*

(d) Maintenance

All fences shall be maintained in a safe, upright, and structurally sound condition. Fences shall not be allowed to deteriorate, lean, or otherwise present a hazard to adjacent properties or the public. Failure to maintain a fence may constitute a nuisance and shall be subject to enforcement action.

(e) Permits

A permit shall be required for the construction, installation, or alteration of any fence. The Building Official shall review all applications for compliance with this section and all applicable City regulations.

(f) Nonconforming Fences

Any fence lawfully existing prior to the adoption of this ordinance that does not conform to the provisions herein may continue to exist; however, such fence shall not be expanded, altered, or replaced except in compliance with this section.

(g) Enforcement

Any fence may be prohibited or required to be modified if, in the determination of the Code Enforcement Officer or the Chief of Police, the fence obstructs visibility for motorists along public rights-of-way, creates a hazardous condition, or otherwise endangers public safety or welfare.

Violations of this section shall be subject to enforcement in accordance with the City's code enforcement procedures and may be treated as a nuisance where applicable.

SECTION 2.

Repealer

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 3.

Severability

If any section, subsection, sentence, clause, or phrase of this Ordinance is held invalid, such decision shall not affect the remaining portions.

SECTION 4.

Effective Date

This Ordinance shall become effective immediately upon adoption.

IT IS SO ORDAINED, this ____ day of **April, 2026**.

BY: _____
Donya L. Sartor, Mayor

ATTEST:

BY: _____
Shandrella Jewett, City Clerk

REVIEWED BY LEGAL