

City of Lakeway, TX
Friday, August 23, 2024

Chapter 24. Building Regulations

ARTICLE 24.02. BUILDING CODE

Division 12. Fences, Additions and Accessory Structures

§ 24.02.442. Fences.

(a) General standards.

- (1) A building permit is required for the following:
 - (A) Any new fence or screening structure construction.
 - (B) Any fence or screening structure repair that alters the location, design, or specifications of the existing fence or screening structure.
- (2) No fences of any type shall be placed on any lot which by reason of high walls, excessive height, etc., will unreasonably obscure the view from a dwelling located or reasonably likely to be located upon an abutting lot. (For this purpose, "abutting lot" includes a lot separated only by a street from an adjacent lot.)
- (3) No fence of any type, including invisible fences installed to prohibit animals from leaving private property, shall encroach into the street or golf course setbacks. Exceptions:
 - (A) Required safety railing and guardrails.
 - (B) Fences up to 15 feet into a non-primary street-side setback.
- (4) Wood fences are prohibited on lots abutting a golf course where the wood fence would be visible from the golf course.
- (5) All fences shall be constructed so that all fence runs are finished on both sides of the fence. Stringers shall have pickets on both sides. Fence posts that are placed on the inside of a fence that encloses a yard do not have to be matched on the outside of the fence.
- (6) Masonry supporting structures shall be constructed of rock, brick or stucco and shall be a minimum of fourteen (14) inches by fourteen (14) inches and shall be at least as high as the approved fence height, but will not exceed the approved fence height by more than six (6) inches.
- (7) Masonry supporting structures shall be placed on steel reinforced concrete footings. Such footing shall be placed into virgin soil or solid bearing and shall be at least two (2) inches larger on all sides of the masonry structure and a minimum of eight (8) inches in depth.
- (8) Fences located over dedicated utility/drainage easements may have to be removed should access to such easements be required by any authorized utility company or be required to provide adequate drainage from areas of higher elevation. Replacement of fences shall be at the owner's expense.

- (9) For those fenced developments or projects which have keyed or coded access through a gate, the developer or owner shall provide keys or codes to the city police department and a key switch for the Travis County ESD #6 Fire Department.
 - (10) Lattice materials may be used for privacy screening (such as the screening of a hot tub, patio or porch) provided they extend no more than twelve (12) feet in length, are no more than eight (8) feet in height. Lattice fences must use panels with a minimum thickness of 3/8 inches. Each lattice panel shall be framed.
 - (11) Plans for masonry walls, or any portion thereof, four (4) feet or greater in height shall be signed and sealed by a registered professional engineer or architect. Masonry walls are measured from the base of the footing to the top of the wall. Dry stack walls are measured from the grade under the lowest layer to the top of the wall.
 - (12) All fences shall be maintained in good condition.
 - (13) All fences, including wood, wrought-iron, and ornamental fencing, shall be continuous flat-topped without spikes or sharp points.
- (b) Subdivision perimeter fencing.
- (1) Subdivision perimeter fencing is fencing that is installed with the development of a subdivision with the intent to provide a uniform border around the perimeter of the subdivision.
 - (2) Subdivision perimeter fencing up to six (6) feet in height may be approved administratively. Subdivision perimeter fencing up to eight (8) feet in height may be approved by the city building commission (CBC) as a waiver.
- (c) Yard fences.
- (1) Yard fences are those which enclose a yard to provide security and/or to provide privacy.
 - (2) Yard fences shall be constructed of wood, wrought iron, masonry or pre-cast concrete.
 - (3) Yard fences up to six (6) feet in height may be approved administratively. Yard fences up to eight (8) feet in height may be approved by the code official or authorized designee.
 - (4) At least one end of a yard fence shall terminate at the residential unit with which it is associated.
 - (5) Yard fences should be located on property lines whenever possible. Yard fences shall not encroach in the street-side or golf course setbacks. Exceptions:
 - (A) The code official or authorized designee may approve a waiver for encroachment of a yard fence into a setback when such fence is extended to connect with a subdivision perimeter fence.
 - (B) Required safety railing and guardrails.
 - (C) Fences up to 15 feet into a non-primary street-side setback.
 - (6) Wood yard fences:
 - (A) Yard fences constructed of wood shall have masonry supporting structures, or supporting structures of an architecturally superior design as approved by the code official, spaced at least every twelve (12) feet along those portions of the fence facing the street or lake beginning with one column at the fence end on the side lotline.
 - (B) Exception: For duplexes constructed prior to 1995 and located within R-4, duplex zoned districts, masonry supporting structures shall be located:
 - (i) Along fence runs facing a street at the point one property line meets another; and

(ii) At the corners of those fences facing two streets.

- (7) Areas used for the storage of materials or equipment in nonresidential areas shall be screened from view from the street and all adjoining properties through the use of wood, masonry or pre-cast concrete yard fences.
- (8) Masonry or pre-cast concrete yard fences may be required in nonresidential areas to abate noise.

(d) Safety railings.

- (1) Exterior wood, rock, or concrete walkways, driveways, retaining walls, pool aprons, or other accessible areas which exceed thirty (30) inches but less than six (6) feet above grade shall have safety railings or plants substantial in size and density to serve the same purpose. Continuing steps or walkways with slopes exceeding fifteen (15) percent shall be provided with safety railing. Safety railing installed within the floodplain must be metal and may have to be removed during flooding situations. This type of safety railing is a rail or obstruction no more than forty-two (42) inches high with one horizontal member located approximately thirty-six (36) inches above grade. Safety railing will not take the place of required handrails or guardrails.
- (2) Exterior wood, rock, or concrete walkways, driveways, retaining walls, pool aprons, or other accessible areas which exceed six (6) feet above grade shall have safety railings which meet the requirements of a guardrail. This type of safety railing shall be a minimum of thirty-six (36) inches in height, with vertical pickets spaced less than four (4) inches, and meet all other code requirements.
- (3) Stormwater detention and water quality ponds holding a water level of twenty-three (23) inches or more shall be protected with a fence for public safety. This fence shall be a minimum of forty-eight (48) inches in height with vertical pickets spaced less than four (4) inches apart and shall be constructed of solid wood, masonry, stone or wrought iron. All fences shall have at least one gate for maintenance access and shall be equipped to accommodate a locking device that will remain locked at all times.

(e) Guardrails.

- (1) Porches, balconies or raised floor surfaces located more than thirty (30) inches above the floor or grade below shall have guardrails not less than thirty-six (36) inches in height.
- (2) Required guardrails shall be constructed of wrought iron, wood (finished and identical on both sides), steel, or a pre-cast concrete railing system. Materials not approved for guardrails include welded fabric, hog or chicken wire, or similar products. Guardrails shall be constructed in accordance with current code requirements.
- (3) Guardrails do not meet the requirement for pool enclosures.

(Ordinance 2019-08-26-02 adopted 8/26/19; Ordinance 2024-04-15-05 adopted 4/15/2024; Ordinance 2024-05-20-01 adopted 5/20/2024)