

(H) Accessory Structures Not Requiring Zoning Approval.

(1) General

- (a) All accessory structures located within the Town's jurisdiction must meet the requirements of the North Carolina State Building Code.
- (b) Other permits, including a building permit, may be required.

(2) Fences and Screening Walls.

(a) Placement and height:

- (1) Fences or screening walls up to eight (8) feet in height may enclose side and rear yards in all zoning districts.
- (2) A request may be made for an administrative adjustment up to ten (10) feet in height for fences and walls enclosing the side and rear yard(s) of properties in the B-2 and all industrial districts. Such a request must be submitted in writing to the Zoning Administrator.
- (3) Fences and screening walls of up to four (4) feet in height may enclose front yards in all zoning districts except in the Commercial Business (CB) and Highway Business (HB) districts where front yard enclosures are not permitted.
- (4) Front yard enclosures may be increased to six (6) feet in height in the RA-15 and RAM-15 zoning districts with written administrative approval.
- (5) Fences or walls may not be located within a public right-of-way and/or obstruct a sight distance triangle.
- (6) No fence or wall shall impede the visual locating of 911 emergency street addresses
- (7) Fences or walls shall not alter or impede the natural flow of water in any stream, creek, drainage swale, or ditch.
- (8) The finished side of a fence or wall shall face off site.
- (9) Additional wall or fence requirements applicable to a particular activity or use may be specified elsewhere in this Ordinance. Except where specifically modified (such as a specific height requirement), this Part shall take priority.

(b) Maintenance:

- (1) Any fence or wall which, through neglect, lack of repair, type or manner of construction, method of placement or otherwise, constitutes a hazard or endangers any person, animal or property is hereby deemed a nuisance. If such conditions exist, the Administrator shall require the owner or occupant of the property upon which the fence or wall is located to repair, replace or demolish the fence causing the nuisance. (Ord. 10-02, 1/5/10; Ord. 20-05, 7/7/20)

(c) Construction:

- (1) Fences and walls shall be constructed of high-quality materials including brick or stone, stucco over concrete masonry blocks, treated wood, wrought iron/aluminum, composite fencing, exposed aggregate concrete, architectural block, or PVC vinyl in a structurally safe and attractive condition.

(d) Prohibited Fences. The following types of fences are prohibited in all zoning districts:

- (1) Fences constructed primarily of barbed or razor wire;
  - (2) Fences carrying electrical current;
  - (3) Fences topped with barbed wire or metal spikes, except those serving an institution a petitionary, prison, jail, police station, involuntary medical facility, municipal function or as required by state or federal law, for public safety purposes;
- (3) Gazebos, pergolas, pavilions, and arbors with any dimension 12 feet and under, and shall not be permanently affixed to the ground.
  - (4) ADA compliant ramps intended for accessing single-family residences.
    - a. These structures may be located in a front yard of a property.
  - (5) Uncovered patios at ground level, including materials such as concrete, brick, or pavers.
  - (6) Children's playhouses, swings and/or playsets.
  - (7) Outdoor fireplaces and firepits in compliance with North Carolina Fire Code.