

Ordinance No. 603

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIDNEY, MONTANA, AMENDING TITLE 11, CHAPTER 18, RETAINING WALLS/FENCING, OF THE CITY CODE OF THE CITY OF SIDNEY, MONTANA.

WHEREAS, the City Council of the City of Sidney desires to amend Title 11, Chapter 18, Retaining Walls/Fencing,

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS by the City Council of the City of Sidney that Chapter 18 of Title 11 of the City Code of the City of Sidney is hereby amended as follows:

§11.18.28 Retaining Walls/Fencing

11.18.28 A Retaining Walls

Retaining walls shall not exceed the height of eight (8) feet. Fences in Residential Zones shall not exceed six (6) feet in height above natural grade. More than one (1) retaining wall in a terraced arrangement shall be permitted. Retaining walls lower than three (3) feet designed and constructed to retain earth are exempt from other standards of this Ordinance that regulate walls. Walls taller than three (3) feet are required to be permitted and must include a stamp from a licensed Montana engineer.

11.18.28 B Fences by District

Fences in Residential Zones (R- Zones) shall not exceed six (6) feet in height above natural grade. The use of barbed wire or electric fences in residential zones is prohibited.

Fences in Business Zones (numbered B and C Zones) shall not exceed six (6) feet in height above natural. In the B-1 Zone fences shall not exceed eight (8) feet in height. The use of barbed wire or electric fences in Business Zones is prohibited.

Fences in Manufacturing Zones (CLM and MI) shall not exceed eight (8) feet in height above natural grade. The use of barbed wire is allowed in Manufacturing Zones. The use of electric fences is prohibited in Manufacturing Zones.

11.18.28 C Additional Fencing Requirements

Any fences constructed may extend beyond the property line onto the City right-of-way, provided that such fence ends at least five feet (5') from the established curb line to allow room for sidewalk construction. In the event no curb line has been established at the time of fence construction, the director of Public Works may establish a projected curb line for the purpose of determining placement of sidewalks in the future.

Notwithstanding any other part of this Section, a chain link fence may be constructed to a height of forty-two inches (42") within ten feet (10') from the intersection of a street or alley or within twenty-five feet (25') of the main street, provided that no materials are inserted into such chain link fence that would cause a decrease or obstruction to the vision of any operator of a vehicle.

Barbed wire and electrical fences may be permitted as an accessory use for safety reasons only upon the specified approval of the Building Inspector.

No yard fence shall be constructed of barbed wire, chicken wire, electrical wire, snow fence or any other wire unless such wire fencing is specifically designed and made for yard fencing and approved by the Building Inspector. Chain link fencing materials are acceptable. No steel "T" or "U" fence posts may be used.

Any wood fence constructed from salvaged material must be painted so that all materials are of the same color within 30-days of installation.

In no case shall such fences, walls or hedges be so placed and/or maintained that they impede vision for a driver of a vehicle approaching a street, alley or driveway intersection with another vehicle-traveled area; visibility triangles at all intersections shall be maintained unobstructed by fences.

1st reading: _____

2nd reading: _____

Commissioner _____ moved the adoption of the foregoing Ordinance.

The Motion was seconded by Commissioner _____. On roll call

vote of the Commissioners vote "AYE": _____

_____, and the following

Commissioners vote "NAY": _____. Absent

and not voting: _____.

WHEREUPON, the Motion was passed and the Ordinance declared adopted this _____ day of _____, 2025.

Mayor

ATTEST:

City Clerk/Treasurer