

ORDINANCE NO. 2024-0XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH AMENDING CITY OF WOLFFORTH ZONING ORDINANCE BY AMENDING CHAPTER 14 ZONING; AMENDING §14.05.009 FENCES; ALLOWING FOR APPROVED AND PROHIBITED MATERIALS IN RESIDENTIAL DISTRICTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Wolfforth Zoning Ordinance regulates the uses of property within the Wolfforth city limits including fences;

WHEREAS, the Planning and Zoning Commission held a public hearing on April 9, 2024, regarding approved and prohibited fencing material; and

WHEREAS, the City published notice on March 24, 2024, in the Lubbock-Avalanche for the April 15, 2024 public hearing; and

WHEREAS, the City Council believes it is in the best interest of the City to provide approved and prohibited materials for fences in residential areas; NOW THEREFORE

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOLFFORTH TEXAS, THAT:

Part 1. Enacted.

THAT City of Wolfforth Zoning Ordinance is hereby amended by Chapter 14 Zoning §14.05.009 Fences, such additional language shall read as follows:

§14.05.009 Fences.

(c) Approved Fence Material. Residential fences may be constructed of any of the following materials:

- (1) Masonry (brick, stone, reinforced concrete) or any other sustainable material with more than 30-year life expectancy;
- (2) Ornamental metal fencing;
- (3) Cedar, whitewood, or similar industry standard type of wood;
- (4) Composite fencing;
- (5) Vinyl fencing;
- (6) Chain link fencing;
- (7) Wooden split-rail or painted pipe rail fencing may be installed on parcels of one acre or larger;
- (8) Sheet, roll, or corrugated metal, only if constructed with metal posts, metal brackets, and metal caps. No galvanized metal; and

- (9) Other wooden picket fences, only if constructed with metal posts, metal brackets, and metal caps. Wooden horizontal members must be at least 2” x 4” in size.
- (d) Prohibited Fence Materials. Residential fences not associated with the permitted keeping of livestock are prohibited from being composed of the following materials:
- (1) Cast off, secondhand, or other items not originally intended to be used for constructing or maintaining a fence, such as, but not limited to:
 - (A) Plywood or particleboard;
 - (B) Rope, string, or wire products; and
 - (C) Fiberglass panels;
 - (2) Barbed wire or concertina;
 - (3) Razor wire;
 - (4) Electrified components;
 - (5) Embedded glass shards; or
 - (6) Damaged, deteriorated, or unsafe materials.

Part 2. Severability.

If any section, sub-section, clause, phrase or portion of this Ordinance shall be held unconstitutional or invalid by a court of competent jurisdiction, such section, sub-section, sentence, clause, phrase or portion shall be deemed to be separate, distinct and independent provision and such invalidity shall not affect the validity of the remaining portion.

Part 3. Repeal.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Part 4. Open Meetings.

That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that the public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

Part 5. Effective Date.

This Ordinance shall take effect immediately upon its passage and adoption by the City Council.

PASSED AND APPROVED ON THIS THE 15th day of April, 2024.

Charles Addington, II, Mayor

City of Wolfforth, TX

ATTEST:

Terri Robinette, City Secretary