

Sec. 30-796. Fences; visibility at intersections and driveways.

(a) Height restrictions. In any residential zone on any lot, no fence or planting shall rise over 2 1/2 feet in height above the level of the public sidewalk or curb of street within ten feet of the front property line.

(b) Height of fences in side and front yards. No fence in a front yard or along a side line of a lot in a residential zone, other than a retaining wall, shall be higher than six feet in height unless the adjoining lot is not in a residential zone. Construction of a fence exceeding six feet in height requires a building permit.

(c) Height of fences in rear yard. No fence higher than eight feet may be located in a required rear yard in a residential district, unless the adjoining lot is not in a residential zone. Construction of a fence exceeding six feet in height requires a building permit.

(d) General requirements for fences.

(1) Location. Any fence shall be located entirely upon the private property of the person constructing or causing the construction of such fence unless the owner of the adjoining property agrees, in writing, that such fence may be erected on the division line of the respective properties. The director of planning or their designee may require the owner of the property upon which a fence exists to establish the boundary lines of the property by a survey thereof.

(2) Construction and maintenance.

a. Every fence shall be constructed in a complete and substantial manner and of materials reasonably suited for the purpose for which the fence is proposed to be used.

b. Every fence shall be maintained in a condition of reasonable repair. No fence shall be constructed or continue which is dangerous to the public safety, health, or welfare as determined by the director of planning or their designee.

c. Electric fences, barbed wire fences and barbless wire fences shall be permitted only in the A-1 and R-1a zoning districts when related to farming, but not as boundary fences.

(3) Finished side of fence to face adjoining property. If the material used in the fence construction is not finished on both sides, the finished side of the material shall be on the outside, facing the abutting or adjoining properties, and all posts or structures supporting the fence shall be on the inside of the fence.

(4) a. All below ground pools require a building permit and shall be enclosed with a fence that is a minimum four feet high and includes lockable gates. The fence shall be installed prior to filling the pool. Fencing shall be chain link, vertical pickets or solid. Spaces between the bottom of the fence and the ground or between the pickets shall not exceed four inches.

b. All above ground pools that require a building permit shall have access controlled with a means to prevent access into the above ground pool when unoccupied. Failure to prevent access into an above ground pool when unoccupied is a misdemeanor.

c. All pool related chemicals shall be stored inside a structure.

(Code 1982, § 900.20(6); Ord. No. 03-10, § 1, 6-16-2003; Ord. No. 04-15, § 1, 10-18-2004; Ord. No. 06-09, § 1, 7-17-2006)