

Chapter 74. Zoning

ARTICLE IX. Supplemental Regulations

DIVISION 1. Generally

Section 74-488. Walls, fences, and hedges.

- (a) A fence is defined, for the purpose of this section, as any partition, structure, wall, or gate erected as a divider marker, barrier or enclosure and located along the boundary, or within the required yard. For the purpose of this section, a fence shall not include naturally growing shrubs, trees or other foliage.
- (b) No fence shall be erected or substantially altered in the city without securing a permit from the building inspector. All such permits shall be issued upon a written application which shall set forth the type of fence to be constructed, the material to be used, height, and exact location of the fence. A fee as determined by the City Council shall be paid with each application.
- (c) Fences, when constructed to enclose any lot or tract of land, shall be located in such a way that the entire fence shall be on the property of the owner. Posts and framework shall be placed within the property lines of the owner and the actual fencing material, such as chain link, lumber, pickets, etc., shall be placed on the side of the fence which faces the street or adjacent property.
- (d) No fence shall be allowed or constructed on street rights-of-way. Fences may, by permit, be placed on public utility easements so long as the structures do not interfere in any way with existing underground or over ground utilities. The City or any utility company have authority to use such easements, shall be not be liable for repair or replacement of such fences in the event they are moved, damaged or destroyed by virtue of the lawful use of such easement.
- (e) In single and two-family residential districts, no fence may exceed four feet in height above the ground level, in front of the front line of the residential structure, along any street or highway right-of-way, or in the front yard as defined by this chapter. In these two districts, fences along the side lines to the rear line, including rear lines abutting street or highway right-of-way, may not exceed six feet in height above the ground level.
- (f) The required front yard of a corner lot shall not contain any fence which may cause danger to traffic on a street or public road, by obscuring driver's view. On corner lots, no fence shall be permitted within the intersection sight distance triangle.
- (g) Off-street parking and loading zones and landscaped areas for nonresidential and for multiple-family residential development adjoining one- or two-family residence districts shall be screened by a minimum of six-foot high fence and/or a planting buffer screen. Plans of such screen or fence shall be submitted for approval as part of the site plan review by the Planning Commission and the City Council. Such plans shall be part of the application for a building permit and such fence or landscaping shall be installed as part of the initial construction and be maintained in a sightly condition, compatible with the surrounding area.
- (h) Every fence shall be constructed in a workmanlike manner and of substantial material reasonably suited to the purpose for which the fence is to be used.

Barbed wire is not allowed in any residence district but may be installed in commercial or industrial districts with approval by the building inspector.

- (1) Fence Materials. The following fence materials are allowed in all residential districts unless otherwise stated in this chapter.
 - a. Treated wood, cedar, or redwood;
 - b. Composite including plastic or simulated wood;
 - c. Decorative brick or stone;
 - d. Wrought iron or aluminum designed to simulate wrought-iron;
 - e. Coated or non-coated chain link;
 - f. Split rail
 - g. Other materials or fence types as approved by the city.
- (i) Every fence shall be maintained in a condition of good repair and shall not be allowed to become and remain in a condition which would constitute a public nuisance or a dangerous condition. The building inspector is authorized to notify the owner or owners of the condition and allow owner or owners 60 days in which to repair or demolish the fence.
- (j) Fences shall be constructed in conformity with the wind, stress, foundation, structural and other requirements of the state building code when applicable.