



ADMINISTRATIVE PERMIT

FENCING

Fee: \$15.00

Permit Number _____

Permit Issued/Denied _____

Purpose of Request _____

Owner _____

Address _____ Phone Number _____

Zoning District _____

Applicant _____
(If other than owner)

Address _____ Phone Number _____

The following are items that must be submitted to acquire a fence administrative permit:

1. Site Survey/location of use
2. Start Date _____ Completion Date _____
3. Fence Height _____ Fence Material _____
4. Description of construction type for proposed fence.

A fence that is placed less than two feet (2') from any side or rear lot line on the property must provide that an agreement addressing construction, maintenance, and repair responsibilities, as well as trespassing rights, is established between the adjoining property owners.

5. This permit was reviewed and approved by the Maintenance Supervisor.

Dated: _____

Approved by: _____

Jim Voitalla, Maint. Supervisor

§ 153.181 FENCING, SCREENING AND LANDSCAPING.

(A) *Screening.*

(1) All materials and equipment, except as provided in the district provisions of this chapter, shall be stored within a building or structure or screened so as not to be visible from adjoining properties, except the following:

- (a) Useable laundry equipment (clothes lines);
- (b) Recreational equipment and vehicles; and
- (c) Construction and landscaping material currently being used on the premises.

(2) In all commercial and industrial districts adjacent to residential districts and not divided by streets, there shall be provided along the property line a 20-foot-wide planting strip composed of grass, trees and shrubs. A screening fence may be utilized when approved by the Planning Commission. The fence shall not exceed eight feet in height or be less than six feet in height.

(B) *Landscaping.* In all zoning districts, the lot area remaining after providing for parking, driveways, loading, sidewalks or other requirements shall be planted and maintained in grass, sod, shrubs or other acceptable vegetation or landscaping techniques. Refer to §§ 153.255 *et seq.* for landscaping regulations.

(C) *Fencing.*

(1) *Definition.*

FENCE. A partition made from rails, timbers, chain link, boards, stone walls, hedges, vinyl or any other materials. A **BOUNDARY-LINE FENCE** requires periodic maintenance and, in the case of vine or flowers being intertwined into a chain link fence or hedges, regular landscape maintenance. A **MAINTENANCE-FREE FENCE** is a fence constructed of chain link, steel, plastic or vinyl material.

(2) *Permit required.* No person shall construct any fence without first making application for and securing an administrative permit. A site survey and/or boundary survey should be submitted with the application. A description of the construction type is also required along with the application for a permit.

(3) *Locations.*

(a) All fences, including boundary-line and maintenance-free types, shall be located no closer than two feet from any side or rear property lot line on the property of the person constructing

the fence, unless a written agreement, describing the variance and who will be responsible for maintaining the fences and the property between these fences, is signed by both property owners and on file with the city prior to the approval of the administrative fence permit.

(b) On corner lots, no fence or screening material shall be permitted within the traffic sight visibility triangle that is 20 feet from the intersection on all sides.

(4) *Maintenance of setbacks.* In all cases, unless indicated differently, the maintenance of all setbacks would be the responsibility of each home owner.

(5) *Height regulations.*

(a) Residential fencing may not exceed six feet unless approved by special permit.

(b) In the case of grade separation, the height shall be determined on the basis of measurement from the average point between the highest and lowest grade.

(c) Industrial/commercial fences may not exceed eight feet in height unless a conditional use permit is approved, depending upon the circumstance.

(6) *Construction and maintenance.*

(a) Fences shall be constructed in a workmanlike manner and of substantial material reasonably suited for the purpose for which the fence is proposed to be used. Fences shall be maintained in a condition of reasonable repair and shall not be allowed to become a danger or constitute a nuisance, public or private. Any fence that is or becomes dangerous to the public safety, health or welfare is a public nuisance, and the city may commence proper proceedings for abatement thereof.

(b) The side of any fence considered to be its *FACE* (i.e., the finished side having no structural supports) shall face the abutting property or street right-of-way.

(c) Electric fences shall be permitted only when related to agricultural uses, but not as boundary fences.

(d) Barbed-wire fences shall only be permitted for agricultural, business or industrial purposes. Barbed-wire fences for business or industrial purposes are subject to regulations set forth in part division (C)(8) of this section.

(7) *Residential fencing and screening.*

(a) Except as provided herein, fences shall be at least 5% open for passage of air, light and drainage.

(b) Except as provided herein, fences shall not exceed six feet in height.

(c) Fences extending across front yards and side yards abutting a public right-of-way shall not exceed 48 inches in height, shall be at least 75% open space for passage of air and light, and shall not be permitted within the traffic visibility triangle.

(d) Natural water flow cannot be restricted by the fence.

(8) *Business and industrial fencing.*

(a) No fence shall be allowed in the front yard of a business use except by special use permit.

(b) Except in a required front yard, business and industrial fences may be erected as provided herein.

(c) Business and industrial fences with barbed-wire security arms shall be erected with a minimum height of six feet (measured without the security arm). The security arm shall be angled in such a manner that it extends only over the property of the permit holder and does not endanger the public. Security fencing shall be prohibited within a required front yard or when located along a property line abutting a residential use.

(9) *Solid walls.* Solid walls, up to six feet in height, that are not part of buildings may be constructed and maintained only in the buildable area of a lot.

(10) *Compliance.*

(a) Fences installed after December 11, 2012, will be required to conform to the regulations within this section.

(b) Fences installed prior to December 11, 2012, will be legal nonconforming uses. If a nonconforming fence is removed, replacement of the fence will require compliance with this section in its entirety.

(Ord. passed 3-9-93; Am. Ord. 98-02, passed 11-10-98; Am. Ord. 00-01, passed 5-9-00; Am. Ord. 00-03, passed 6-13-00; Am. Ord. 12-01Z, passed 12-11-12)

§ 153.182 UNPLATTED PROPERTY.

(A) Any person desiring to improve unplatted property shall submit to the city a survey of the premises and information on the location and dimensions of proposed buildings, location of easements crossing the property and information which may be necessary to insure conformance to city ordinances.

(B) All buildings shall be so placed so that they will not obstruct future streets which may be constructed in conformity with existing streets.