

## FENCE GUIDELINES

- The following materials are considered non-suitable for fence construction: chicken wire, square weld mesh wire, barbed wire, temporary snow fence, sold concrete block, and sharp edged material along the top or sides of fence.
- Electric fences prohibited.
- Any fence that has different sides shall be constructed so the attractive side faces away from the property on which the fence is constructed.
- No fence is allowed in the area between the front of the house and the street. Front yards cannot be fenced in.
- For fences on corner lots contact building department to determine if side yard is allowed to be fenced.
- Fence must be located on Owner's property and a minimum 3" from the owner's property line.
- Maximum height for fence is 6'.
- Post holes for 6' wood fence must be 42" deep.
- Post holes for fences less than 6' should be at least 2' deep or 1/3 of the length of the post.
- Post holes to be filled with concrete.
- Submit plat of survey marking the fence location with permit application.
- Post hole inspections required call the Building Department 24hrs in advance to schedule.

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- Los siguientes materiales se consideran no adecuados para la construcción de cercas: alambre de pollo, alambre de malla de soldadura cuadrada, alambre de púas, cerca de nieve temporal, bloque de hormigón vendido y material con bordes afilados a lo largo de la parte superior o los lados de la cerca.
- Las vallas eléctricas están prohibidas.
- Cualquier valla que tenga diferentes lados se construirá de modo que el lado atractivo se dirija lejos de la propiedad en la que se construye la valla.
- No se permite ninguna valla en la zona entre la parte delantera de la casa y la calle. Los patios delanteros no se pueden cercar.
- Para cercas en lotes de esquina, póngase en contacto con el departamento de construcción para determinar si se permite que el patio lateral esté cercado.
- La valla debe estar ubicada en la propiedad del propietario y un mínimo de 3" de la línea de propiedad del propietario.
- La altura máxima para la valla es de 6'. Post holes for 6' wood fence must be 42" deep.
- Los orificios de los postes para las vallas de menos de 6' deben tener al menos 2' de profundidad o 1/3 de la longitud del poste.
- Agujeros de poste para llenar con hormigón.
- Envíe el plano de la propiedad marcando la ubicación de la cerca con la solicitud de permiso.
- Inspecciones de agujeros después de las inspecciones requeridas llame al Departamento de Construcción 24 horas antes de programar.

CHAPTER 5

FENCES

SECTION:

- 8-5-1: Definitions
- 8-5-2: Permit Required; Application; Fee
- 8-5-3: Construction Requirements; Restrictions
- 8-5-4: Authority To Review All Fence Variances
- 8-5-5: Penalty

8-5-1: **DEFINITIONS:**

For the purpose of this Chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning:

**ANIMAL RUN:** A completely enclosed fence for the exercising or containment of an animal.

**BARRIER:** Any obstacles or obstruction, natural or otherwise, erected to bar passage.

**BARRIER AREA:** That area derived by multiplying the length times the height measured at the topmost member.

**BARRIER HEIGHT:** The height of the barrier shall be measured to the topmost member including any ornamental member located on the top of the fence.

**CORNER BARRIER:** Any open barrier extending in one or two (2) directions parallel to said property lines, driveways, or sidewalks, not exceed five feet (5') in either direction.

**CORNER SIDE LOT LINE:** On corner lots, one side of the lot shall be defined as being a front

lot line, the other lot line, adjacent to street, shall be the corner side lot line.

**FENCE:** A structure or growth not otherwise a part of any building or structure, which enclosed or partially encloses any parcel of land.

**FRONTAGE:** That portion of a lot between the front building setback line and the street right of way. Every lot shall have only one front lot line and shall be the narrowest side of the lot line which adjoins a street. Where such lot lines are not obviously evident, the Zoning Board of Appeals, Planning and Economic Development Commission shall determine the front lot line.

**OPEN BARRIER:** A barrier in which the openings between the materials of which the barrier is constructed represents more than seventy percent (70%) of the total barrier. (Ord. O-12-2000, 3-6-2000)

8-5-2: **PERMIT REQUIRED; APPLICATION; FEE:**

- A. No person, firm, corporation, or trust owning or occupying land or premises within the City, nor shall other persons or contractors construct upon said premises any fence, barrier, or other structure without having first obtained a permit from the City.
- B. All applications for fence or barrier permits shall be made to the Building Department and shall include such information as will

be sufficient to show compliance with this Chapter.

- C. Working without a permit or not requesting the required inspections shall be charged an additional fee. This fee shall be computed to an amount that is equal to twice the initial application and permit fee and/or an amount that is equal to twice the initial inspection fees.
- D. The fee for a fence, barrier, or other structure shall be as per City fee schedule. (Ord. O-12-2000, 3-6-2000)

**8-5-3: CONSTRUCTION REQUIREMENTS; RESTRICTIONS:**

Fence posts for chain-link or split rail fences shall be buried in the ground to a minimum depth of at least 2 feet or 1/3 the total length of said post, whichever is greater. The posts shall be set in concrete. Fence posts for all other fences shall be buried in the ground to a minimum depth of 42 inches or 1/3 the total length of said post, whichever is greater. The posts shall be set in concrete. When setting posts in concrete, the post shall be set on a bed of gravel at least 6 inches in depth with concrete poured around the posts as a "collar" and not under post, to allow for drainage. (Ord. O-21-2020, 12-21-2020)

**8-5-4: AUTHORITY TO REVIEW ALL FENCE VARIANCES:**

The Zoning Board of Appeals, Planning and Economic Development Commission shall have the authority to hear appeals from and review any order, requirement, decision, or determination made by the Building

Commissioner/Inspector charged with enforcement of this Chapter, or hear applications for variances from this Chapter. The process shall be held in accordance with policies and procedures of the Zoning Board of Appeals, Planning and Economic Development Commission as regulated by the City zoning code. (Ord. O-12-2000, 3-6-2000)

**8-5-5: PENALTY:**

Any person, firm, corporation, or trust violating any of the provisions of this Chapter, shall, upon conviction, be fined in a sum not less than fifty dollars (\$50.00) nor more than one thousand dollars (\$1,000.00) for each offense. Each day of violation shall be deemed a separate offense. (Ord. O-12-2000, 3-6-2000)

mum of three inches (3") above the drainage area.

- G. No more than four (4) corner barriers on a lot is permitted. Front or corner side yards shall have only open type barriers. Front yard or corner side yard open barriers shall be a maximum of thirty inches (30") in height and shall not exceed five feet (5') in either direction. Rear yard barriers shall be a maximum of six feet (6') in height.
- H. If the Building Department considers a fence barrier to be a public safety hazard, either prior to, during, or after construction he may stop the building of the fence and submit his recommendations to the Zoning Board of Appeals, Planning and Economic Development Commission who may declare such fence or barrier to be a public nuisance and direct removal of such fence or barrier as may be permitted by law.
- I. No fences may be placed in the landscaping easement that may interfere with City-approved landscaping, berms, or drainage. The Building Department will make a determination as to whether or not a fence can be installed in the easement. Any growth or previous plantings in the easements must remain intact unless deemed necessary for removal by the Zoning Board of Appeals, Planning and Economic Development Commission.
- J. Animal runs shall not be allowed in front or side yards and the perimeter of such animal run shall not be closer than five feet (5') from the adjoining property lines. On corner lots, no animal run shall be in that area between the corner side lot line and the building setback line. Said animal runs shall have an area not to exceed one hundred (100) square feet and not more than six feet (6') in height.
- K. When the owner's fence is to be attached to a neighbor's fence, written permission shall be attained and submitted with the permit application.
- L. A rear yard fence or barrier shall be a maximum height of six feet (6'). Alterations to the existing grade level preceding the use of a fence for the purpose of altering the height of the fence shall not be permitted.
- M. 1. Every fence to be erected within the City shall be designed and constructed to resist and withstand a wind pressure of at least twenty (20) pounds per square foot of the gross proposed area of the fence, less any opening from any angle of approach.
2. All fence posts used in the construction of a fence shall be buried in the ground to a depth of at least two feet (2') or one-third ( $\frac{1}{3}$ ) of the total length of said fence post in greater than two feet (2'). Said posts shall be set in concrete.
3. All fence parts and anchors made of wood or other organic material shall be treated with a chemical treatment to protect them from deterioration when they are placed in or upon the ground.
- N. Chicken wire, square welded mesh wire, barbed wire, temporary snow fence, solid concrete block, and sharp-edged material long the top or sides are considered nonsuitable

construction material for purposes of this Chapter.

- O. The Building Department shall judge each cause by the same standards and not be unreasonable in his opinion and construction of this Chapter. (Ord. O-12-2000, 3-6-2000; amd. Ord. O-15-2000, 3-20-2000)

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