

## **SEC. 13-1-163 FENCES.**

**(a) Fences Defined.** For the purpose of this Section, a "fence" is herein defined as an enclosed barrier consisting of wood, stone or metal intended to prevent ingress or egress. A fence is a barrier intended to prevent intrusion or to mark a boundary; such a barrier is constructed of posts and boards or rails, or posts and wire mesh. No fence shall be constructed of unsightly or dangerous materials, which could constitute a nuisance. A "decorative fence" is a fence that does not restrict access to the yard. Fence posts and supports must be installed on the side of the fence that faces the fenced property.

### **(b) Residential Fences.**

#### **(1) Side Yard and Back Yard Fences.**

**a.** Side yard and back yard fences may be placed on the lot line with the agreement of neighboring property owners, otherwise fence must be set back two (2) feet. The owner of the fence shall be responsible for all maintenance of the fence including the clipping of grass or weeds under the fence.

**b.** Side yard and back yard fences shall not exceed six (6) feet in height.

**c.** Side yard and back yard fences shall not be permitted closer than two (2) feet to any public right-of-way.

**d.** Corner lot side yard fences to front of house. Follow rules for side yard or back yard fences.

**(2) Street Yard Fences.** Street yard fences are not allowed except decorative fences (see below).

#### **(3) Decorative Fences.**

**a.** A decorative fence may be constructed to decorate the corner of a lot or to facilitate the planting of shrubs or flowers but cannot restrict access to the yard.

**b.** When a decorative fence is used as a corner accent, the length of the fence shall not exceed ten (10) feet in either direction from the corner post. A decorative fence shall not exceed three (3) feet in height.

**c.** Decorative fences must be located a minimum of two (2) feet from the lot line or from any public right-of-way, whichever is greater.

**(c) Security Fences.** Security fences are permitted on the property lines in all non-residential districts, but shall not exceed ten (10) feet in height and shall be of an open type similar to woven wire or wrought iron fencing.

**(d) Prohibited Fences.** No fence shall be constructed which is in a dangerous condition, or which conducts electricity or is designed to electrically shock or which uses barbed wire, provided, however, that barbed wire may be used in industrially zoned areas if the devices securing the barbed wire to the fence are ten (10) feet above the ground or height and project toward the fenced property and away from any public area.

**(e) Fences to be Repaired.** All fences shall be maintained and kept safe and in a state of good repair, and the finished side or decorative side of a fence shall face adjoining property.

**(f) Temporary Fences.** Fences erected for the protection of planting or to warn of construction hazard, or for similar purposes, shall be clearly visible or marked with colored streamers or other such warning devices at four (4) foot intervals. Such fences shall comply with the setback requirements set forth in this Section. The issuance of a permit shall not be necessary for temporary fences as described herein, but said fences shall not be erected for more than forty-five (45) days unless requested in writing, and approved by the Director of Public Works.

**(g) Nonconforming Fences and Hedges.** Any fence or hedge existing on the effective date of this Code of Ordinances and not in conformance with this Section may be maintained, but any alterations, modifications or improvements shall comply with this Section.