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## ARTICLE XIII

### FENCES, WALLS, AND OBSTRUCTION TO VIEW REGULATIONS

#### SECTION 13.0 VISION CLEARANCE AT CORNERS AND RAILROAD CROSSINGS:

No fence, wall, hedge, or other structure, or other obstruction, above a height of thirty-six (36) inches, as measured above the curb level, shall be erected, placed, maintained, or continued in any zone, within that triangular portion of a corner lot formed by measuring fifty (50) feet from the intersection of the right-of-way lines of two (2) streets or of the right-of-way line of a street intersection with a railroad right-of-way line and joining these points with a straight line. No type of tree or planting, or other obstruction, shall be planted, placed, maintained, or continued in such a manner which would obstruct the vision clearance at corners and railroad crossings.

#### SECTION 13.1 CLASSIFICATION OF FENCES AND WALLS

A. The following shall be the classification of fences and walls for this ordinance:

1. Masonry walls
2. Ornamental iron (eighty (80) percent open)
3. Woven wire (eighty (80) percent open)
4. Wood or other materials (more than fifty (50) percent open)
5. Solid fences, wood or other materials (less than fifty (50) percent open)
6. Hedges
7. Barbed wire or sharp pointed fences
8. Earthen or concrete walls intended to contain or redirect flooding waters

#### SECTION 13.2 CONSERVATION ZONE

A. Fences and/or walls within the conservation zone shall conform to the following requirements:

1. Section 13.0, except that in front yards class 2 or 3 fences may be erected up to a maximum height of ninety-six (96) inches.
2. Side and rear yards, class 2, 3, 4, 5, or 6 fences and/or walls may be erected up to a maximum height of ninety-six (96) inches.
3. Class 8 walls shall be permitted, but shall conform to requirements of the Corps of Engineers and/or City Engineer, whichever is applicable.

#### SECTION 13.3 RESIDENTIAL ZONES

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- A. Fences and/or walls within the R-1BC, R-1Bd, R-1C, R-1D, R-1E, R-2a, R-2b, and R-PUD zones, shall conform to the following requirements:
1. The requirements for the R-1BC, R-1Bd, R-1C, R-1D, R-1E, R-2a, R-2b, and R-PUD Zones, are as set forth and depicted on Figure 1 of this ordinance, for residential uses only.
  2. The location, height, and type of all fences and/or walls within any area zoned with R-PUD shall be as approved in the plan.
  3. For all non-residential uses permitted or conditional uses permitted herein:
    - a. Fences of class 2, 3, or 6 only shall be permitted in front yards including the front yard of corner lots, as governed by Section 13.0. Said fences may be erected up to a maximum height of seventy-two (72) inches.
    - b. Classes 1, 2, 3, 4, 5, or 6 fences or walls may be erected in side or rear yards up to a maximum height of ninety-six (96) inches, except for side or rear yards of corner lots, as governed by Section 13.0. In the case of these corner lots, class 2 or 3 fences, only, may be erected up to a maximum height of ninety-six (96) inches.

**SECTION 13.4 COMMERCIAL AND INDUSTRIAL ZONES**

- A. Except in the MX Zones, fences of class 2, 3, or 6 only shall be permitted in front yards including the front yard of corner lots, as governed by Section 13.0. Said fences may be erected up to a maximum height of seventy-two (72) inches. Fences in the MX zones are not permitted in any front yard.
- B. Class 1, 2, 3, 4, 5, or 6 fences or walls may be erected in side or rear yards up to a maximum height of ninety-six (96) inches, except for side or rear yards of corner lots, as governed by Section 13.0. In the case of these corner lots, class 2 or 3 fences, only, may be erected up to a maximum height of ninety-six (96) inches.

**SECTION 13.5 STRUCTURAL ELEMENTS OF FENCES:** Fences shall be constructed so that all structural members shall be located on the inside of the fence. The inside shall be the side which faces the property owned by the person building the fence.

**SECTION 13.6 MEASUREMENT OF ALL FENCE AND/OR WALL HEIGHTS AND/OR LOCATIONS**

- A. All fences and/or wall heights shall be measured along the fence or wall locations.
- B. All locations for distance measurements shall be measured from lot lines.

**SECTION 13.7 HEIGHT OF ANY BARBED WIRE OR SHARP POINTED FENCES:** In zones, where permitted, barbed wire or sharp pointed fences shall not be less than a height of seventy-two (72) inches.

**SECTION 13.8 HEIGHT OF FENCES ATOP RETAINING WALLS:** A combination fence and retaining wall may be erected. The retaining wall portion may be erected up to the level of the higher finished grade. The fence portion must be of the class and height permitted within this ordinance for the applicable zone. Said measurement shall be made at and along the location of the fence and retaining wall.

**SECTION 13.9 APPLICATION FOR A FENCE PERMIT**

- A. Application for a fence permit shall be made and submitted at the office of the zoning administrator on the appropriate forms furnished by said administrator.
- B. No fence shall be erected, except as exempted or specified within this ordinance, until all required fees have been paid to the proper authorities, or their agents, and the necessary permits have been issued for such by the zoning administrator and the building inspector, in accordance with Sections 16.1 and 16.2 of this ordinance.

