

ARTICLE XI

FENCES, WALLS, AND OBSTRUCTION TO VIEW REGULATIONS

SECTION 11.0 VISION CLEARANCE AT CORNERS AND RAILROAD CROSSINGS:

No fence, wall, hedge or other structure or other obstruction about a height of thirty-six (36) inches as measured about 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 rights-of-way line or two (2) streets or the right-of-way line of a street intersection of the rights-of-way line and joining these points with a straight 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 11.1 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 percent (80%) open)
3. Woven wire (eighty percent (80%) open)
4. Wood or other materials (more than fifty percent (50%) open)
5. Solid fences-wood; or other materials (less than fifty percent (50%) open)
6. Hedges
7. Barbed wire or sharp pointed fences
8. Earthen or concrete walls intended to contain or redirect flooding waters

SECTION 11.2 CONSERVATION ZONES:

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

1. Section 11.0 except that in front yards class 2 or 3 fences may be erected up to maximum height of ninety-six (96) inches
2. Side and rear yard, class 1, 2, 3, 4, 5, 6, or 7 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 11.3 RESIDENTIAL ZONES:

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

1. The requirements for the Residential (R) Zones for residential uses only, are set forth and depicted on Figure I of this ordinance
2. The location, height and type of all fences and/or walls within any area zoned with a PUD or RCD Overlay shall be approved by the Planning Commission
3. For all nonresidential uses conditionally permitted in any residential zone herein, the requirements are as follows:
 - a. Fences of class 2 or 3 only shall be permitted in front yards including the front yard of corner lots as governed by Section 11.0. 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 and/or walls may be erected in side or rear yards up to a maximum height of seventy-two (72) inches; provided, however for the following exceptions:
 - (1) General purpose recreational areas may be enclosed with fences or walls of class 1, 2, 3, 4, 5, 6, or 7 up to a maximum height of ninety-six (96) inches
 - (2) Class 2 fences (or a combination of 3 and 7) may be erected to enclose tennis courts or as backstops for baseball and/or softball fields up to a maximum height of one hundred forty-four (144) inches
 - (3) In the case of corner lots, as governed by Section 11.0, fences of class 2 or 3 only may be erected as regulated by the applicable provisions of this section

SECTION 11.4 COMMERCIAL ZONE: Fences and/or walls within all commercial zones including those permitted with all conditionally permitted uses in these zones shall conform to the following requirements:

- A. Section 11.0, except that in front yards of commercial zones class 2 or 3 fences may be erected up to a maximum height of seventy-two (72) inches. In the GC zone no fences or walls shall be permitted in the front yard.
- B. Side and rear yard, class 1, 2, 3, 4, 5, or 6 fences and/or walls may be erected up to a maximum height of seventy-two (72) inches, except that Section 11.0 shall prevail at all intersections.
- C. All dumpsters located within the city limits and within the general public's view, excluding compactor style dumpsters, shall be enclosed by a structure, (of minimum construction) consisting of galvanized chain-link fencing with red-wood slats with three (3) foot clearance on all sides and shall totally enclose the dumpster and be at least one (1) foot higher than said dumpster. Each enclosure shall have a latch of four feet from the ground on the gate and to be secured at all times. All alternative material for construction of the above, shall be approved in writing by the Chief Administrative Officer.

SECTION 11.5 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 11.6 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 11.7 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 11.8 ELECTRIFIED FENCES: No fence carrying an electrical charge shall be permitted in any zone except when such fence is used in conjunction with an agricultural use and provided the fence is not located along the perimeter with adjacent property or street.

SECTION 11.9 PERMIT REQUIRED FOR ERECTION OF FENCES: 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 15.1 and 15.2 of this ordinance.

SECTION 11.10 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 11.11 DILAPIDATED FENCES: If thirty percent (30%) or more of the fence is gone or in disrepair the entire fence must be removed or repaired.

