
ARTICLE XVI

FENCES, WALLS, AND OBSTRUCTION TO VIEW REGULATIONS

SECTION 16.0 VISION CLEARANCE AT CORNERS AND RAILROAD CROSSINGS:

No fence, wall, hedge, 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 16.1 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. Earthen or concrete walls, intended to contain or redirect flooding waters.

SECTION 16.2 CONSERVATION ZONE:

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

1. Section 16.0 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 yard, class 1, 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 7 walls shall be permitted, but shall conform to requirements of the Corps of Engineers and/or city engineer, whichever is applicable.

SECTION 16.3 RESIDENTIAL ZONES:

A. Fences and/or walls within the R-1C, R-1D, R-1E, R-1EE, R-1FF, R-2, R-3 Zones shall conform to the following requirements:

1. Section 16.0 and the requirements set forth and depicted on Figure 1 of this Ordinance for residential uses only.
2. For all non - residential uses permitted conditional uses permitted herein:
 - 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 16.0. Said fences may be erected up to a maximum height of eighty - four (84) 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 yard or rear yards of corner lots as governed by Section 16.0. In the case of these corner lots class 2 or 3 fences, only, may be erected, up to a maximum height of eighty - four (84) inches.

SECTION 16.4 COMMERCIAL AND INSTITUTIONAL ZONES: Fences and/or walls within the NC, HC, PO, and INST Zones, including those permitted with all conditionally permitted uses in these zones shall conform to the following requirements:

- A. Fences of class 2 or 3 only shall be permitted in front yards of the NC, HC, and PO Zones including the front yard of corner lots as governed by Section 16.0. Said fences may be erected up to a maximum height of eighty - four (84) 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 16.0. 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.
- C. In the INST Zone only, classes 1, 2, 3, 4, 5, or 6 fences or walls used in conjunction with an athletic facility such as a tennis court, football, baseball, may be erected in front, side or rear yards, up to a maximum height of one-hundred and forty-four (144) inches.

SECTION 16.5 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 16.6 BARBED WIRE OR SHARP POINTED FENCES: Barbed wire spiked, pointed, and protruding metal or other material, stone with embedded glass and protruding metal, and electrified fences of any type are prohibited. The aforementioned fences shall be considered nonconforming uses and shall not be replaced, or altered except in conformance with the regulations of this section of the Ordinance.

SECTION 16.7 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 16.8 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 that faces the property owned by the person building the fence.

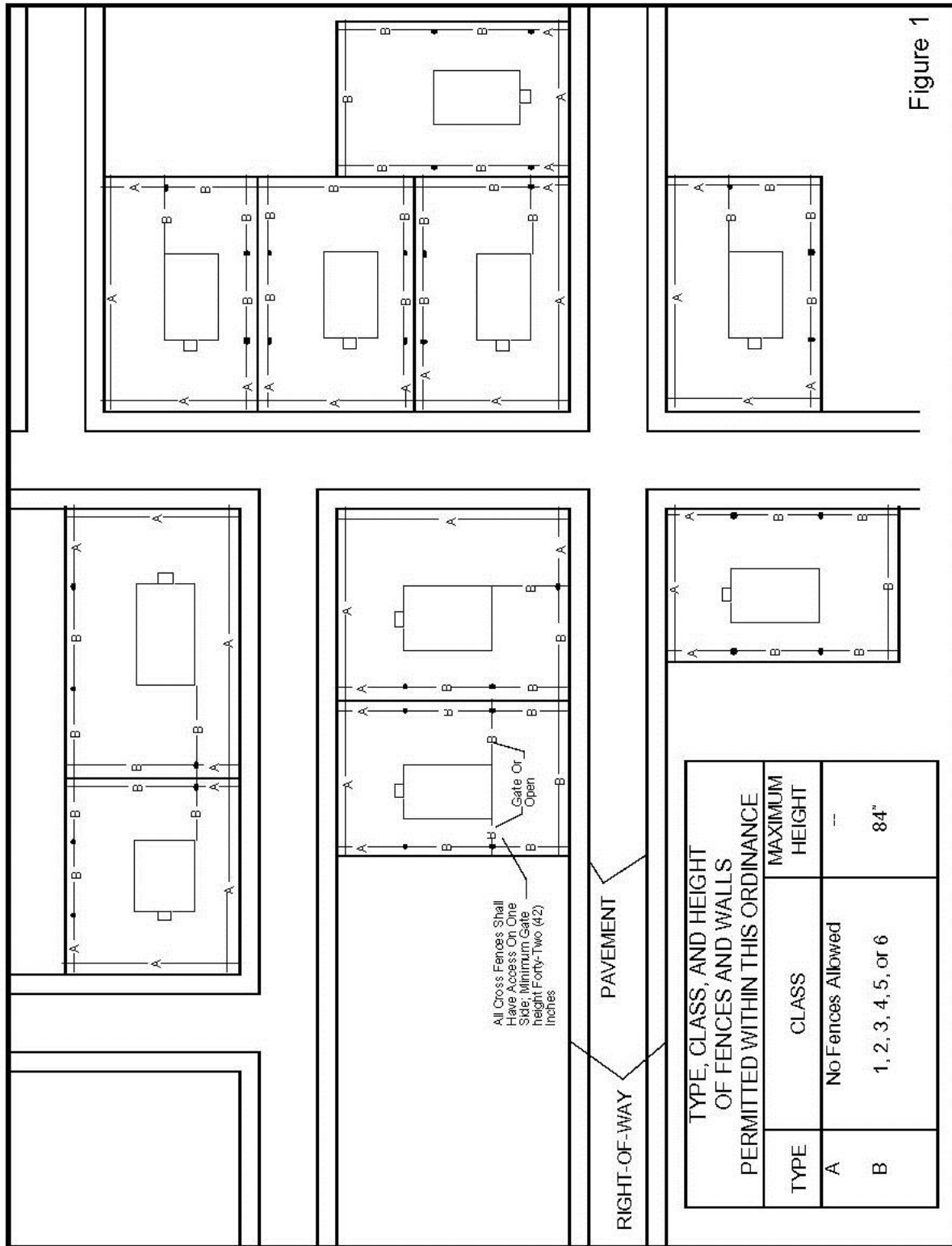


Figure 1