

CHAPTER 92: FENCES

Section

- 92.01 Definitions
- 92.02 Permit required
- 92.03 Application required
- 92.04 Fee required
- 92.05 Encroachment of public property
- 92.06 Rear yard height limitation
- 92.07 Side yard height limitation
- 92.08 Front yard fences
- 92.09 Use of barbed wire or electrically charged fences
- 92.10 Gates or openings
- 92.11 Inspection; maintenance
- 92.12 Conflicts between chapter and zoning regulations

§ 92.01 Definitions

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section.

Corner lot. A lot situated at the junction of two or more public streets.

Front yard. An open, unoccupied space on a lot facing a street and extending across the front of a lot between the side yard lines.

Interior lot. A lot situated in a block with frontage on only one public street and specifically not a corner lot.

Interior lot line. The side yard lot line of a corner lot that is adjacent to an interior lot's side yard line.

Rear yard. A space unoccupied by principal structure extending for the full width of the lot between a principal structure and the rear lot line.

Reverse frontage corner lot. A corner lot where the rear lot line is adjacent to a side lot line of an adjoining lot or across an alley from such side lot line.

Side yard. An open unoccupied space on the same lot with the building, situated between the building and the sideline of the lot, and extending through from the street or the front line to the rear line of the lot. Any lot lying not a rear line or a front line shall be deemed a sideline.

§ 92.02 Permit Required

It shall be unlawful for any person to erect or have erected a fence or any part of a fence, of permanent construction in the City without first obtaining a fence permit from the office of the City Manager and City Secretary.

§ 92.03 Application Required

Any person making application for a fence permit shall sign an application for the same showing the following information:

- (1) Applicants name, address and, if the applicant represents a company or corporation, the name and address of the supervisor or foreman of the company or corporation and the name of its president.
- (2) Name of owner of property.
- (3) Local address where fence is proposed to be erected.
- (4) Type of fence construction.
- (5) Height of fence.
- (6) Plat showing lot on which fence proposed to be erected, location of adjoining or adjacent lots and with heavy black lines outline the location of proposed fence.
- (7) Approximate evaluation.

§ 92.04 Fee Required

A minimum fence permit fee as prescribed in § 20.00 of Appendix 1 - Fee Schedule shall be charged for each permit issued.

§ 92.05 Encroachment of Public Property

No fence, guy wires, braces or any post of such fence shall be constructed upon, or cause to protrude over property, that the City or the general public has dominion and control over, owns or has an easement over, under, around or through, except upon utility easements that are permitted to be fenced.

§ 92.06 Rear Yard Height Limitation

It shall be unlawful to erect a fence at a height exceeding twelve feet in any rear yard or along any rear yard lot line.

§ 92.07 Side Yard Height Limitation

It shall be unlawful to erect a fence at a height exceeding eight feet in any side yard or along any side yard lot line.

§ 92.08 Front Yard Fences

(a) Corner lots. It shall be unlawful to erect a fence in the required front yard building set-back area on any corner lot, except along the interior lot line in accordance with subsection (b) of this section.

(b) Interior lots:

(1) It shall be unlawful to erect a fence over thirty-six inches in height in the required front yard area on any interior lot.

(2) It shall be unlawful to erect a fence in the required front yard area on any interior lot that does not have at least fifty percent through vision.

(3) It shall be unlawful to maintain a fence in the required front yard area of an interior lot in a manner that does not permit at least fifty percent (50%) through vision.

§ 92.09 Use of Barbed Wire or Electrically Charged Fences

(a) No fence erected on property zoned for residential use or used for residential use shall be electrically charged in any manner or form. This exclusion includes but is not limited to fences electrical charged by battery or those tied in with the regular electrical outlet, unless such fence is erected for the purpose of controlling a dog.

(b) No fence erected on property zoned for residential use or used for residential uses shall be constructed of barbed wire fencing unless the same is approved by the officer(s) mentioned in § 92.02.

(c) In nonresidential areas, fences armed with barbed wire and arms are permitted on fences over six (6) feet in height. Such arms may not extend over public right-of-way or easements or over private property of another person.

§ 92.10 Gates or Openings

In order to allow ingress and egress for fire department personnel and fire department equipment, there shall be at least one gate or opening, with a minimum width of three (3) feet in each fence, adjacent to or running parallel to any public alley, drainage easement or utility easement. This provision shall not apply to utility easements that the City has allowed to be completely fenced in.

§ 92.11 Inspection; Maintenance

Upon completion of the installation of a fence, the building inspector and/or City Manager shall be called upon for inspection. A certificate of acceptance will then be issued or a rejection slip indicating the defects in the same. All fences constructed under the provisions of this chapter shall be maintained as to comply with the requirements of this chapter at all times.

§ 92.12 Conflicts Between Chapter and Zoning Regulations

In all cases of direct conflict between this chapter and the zoning regulations of the City, concerning construction and maintenance of fences, this chapter shall prevail. In all cases of conflict between this chapter and any specific ordinance changing the zoning on a particular tract of land, the ordinance changing the zoning shall prevail.