

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 rights-of-way line 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 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 13.2 AGRICULTURE & RIVER CONSERVATION ZONES

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 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 13.3 RESIDENTIAL ZONES:

A. Fences and/or walls within all R-RE, R-1E, R-1EE and R-MHP Zones shall conform to the following requirements (Agricultural Buildings, uses and accessory uses cannot be regulated by zoning, except for setback requirements.

The following regulations therefore apply to only those now agricultural buildings, uses, and accessory uses permitted herein):

1. The requirements of Section 13.0 shall prevail, wherever applicable, except that fences of class 2 or 3 only may be permitted in front yards of corner lots up to a maximum heights of 48 inches. In all other cases, the requirements are as set forth and depicted on Figure 1 of this Ordinance, for residential uses only.
2. For all nonresidential uses permitted or 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 13.0. Said fences may be erected up to a maximum height of eighty-four (84) inches.
 - b. Classes 1,2,3,4,5,6 or 7 Fences and/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 eight-four (84) inches.

SECTION 13.4 COMMERCIAL AND INDUSTRIAL ZONES: Fences and/or walls within all commercial & industrial zones including those permitted with all conditionally permitted uses in this zone shall conform to the following requirements:

- A. Except as provided for in Section 13.0, fences of classes 1,2,3,4,5, or 6 may be erected in front yards of commercial and industrial zones up to a maximum height of seventy-two (72) inches. However, fences of class 2 or 3 only, may be erected in front yards of corner lots, as regulated by Section 13.0, up to a maximum height of seventy-two (72) inches.
- B. Class 1, 2, 3, 4, 5, 6 or 7 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 MEASUREMENT OF ALL FENCE AND/OR WALL HEIGHTS AND/OR LOCATIONS:

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

SECTION 13.6 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 13.7 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 13.8 APPLICATION FOR A FENCE PERMIT:

- A. 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 a permit has been issued for such by the Building Department.
- B. No permit shall be granted until after an application has been filed with the Building Inspector showing the plans and specifications including dimensions, materials, and details of the construction of proposed structure nor until all provisions herein have been met.
- C. Applications for a fence permit shall be made and submitted at the office of the Zoning Administrator on the appropriate forms furnished by the said administrator.

