

Sec. 94-302. - Fences, hedges and walls.

a. General provisions.

- Public safety. No fence, wall or hedge shall be constructed or maintained within three feet of a fire hydrant, water connection, or other emergency apparatus placed for the purpose of fire protection. Fences, walls or hedges shall not be placed within the area required by applicable fire and life safety codes to be clear and unobstructed for passage of emergency vehicles or for the ingress and egress of persons or animals.
- 2. Special fence prohibitions. No barbed wire, electrical elements, or other hazardous materials shall be maintained as a fence or part of a fence or wall in a residential district. The top surface of any chainlink or cyclone fence shall be crimped to eliminate the exposure of sharp edges.
- 3. *Permits*. All fences, walls, or hedges, except those exempted in subsection (a)(5) of this section, shall comply with appropriate zoning clearance and building permit procedures. An occupancy permit shall not be issued until all required fences, walls, or screening hedges are erected, constructed, or installed.
- 4. *Maintenance*. All fences and walls shall be maintained in a safe and nonhazardous condition. The city building and zoning department shall make any required determinations as to the condition of a fence or wall.
- 5. Exemptions. All agricultural fences in the ROS or W districts and temporary fences or walls used at a construction site for the purpose of security or protection shall be exempt from the provisions of this section. However, such fences or walls shall comply with the visibility requirements of subsection 94-305(c). Temporary fences at construction sites shall comply with the requirements of subsection 94-450(e).

b. Residential fence, hedge, and wall limitations.

- 1. *Maximum height*. In residential districts, no fence or wall shall exceed six feet in height within required side and rear setbacks. Fences or walls shall not be in excess of 48 inches in height within the required front setback. Hedges shall not exceed ten feet in height in any required setback.
- 2. Maximum height, exception. On corner lots and through lots adjacent to a collector or arterial right-of-way as designated by the city engineer, a fence, or wall shall not exceed six feet in height and a hedge ten feet in height within the required front setback adjacent to the collector or arterial right-of-way. On residential lots directly abutting commercial or industrial zoning districts, a fence or wall shall not exceed eight feet in height within the side or rear setback, outside of the front setback, where the property abuts the commercial or industrial zoning district. Fences, walls and hedges installed pursuant to this section shall be subject to the clear vision requirements of subsection 33-112(e) of this Code.
- 3. Special fence prohibitions. No barbed wire, electrical elements, or other hazardous materials shall be maintained as a fence or wall in a residential district. The top of any chainlink or cyclone fence shall be crimped to eliminate the exposure of sharp edges.

c. Nonresidential fence, hedge and wall limitations.

- 1. *Maximum height*. In nonresidential districts, no fence, hedge or wall shall exceed eight feet in height within the required side and rear setbacks. Fences and wall shall not exceed 48 inches in height within the required front setback.
- 2. Barbed wire permitted. No more than three strands of barbed wire may be used at the top of a fence or wall. The strands must be located at least six feet above grade or mounted vertically or at an angle projecting interior to the property and must not encroach beyond the property line.

(Code 1979, § 33-111; Ord. No. 3628-03, § 1, 1-21-2003; Ord. No. 4066-07, § 3, 10-22-2007)