

§ 1-6-3 FENCES AND WALLS.

(A) *Fence and wall requirements.* Table 6-1 below specifies the requirements for fences and walls in residential zoning districts, and Table 6-2 below specifies the requirements in non-residential districts.

TABLE 6-1: RESIDENTIAL DISTRICT REGULATIONS FOR FENCES AND WALLS

Height of Fence or Wall	Setback Requirement	Design
0 to 4 feet	No minimum front, side or rear setback is required.	See Vol. II, § 1-6-3(B)
4.1 to 6 feet	Front Setback. No minimum front setback is required if the portion of the fence or wall between 4 and 6 feet is transparent. If the portion of the fence or wall above 4 feet is not transparent, the zoning district's minimum front setback for main structures is required. Side and Rear Setback. No minimum side or rear setback is required for either transparent or non-transparent fences/walls between 4 and 6 feet in height.	See Vol. II, § 1-6-3(B)
6.1 to 8 feet	Subject to main structure's minimum front, side and rear setback.	See Vol. II, § 1-6-3(B)
Above 8 feet	Fences and walls higher than 8 feet are not allowed.	See Vol. II, § 1-6-3(B)

TABLE 6-2: NON-RESIDENTIAL DISTRICT REGULATIONS FOR FENCES AND WALLS

Type of Fence or Wall	Height of Fence or Wall	Setback Requirement	Design
Parking Screen Wall ¹	3 foot minimum to 4 foot maximum	Front Setback: 10 feet.	Decorative wall.
Patio Enclosure	4 foot maximum in front yard. 8 foot maximum in side and rear yard.	Front Setback. 10 feet in B-1 and B-4 districts; no minimum setback in B-2 and B-3 districts. Side or Rear Setback. No minimum required.	Decorative wall or fence.
Front Yard Screen Wall ¹	4.1 foot minimum to 8 foot maximum	Front Setback. Subject to main structure's minimum requirements.	Decorative wall.
Side and Rear Yard Screen Wall ¹	6 foot minimum to 8 foot maximum Higher than 8 feet	Side or Rear Setback. No minimum required. Side or Rear Setback. Subject to main structure's minimum requirement.	Opaque wall shall be required and shall be painted or stained with an earth tone color.

¹ See Vol. II, § 1-8-6 for mandatory screen wall requirements.

(B) *Non-decorative fences and walls.* Non-decorative walls and fences are required to be constructed of approved materials, which mean materials normally manufactured for, used as, and recognized as, exterior fencing or wall materials such as: wrought iron or other decorative metals, ornamental aluminum and PVC, fired masonry, concrete, stone, chain link, wood planks, split rail, vinyl slats or composite plastic manufactured specifically as wall or fencing materials. Fence materials must be manufactured for exterior use and shall be weather and decay-resistant.

(1) Alternative fence material may be approved by the Director or designee upon a finding that the proposed material complies with the intent of the provisions of this Code and that the fence material is at least the equivalent of that prescribed in this section in quality, strength, effectiveness, fire resistance, durability and safety.

(2) Prohibited fence materials include: rope; string; wire products including but not limited to chicken wire, wire fabric, and similar welded or woven wire fabrics; chain; netting; dangerous cut or broken glass; paper; unapproved corrugated

metal panels; galvanized sheet metal; plywood; or fiberglass panels in any fence or any other materials that are not manufactured specifically as fencing materials. The Director may require the applicant to provide the manufacturer's standards to establish the intended use of a proposed fencing material.

(C) *Decorative fences and walls.*

(1) Decorative fences include wrought iron, picket, split rail, post and rail, ornamental aluminum and ornamental plastic type fences, but do not include wire, stockade or chain link type fences.

(2) Decorative walls include architectural block, brick, split faced block, split faced veneer, stucco or slump block that is painted or stained with an earth-tone color, but do not include standard concrete block.

(D) *Design standards for non-residential and multi-family zoning districts.* Fences and walls located between the main structure and the road shall be designed as a decorative wall. Fences and walls located in the side or rear yards shall be stained or painted with an earth tone color approved by the Zoning Administrator.

(E) *Visibility at intersections.* The location and height of fences and walls shall comply with Vol. II, § 1-6-13 (i.e., visibility at intersections).

(F) *Entry gateway.* One entry gateway, trellis, or other entry structure is permitted in the front setback area of lots within the RS-GR, RS-54 and RS-54M districts, provided the maximum height or width of the structure does not exceed 16 feet.

(G) *Nonconforming fences.* Any fence which does not meet the standards of this section but which was established prior to the effective date of this Chapter may be eligible to be recognized as legal nonconforming, provided the owner proves legal nonconforming status pursuant to the procedures established in Vol. II, § 1-2-5 (i.e., nonconforming uses, structures and lots) of this Chapter, and provided the fence is not expanded or its nonconformance with these standards otherwise increased. Any fence which is destroyed or damaged to the extent of more than 50% of its total replacement value shall not be repaired, rebuilt or reconstructed except in conformance with the standards of this section. Any future fence constructed subsequent to the effective date of this Chapter, that does not comply with this section shall be considered illegal and nonconforming.

(H) *Dangerous fences.*

(1) It is unlawful for any person to erect or maintain within the city any fence which, by determination of the Director or designee, is, or may be, dangerous to persons, children or animals due to design, construction, materials, maintenance or placement.

(2) *Barbed and razor wire fences.* Fences with strands of barbed and razor wire shall not be permitted, except as follows:

(a) *Residential districts.* Barbed wire fencing shall be allowed for the keeping of livestock in those residential zoning districts that allow livestock, and shall not be erected or maintained within 10 feet of any public place or public right-of-way, public easement or reservation for roadway purposes.

(b) *Non-residential districts.* Barbed wire, razor wire or concertina wire shall be allowed subject to installation at least 6 feet above the ground and only erected at the top of an approved fence or wall, and shall only be allowed on buildings if non-visible from public view. If the fence is inclined, it shall project over private property. Fences or walls with barbed wire shall not be allowed within the front setback area.

(c) *Spacing.* Barbed wire fencing less than 6 feet high shall be secured to posts or other supporting structure not more than 8 feet from each other.

(3) *Electric fences.* Electrically charged fences shall not be erected or allowed to remain except as follows:

(a) Electrically charged fences shall be permitted only in the RS-GR, RS-54 and RS-54M zoning districts and shall be erected and maintained only for the keeping of livestock.

(b) All electrically charged fences shall be completely enclosed within another permitted fence.

(I) *Measuring fence and wall height.* Fence and wall height is measured as the vertical distance from the grade immediately under the structure to the top of the structure. When measuring fence and wall heights on properties which are characterized by notable topographical features, such as properties with slopes, elevation deviations, washes, swales, rock outcrops and other like features, building and code officers and/or inspectors shall look for reasonable compliance with fence/wall height standards. On these properties, some variations in fence/wall heights are expected and allowed.

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