



Fence Regulations

Things to know if you are planning to add a fence to your yard.

No permit is required in order to construct a fence, but the following ordinance requirements must be followed:

Fence Height:

How high a fence may be built depends on whether it is in the Rear Yard (Rear Yard fences may be 8 feet high) or in the Front Yard (Front Yard fences may be 3 feet high if it is a solid fence, 6 feet if it is a transparent fence.)

Location:

A fence may be placed up to, but not on your property line. This rule applies to all portions of the fence, including posts, concrete and fence face. The exact location of the property line must be determined before constructing the fence. You are welcome to come and look at the city maps that are available in the Planning Department. This will help you to determine lot dimensions and the locations of property pins. If help is needed **at your property** to find the line, you will need to request the services of a private surveyor at your expense. The City does not employ surveyors on staff.

Electrical Fences, Barbed Wire, and Pointy Spikes are PROHIBITED in all residential districts.

Types of fences:

Transparent

At least 50% transparent



Examples include widely spaced picket fences and chain link fences

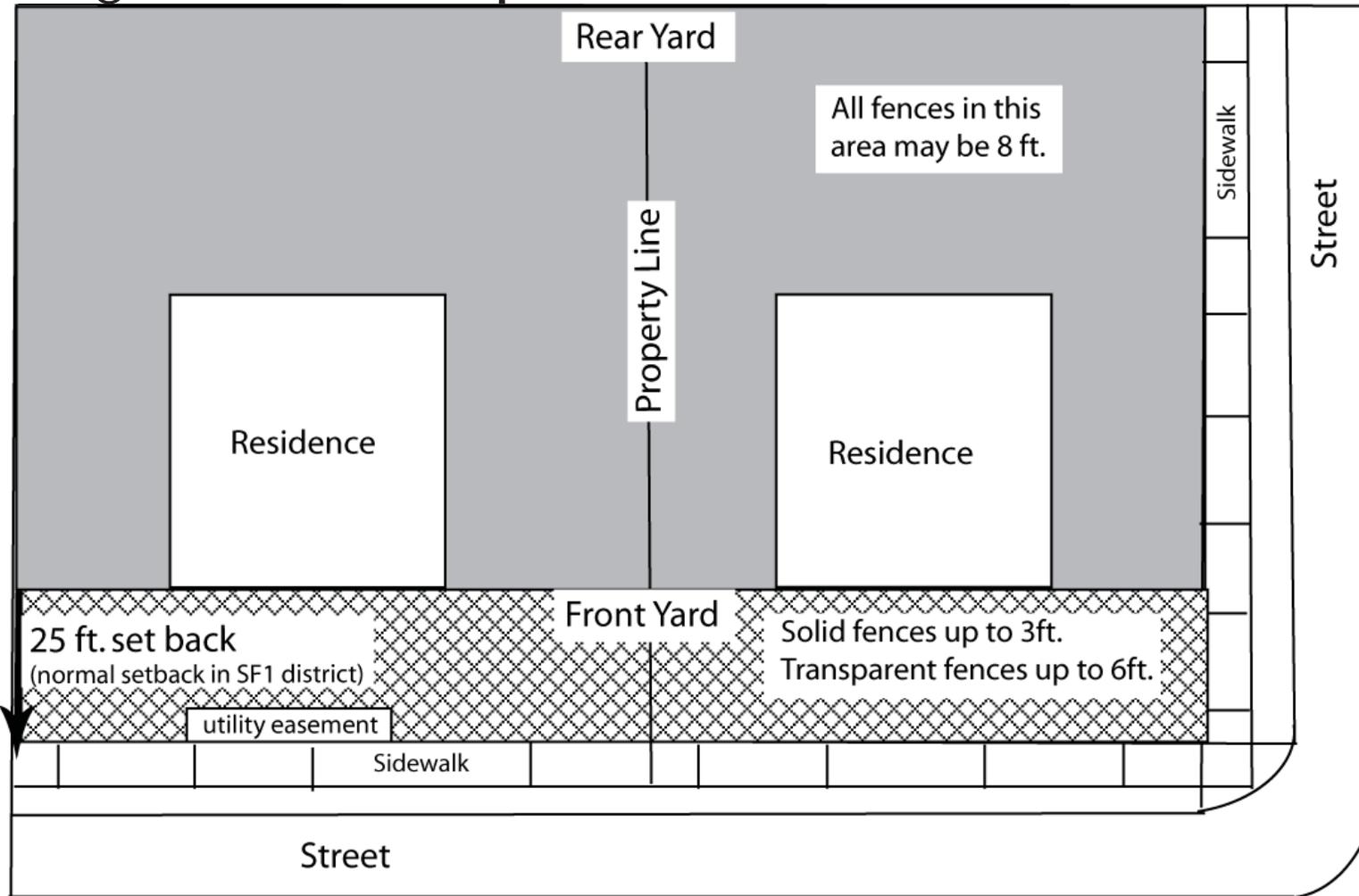
Solid

Less than 50% transparent



Examples include tight picket fences and privacy fences

Diagrams and Examples

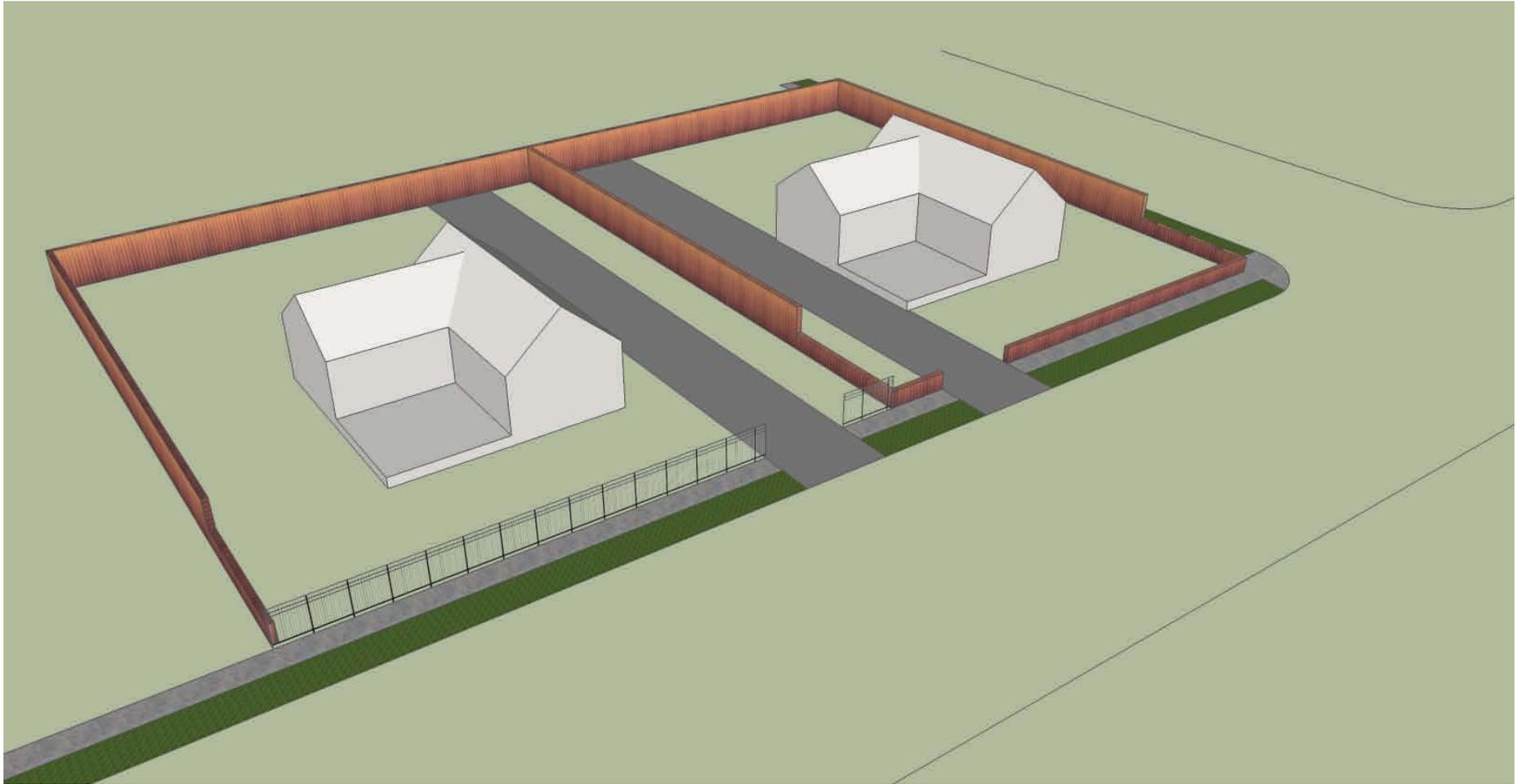


Reminder: as a homeowner, **you** are responsible for locating your lot lines and determining whether you have easements on your property. We recommend that you contact your utility company before placing anything in the easement. **Always call J.U.L.I.E. before you dig.**

You can reach JULIE (Joint Utility Locating Information for Excavators) by dialing 811 or the toll-free number, 1-800-892-0123. For more information and a list of frequently asked questions, please visit www.call811.com



More information on the next page →



Still have questions?

Please feel welcome to call the Planning Department at 403-8800.

More information on the next page →

Excerpts from Chapter 9 of the City Code: Buildings and Building Safety Regulations

ARTICLE I. IN GENERAL Sec. 9-1. Reserved.

Sec. 9-2. Fences; height, barbed wire, electrical fences.

(a) No person shall construct any fence on an area zoned as a residence district to a height greater than eight (8) feet above the ground level, or construct on such area a fence to a height greater than three (3) feet between the front building line, where set by ordinance, and the street. Chain link, wire mesh or similar types of transparent fences may be constructed to a height no greater than six (6) feet between the front building line, where set by ordinance, and the street. Where a through lot has two (2) front building lines by definition, this subsection shall be construed to refer only to the side of the lot actually used as the front yard. On through corner lots a sight triangle as defined in section 37-98(5) shall be maintained.

(b) No person shall erect or maintain anywhere in the City, a fence equipped with or having barbed wire, spikes or any similar device, or any electrical charge sufficient to cause shock, within seven (7) feet of the ground level, nor shall any such electrical or barbed fence be erected or maintained in any resident district.

(c) *Exceptions to residential fence requirements.*

(1) *Circumstances justifying an exception to the requirements.* The Planning Director, upon application made by the property owner or representative thereof, may grant a permit for the construction of a fence which does not conform to the requirements set forth in paragraphs (a) and (b) for fences in residential zoning districts if the Director finds that the deviation from those requirements is necessary to address either of the following circumstances:

a. The condition or the nature of the improvements located upon the property pose a significant, demonstrable hazard to children and other members of the public, including but not limited to public utility stations, freestanding telecommunication towers, transmission towers, and public swimming pools; or

b. The property has experienced a chronic problem with repeated occurrences of trespassing or other criminal activity as verified in writing by the Police Chief, and each of the following is applicable:

i. The property has an area of five (5) or more acres.

ii. The property is immediately adjacent to railroad tracks or a parcel zoned for commercial or industrial use.

iii. The portion of the proposed fence which deviates from the requirements of paragraphs

(a) and (b) above will only run along the boundary of the property that is immediately adjacent to the railroad tracks or parcel that is zoned for commercial or industrial use.

(2) *Application for residential fence permit.* The application for said permit shall be submitted on a form provided by the Planning Director, and shall include the following:

a. A legal description of the area that will be surrounded or bordered by the proposed fence.

b. A site plan showing the location of the proposed fence on the property.

c. A drawing or other representation of the appearance of the proposed fence which specifies the materials used in the construction and the height of the fence and particular features of the fence which do not otherwise comply with the requirements of paragraphs (a) or (b) above.

d. A statement or statements which articulate why the variation should be granted

(3) *Decision of the planning director.* The Planning Director shall approve or deny the application for residential fence permit and shall notify the applicant of the decision in writing within thirty (30) days of the date of any application which satisfies the requirements set forth in paragraph (2) above. Failure of the Planning Director to render a decision in writing within the thirty (30) days prescribed above shall be construed as a denial of the application.

(Code 1975, § 14-57; C.B. No. 89-279, § 1, 10-17-89; C.B. No. 92-60, § 1, 3-3-92; C.B. No. 97-249, § 1, 9-16-97; C.B. No. 2007-041, § 1, 2-20-07)