

§ 24-22. Fences, hedges and walls.

A fence, hedge, wall, column, pier, post or any similar type structure, or any combination of such structures, are permitted in the required yards of the various districts, subject to the following conditions and requirements. It is intended that these conditions and requirements shall provide privacy and protection, and screening and accenting of shrubs and landscaping, without unduly interfering with the view from neighboring properties or jeopardizing the safety of pedestrians and vehicles.

- A. All fences and walls are subject to any applicable regulatory codes adopted by the City.
- B. It shall be the responsibility of the property owner to locate all property lines.
- C. No fence, hedge, wall or obstruction shall be placed in a public right-of-way.
- D. Except as permitted below in subsection E, or as part of a planned unit development, walls or fences shall not exceed six feet in height. Height, including retaining walls or other structures, shall be measured as follows:
 - (1) In required yards abutting a street, height shall be the total effective height measured from the finished grade on the side nearest the street. When in a front yard as defined in this chapter, the fence shall be limited to four feet in height.
 - (2) In other required yards, height shall be the total effective height above the average finished grade measured thirty feet from the uphill side of the fence line.
 - (3) A fence in the visibility triangle, as defined in section 24-23, shall be permitted if it can be seen through (e.g. chain link) and not over four feet in height.
- E. No barbed, concertina or similar sharp or pointed wire fence, or electrically charged fence, shall be permitted except as follows:
 - (1) Temporary fences on construction sites may be as high as required to protect the property during the period of construction and may have barbed wire where the barbed wire is not less than eight feet above the ground.
 - (2) In the A (agricultural district), barbed wire may be permitted as an internal fence (i.e. not on the periphery of the property) for use to contain livestock.
 - (3) In the I (industrial) district, in addition to those fences permitted in required yards, fences and walls may be permitted in accordance with the height and setback of structures as set forth in section 24-16. When set back at least twelve feet from the property line, fences may also have up to three strands of ordinary barbed wire where it is not less than eight feet above the ground.

§ 24-23. Sight distance.

- A. Where a driveway intersects a public right-of-way or where property abuts the intersection of two public rights-of way, all landscaping, structures or fences within the corner triangle (defined in paragraph C of this section) shall be erected or maintained to provide unobstructed cross-visibility.
- B. All shrubs, fences or walls, except as permitted in section 24-22D(3), located within these triangular areas shall be maintained at a height not to exceed thirty inches above the sidewalk grade. Trees may be planted and maintained in this area if all branches are trimmed to maintain a clear vision for a vertical height of eight feet above the roadway surface. No landscaping except required grass or ground cover may be located closer than three feet from the edge of accessway pavement.
- C. For purposes of this section, the triangular area is:

- (1) The area formed at a corner intersection of a public right-of-way and a private driveway, whose two sides are fifteen feet, measured along the right-of-way line of the street and the edge of driveway, and whose third side is a line connecting the two sides, or
- (2) The area formed at a corner intersection of two public right-of-way lines, whose two sides are thirty feet, measured along the intersection right-of-way lines, and whose third side is a line connecting the two sides.

§ 24-24. Setback encroachments.

No structure or building shall be constructed or maintained in a required setback except for (1) balconies, patios or decks less than thirty inches in height; (2) fireplaces; (3) a maximum of thirty inches of roof overhang; or (4) fences as permitted in section 24-22. Except for