

Chapter 106. Building Construction and Fire Prevention

Article II. Commercial Building Code

§ 106-16. Fences.

- A. Permit required. No fence shall be placed, erected or built on any premises in the City, except that on application therefor and for good cause shown, the Community Development Director may grant permits for the erection of fences when such fences will not, in the judgment of the Community Development Director, interfere with public health, safety and welfare.
- B. Application. All applications for fence permits shall be accompanied by a nonrefundable fee as established by the Common Council and shall be submitted to the Community Development Director, who shall inspect the site of each proposed fence and shall consider whether the proposed fence will substantially interfere with the view, light or free flow of air. The Community Development Director may approve or deny applications or submit the application to the Public Safety Committee for its recommendation to the Common Council for consideration.
- C. Wire fences. Wire fences are to be of chain link construction or a vinyl-coated minimum wire gauge of No. 16 with a maximum opening of two inches by three inches.
- D. Wood fences. Redwood shall be preferred for durability. Woods other than redwood may be used, provided that they are suitably maintained or painted.
- E. Height. Fence wire, panels or boards may not exceed a height greater than six feet. The bottom panels or boards shall not be more than two inches above the existing grade of the property, except that the Building Inspector or Zoning Administrator may use discretion to allow a greater area between the ground and the bottom of the fence to accommodate uneven grades of the property. No fence constructed in residential districts shall exceed four feet in height in the front, side or rear yards adjacent to streets, with alleyways not to be considered streets. Fencing around swimming pools shall be in accordance with the Municipal Code, § 106-17C(8). When unusual circumstances exist, exceptions to height requirements may be granted upon application to the Board of Appeals. In considering any requests for an exception, the Board of Appeals shall consider the need for the exception, the effect on abutting property owners and the neighborhood, and the public health, safety and welfare.
- F. Location. The property owner shall be responsible for the proper placement and location of the fence. The City shall not be responsible for determining property lines.
- G. Definition. The term "fence" shall not be construed to include racks or trellises for support of vines or flowers.
- H. Barbed wire. No residential fence consisting wholly or in part of barbed wire shall be erected or maintained in the City.
- I. Security fences. The Council, upon proper application, may approve security fences for commercial and industrial zones of such design and construction, as it shall deem proper.
- J. The side of the fence considered to be the face or finished side (as opposed to the structural supports) shall face the abutting property. The finished side is the side of the fence minimizing the view of posts and supports.