

Zoning Requirement for Fences

153.111 FENCES IN RESIDENTIAL DISTRICTS. Fences are permitted, or required, subject to the following:

- (A) Fences on all lots of record in all residential districts which enclose property or are within a required side or rear yard, shall not exceed six feet in height, measured from the surface of the ground, and shall not extend toward the road beyond the front of the house or the required minimum front yard, or whichever is greater, unless permitted by the ZBA.
- (B) All fences shall comply with the requirements of this ordinance and the building code as it applies to fence installation and materials.

Fences 150.65 through 150.78

150.65 This subchapter shall be known and may be cited as the fence subchapter.

150.66. For the purpose of this subchapter the following definition shall apply unless the context clearly indicates or requires a different meaning. *Fence*. Any partition, structure, planting, or gate erected as a dividing marker, barrier, or enclosure.

150.67. No fence shall hereafter be erected or altered without first obtaining a permit from the building inspector. Written application for this permit shall be made to the building inspector which shall contain a drawing showing the location, type of fence to be constructed, description of the property, and such other information as may be required by the building inspector in order to determine whether or not the fence will violate any ordinance of this city or law of the state.

150.68. A fee of twenty dollars (\$20.00) shall be paid with each application for a fence permit filed pursuant to § 150.67.

150.69. Residential fence construction; restrictions.

The following restrictions shall apply to fences on property zoned residential:

- (a) *Front yard*. No fence shall be erected in the front yard.
- (b) *Side yard*. No fence shall be erected in the side yard exceeding six (6) feet in height; however, any fence erected in front of the front line of the main dwelling thereon shall conform to the restrictions of division (a) of this section.
- (c) *Rear yard*. No fence shall be erected in the rear yard exceeding six (6) feet in height.
- (d) *Corner lots*. No fence over three (3) feet in height with more than fifty (50) percent of the area of any three-foot long, three-foot high section of solid matter or closed construction shall be permitted within thirty (30) feet of any street intersection.
- (e) *Barbed wire*. No barbed wire fence shall be constructed or maintained nor any spike, nail, barb, or other pointed instrument shall be affixed or placed on any fence so to project therefrom.

150.70 Commercial fence construction; restrictions. On all commercially zoned property, fences shall not be constructed over seven (7) feet, six (6) inches in height. Barbed wire may be installed in the top one (1) foot of such fence on arms or supports projecting over the private property side of the fence, the lowest stand at least six (6) feet, six (6) inches above the grade on that side. Fences over six (6) feet in height, exclusive of barbed wire, shall be constructed of incombustible material, except for posts.

150.71. Industrial fence construction; restrictions. On industrial zoned property, fences may be of unlimited height and barbed wire may be used as in section 150.70. Fences over six (6) feet in height, exclusive of barbed wire, shall be constructed of incombustible materials except for posts.

150.72. Location.

- (a) All fences shall be located entirely on the property of the person, firm, or corporation erecting the fence.
- (b) No fence shall be located nearer than one (1) foot to the inside sidewalk line.

150.73. Gates. Gates in fences shall not open over public property.

150.74. Electric fences. No fence shall be charged or connected with an electrical current in a manner as to transmit a current to persons, animals, or things which might intentionally or accidentally come in contact with it.

150.75. Maintenance, construction of fences; nuisances. Fences must be maintained so as not to endanger life or property. Any fence which, through lack of maintenance or type of construction or otherwise, imperils life or property, shall be deemed a nuisance. No fence shall be constructed in a manner or of such materials that it will obstruct vision so to create a hazard to vehicular traffic or pedestrians upon the public streets or sidewalks and any fence so constructed shall be deemed a nuisance. The building inspector shall notify the owner of the property on which such fence is located of the existence of such nuisance and the nuisance shall be abated within six (6) days after receiving notice.

150.76. Lot lines. The building inspector may require the owner of property upon which a fence is located or is to be located to establish lot lines upon the property through placing of permanent markers located by a licensed surveyor. The lot lines shall be established within five (5) days after receiving notice.