

Fence permit

however, that no individual wall shall exceed six (6) feet in height, and a terrace of at least three (3) feet in width shall be provided between any series of such walls and provided further that along a street frontage no such wall shall be closer than three (3) feet to the property line.

SEC. 13-1-131 OUTSIDE STORAGE OF FIREWOOD.

- (a) No person shall store firewood in the front yard on residentially zoned property, except that firewood may be temporarily stored in the front yard for a period of thirty (30) days from the date of its delivery.
- (b) Firewood should be neatly stacked and may not be stacked closer than two (2) feet to any lot line and not higher than six (6) feet from grade.
- (c) All brush, debris and refuse from processing of firewood shall be promptly and properly disposed of within fifteen (15) days and shall not be allowed to remain on the premises.
- (d) Not more than thirty percent (30%) of the side and rear yard may be used for storage of firewood at any one (1) time.

SEC. 13-1-132 FENCES.

- (a) **Fences Defined.** For the purpose of this Section, a "fence" is herein defined as an enclosed barrier consisting of vegetation, wood, stone or metal intended to prevent ingress or egress. No fence shall be constructed of unsightly or dangerous materials which would constitute a nuisance.
- (b) **Permit Required.** No person shall install a fence in the City without first obtaining a fence permit and complying in all respects with the terms and conditions and this Ordinance. A fence permit shall be valid only for the term of issuance, unless sooner suspended or revoked. A fence permit is not required for painting, maintenance, or repair or replacement of less than sixteen (16) lineal feet of a fence.
 - (1) Permit Application. A fence permit application shall be filed with the Zoning Administrator, consisting of the following:
 - i. A fully completed fence permit application form and payment of full permit fee.
 - ii. A drawing, site plan or plat map displaying property boundaries, the location of the buildings and structures on the property, the proposed location of the fence and its distances from the existing structures on the property.
 - iii. If the fence is proposed to be installed on rented or leased property, the written consent of the owner(s) of the property.
 - iv. Other information as may be required by the Zoning Administrator to assist in the review of the application.
 - (2) Permit Fee. A Five (\$5.00) Dollar permit fee shall be remitted upon submittal of the fence application. If any fence is installed, in full or part, prior to the issuance of a permit, five (5) times fees shall be charged for the permit.
 - (3) Application Review and Approval Required, Permit Issuance. The Zoning Administrator shall review, approve and issue the fence permit provided that the application is in compliance with this ordinance and the standards of this ordinance for the fence to be installed have been met.

The fence permit may contain reasonable conditions stated in the permit.

- (4) Completion of Installation - A fence authorized by a fence permit shall be fully installed in accordance with this Ordinance and permit conditions, within one hundred eighty (180) days of the date of permit issuance. A fence permit shall expire one hundred eighty (180) days after the date of issuance. After a fence permit expires, no work requiring such a permit shall be commenced, resumed or undertaken until a new permit is issued or the original permit is extended.
 - i. A permit applicant may file a written request for an extension of the fence permit stating the reason for the request, for up to one hundred eighty (180) additional days to complete the fence installation. The zoning administrator, in administering this code, shall grant the request if good cause is shown.
- (c) **Fences Categorized.** Fences shall be categorized into three (3) classifications:
- (1) **Boundary Fence.** A fence placed on or within three (3) feet of the property lines of adjacent properties.
 - (2) **Protective Fence.** A fence constructed to enclose a hazard to the public health, safety and welfare.
 - (3) **Architectural or Aesthetic Fence.** A fence constructed to enhance the appearance of the structure or the landscape.
- (d) **Approved Fence Materials.** All fences shall meet the following material requirements:
- (1) Fences to be situated in side and/or rear yards shall be constructed using materials suitable for residential-style fencing, including, but not limited to brick, fieldstone, wrought iron, vinyl, chain link (with a minimum thickness of nine (9) gauge and a required top rail support), stockade or board-on-board wood.
 - (2) No fence shall be constructed of used or discarded materials in disrepair, including, but not limited to pallets, tree trunks, trash, Ores, junk, or other similar items. Materials not specifically manufactured for fencing, such as railroad ties, wooden doors, landscape timbers or utility poles shall not be used for or in the construction of a fence.
 - (3) Residential front yard fences shall be fifty (50%) percent open (see-through) and be of split rail or wrought iron.
- (e) **Setback and Height of Fences Regulated.** Fences and walls are allowed in all yards provided they are within the height limitations as follows unless otherwise stated:
- (1) In front yards, not to exceed four (4) feet in height, except at corner lots where it may not exceed three (3) feet.
 - (2) In side and rear yards not to exceed six (6) feet.
- (f) **Security Fences.** Security fences are permitted on the property lines in all districts except residential districts, but shall not exceed ten (10) feet in height and shall be of an open type similar to woven wire or wrought iron fencing.
- (g) **Prohibited Fences.** No fence shall be constructed which is a picket fence or is designed to electrically shock or which uses barbed wire, provided, however, that barbed wire may be used in industrially zoned areas if the devices securing the barbed wire to the fence are ten (10) feet above the ground or height and project toward the fenced property and away from any public area. Additionally, barb wire may be placed on top a fence at least six (6) feet in height that surrounds a public utility structure and/or equipment.

- (h) **Fences to be Repaired.** All fences shall be maintained and kept in a state of good repair.
- (i) **Temporary Fences.** Fences erected for the protection of planting or to warn of construction hazard, or for similar purposes, shall be clearly visible or marked with colored streamers or other such warning devices at four (4) foot intervals. Such fences shall comply with the setback requirements set forth in this Section. The issuance of a permit shall not be necessary for temporary fences as described herein, but said fences shall not be erected for more than forty-five (45) days.
- (j) **Nonconforming Fences.** Any fence existing on the effective date of this Municipal Code and not in conformance with this Section may be maintained, but no alteration, modification or improvement of said fence shall comply with this Section.

SEC. 13-1-133 SWIMMING POOLS.

- (a) **Definition.** A private or residential swimming pool is an outdoor structure containing a body of water in a receptacle or other container having a depth for water at any point greater than one and one-half (1-1/2) feet located above or below the surface of ground elevation, used or intended to be used solely by the owner, operator or lessee thereof and his family, and by friends invited to use it, and includes all structural facilities, appliances and appurtenances, equipment and other items used and intended to be used for the operation and maintenance of a private or residential swimming pool.
- (b) **Exempt Pools.** Storable children's swimming or wading pools, with a maximum dimension of fifteen (15) feet and a maximum wall height of fifteen (15) inches and which are so constructed that it may be readily disassembled for storage and reassembled to its original integrity are exempt from the provisions of this Section.
- (c) **Construction Requirements.** In addition to such other requirements as may be reasonably imposed by the Zoning Administrator, the Zoning Administrator shall not issue a permit for construction as provided for in Subsection (b), unless the following construction requirements are observed:
 - (1) All materials and methods of construction in the construction, alteration addition, remodeling or other improvements and pool installation shall be in accord with all state regulations and code and with any and all Ordinances of the City now in effect or hereafter enacted.
 - (2) All plumbing work shall be in accordance with all applicable Ordinances of the City and all state codes. Every private or residential swimming pool shall be provided with a suitable draining method and, in no case, shall waters from any pool be drained into the sanitary sewer system, onto lands of other property owners adjacent to that on which the pool is located on in the general vicinity.
 - (3) All electrical installations, including lighting and heating but not limited thereto, which are provided for, installed and used in conjunction with a private swimming pool shall be in conformance with the state laws and City Ordinances regulating electrical installations
- (d) **Setbacks and Other Requirements.**
 - (1) Private swimming pools shall be erected or constructed on rear or side lots only and only on a lot occupied by a principal building. No swimming pool shall be erected or

