

1-8.09 Fencing

1. **FRONT YARD Fences.** No fence shall be constructed over two and one-half (2 ½) feet in height within the **VISION TRIANGLE**, as defined by these zoning regulations. No fence which is not more than twenty-five (25) percent of solid or unopened construction may be constructed of a height greater than three (3) feet in the **FRONT YARD**; provided, however that the **BOARD OF ZONING APPEALS** may, under unique circumstances, grant an exception for a solid fence higher than three (3) feet in the **FRONT YARD**.
2. **Back Yard Fences.** No fence shall be constructed of a height greater than six (6) feet in the back **YARD**; provided, however, that the **BOARD OF ZONING APPEALS** may, as an exception, authorize the construction of a fence higher than six (6) feet if the Board finds the public welfare served.
3. **Back and SIDE YARD Setbacks.** There shall be no back or **SIDE YARD** setback requirements; provided, however, that any fence erected over an easement may be removed at the expense of the property owner if there is a need for **UTILITY** maintenance.
4. It shall be the responsibility of the property owner to maintain said fence in a neat and attractive appearance, and to keep weeds and bushes clear to prevent unsightliness or obstruction of view.
5. No fence shall be constructed in such a manner or be of such design as to be hazardous or dangerous to persons or animals. It will be unlawful for any **PERSON(s)** to erect a barbwire or electrified fence within the **CITY**; provided, however, that the **BOARD OF ZONING APPEALS**, may, as an exception, authorize a barbwire or electrified fence, if need for such can be established.
6. No **PERSON** shall erect or maintain any fence, which will materially damage the adjacent property by obstructing the view, shutting out the sunlight, hindering ventilation or adversely affecting the public health, safety and welfare.
7. No fence shall be constructed without first obtaining a fence permit from the Zoning Administrator. The fee for such permit shall be determined by an ordinance enacted by the **CITY COUNCIL**.