

ARTICLE XII - FENCES, WALLS, AND OBSTRUCTION TO VIEW REGULATIONS

SECTION 12.0 - VISION CLEARANCE AT CORNERS AND RAILROAD CROSSINGS: No *fence*, wall, hedge, or other *structure*, or other obstruction above a height of forty-two (42) inches as measured above the curb level shall be erected, placed, maintained, or continued in any *zone* within that triangular portion of a *corner lot* formed by measuring ten (10) feet from the intersection of the rights-of-way lines (Figure 12-1). No type of tree or other obstruction shall be planted, placed, maintained, or continued in such a manner that would obstruct the vision clearance at corners and railroad crossings.

SECTION 12.1 - CLASSIFICATION OF FENCES AND WALLS: The following shall be the classification of *fences* and walls for this ordinance:

1. Masonry walls.
 2. Ornamental iron (eighty percent (80%) open).
 3. Chain link (eighty percent (80%) open), not permitted within the HP Overlay Zone.
 4. Wood, vinyl or similar (more than fifty percent (50%) open).
 5. Wood, vinyl or similar (less than fifty percent (50%) open).
 6. Hedges.
 7. Earthen or concrete walls intended to contain or redirect flooding waters.
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SECTION 12.2 - CONSERVATION ZONE: *Fences* and/or walls within the *conservation zone* shall conform to the following requirements:

1. *Front yards:* Class 2, 4 and 6 *fences* may be erected up to a maximum height of forty-two (42) inches.
2. *Side and/or rear yards:* Class 1, 2, 3, 4, 5, or 6 *fences* and/or walls may be erected up to a maximum height of seventy-two (72) inches.
3. *Front, side and/or rear yards:* Class 7 walls - shall conform to requirements of the Corps of Engineers and/or City Engineer, whichever is applicable.
4. If a property is located on a *lot* that is formed by the intersection of two streets, a street and an *alley*, a street and the railroad tracks and/or a street and parking lot area, *fences* and walls shall conform to Section 12.0.

SECTION 12.3 - RESIDENTIAL ZONES: *Fences* and/or walls within all R-1A, R-1A (RCD), R-1B, R-1C, R-1H, R-2 and R-3 (MF) *zones* shall conform to the requirements depicted on Figure 12-1 of this ordinance and the following:

1. *Front yards:* Class 2, 4 and 6 *fences* may be erected up to a maximum height of forty-two (42) inches.
 2. *Side and/or rear yards:* Class 1, 2, 3, 4, 5, or 6 *fences* or walls may be erected up to a maximum height of seventy-two (72) inches.
 3. If a property is located on a *lot* that is formed by the intersection of two streets, a street and an *alley*, a street and the railroad tracks and/or a street and parking lot area, *fences* and walls shall conform to Section 12.0.
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SECTION 12.4 - COMMERCIAL ZONES: *Fences* and/or walls within all NC *zones*, the C-1 *zone* and the SC *zone*, including those permitted with all conditionally *permitted uses* in these *zones*, shall conform to the following requirements:

1. *Front yards:* Class 2, 4 and 6 *fences* may be erected up to a maximum height of forty-two (42) inches.
 2. *Side and/or rear yards:* Class 1, 2, 3, 4, 5, or 6 *fences* and/or walls may be erected up to a maximum height of ninety-six (96) inches.
 3. If a property is located on a *lot* that is formed by the intersection of two streets, a street and an *alley*, a street and the railroad tracks and/or a street and parking lot area, *fences* and walls shall conform to Section 12.0.
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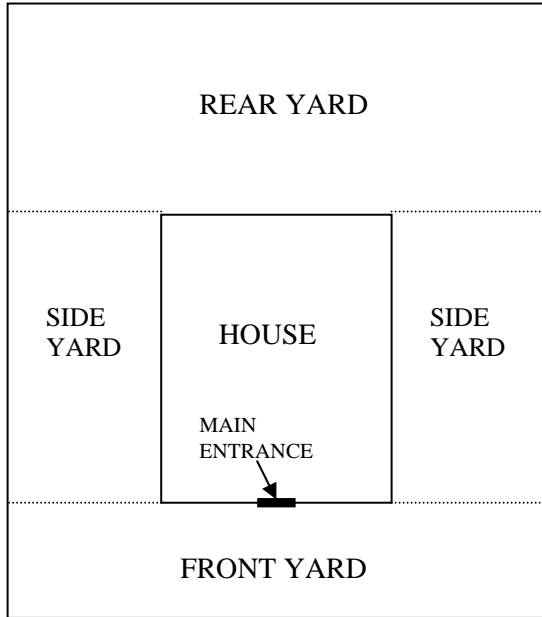
SECTION 12.5 - INDUSTRIAL ZONES: *Fences* or walls within the I-1 *Zone* shall conform to the following requirements:

1. *Front, side and/or rear yards:* Class 1, 2, 3, 4, 5, or 6 *fences* and/or walls may be erected up to a maximum height of ninety-six (96) inches except that additional height may be required by the *Zoning Administrator*.
2. Barbed wire topped *fences* may be used in this *zone* only in conjunction with seventy-two (72) inch high *fences* as determined by the *Zoning Administrator*.
3. If a property is located on a *lot* that is formed by the intersection of two streets, a street and an *alley*, a street and the railroad tracks and/or a street and parking lot area, *fences* and walls shall conform to Section 12.0.

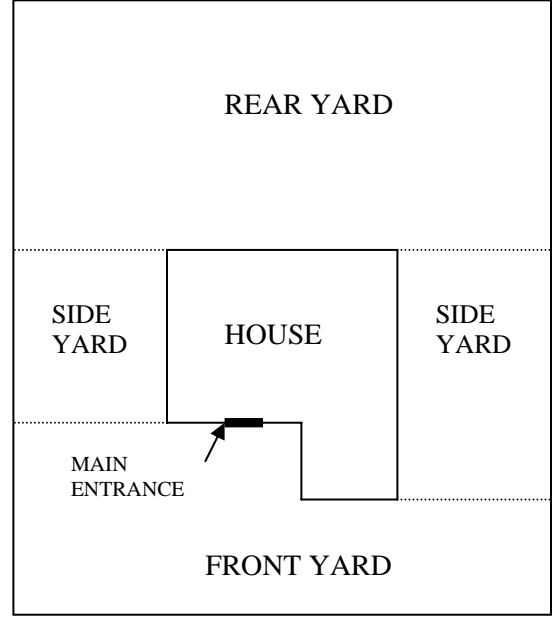
SECTION 12.6 - GENERAL REGULATIONS:

1. *Fences* are permitted to be located up to the property line (the property owner shall be responsible for verifying the exact location of the property line).
2. All *fences* and/or wall heights shall be measured along the *fence* or wall locations.
3. Barbed wire or sharp pointed *fences* are not permitted with the exception of Section 12.5 (2).
4. A combination *fence* and retaining wall may be erected. The retaining wall portion may be erected up to the level of the higher finished grade. The *fence* portion must be of the class and height permitted within this Ordinance for the applicable *zone*. Said measurement shall be made at and along the location of the *fence* and retaining wall.
5. When an existing non-conforming *fence* is replaced, it shall be replaced to conform to the code requirements. When it is determined by the *Building Inspector* and/or *Zoning Administrator* that a non-conforming *fence* is fifty percent (50%) or more deteriorated, the property owner shall be required to remove the nonconforming *fence* and any replacement shall be in conformance with the existing code regulations.
6. The property owner shall be responsible for verifying and complying with any fencing restrictions that may be in his chain of title, including *subdivision* restrictions.
7. When a *fence* is installed along a public right-of-way, excluding an *alley*, the posts or supporting members of the *fence* shall face inwards towards the property being fenced in and the “finished” side shall face the public right-of-way.
8. No *fence* shall be located closer than twelve (12) inches to a public sidewalk.
9. Posts and pilasters may extend one (1) foot above the height limit if they are an integral part of the *fence* design.
10. Article XII, Figure 12-2 shall be utilized to determine *fence* location with respect to *front, side* and *rear yards*.
11. A *fence* shall be permitted to locate elsewhere than on the same *lot* with the *building* or *use* served provided that the *lots* share an edge or a boundary.

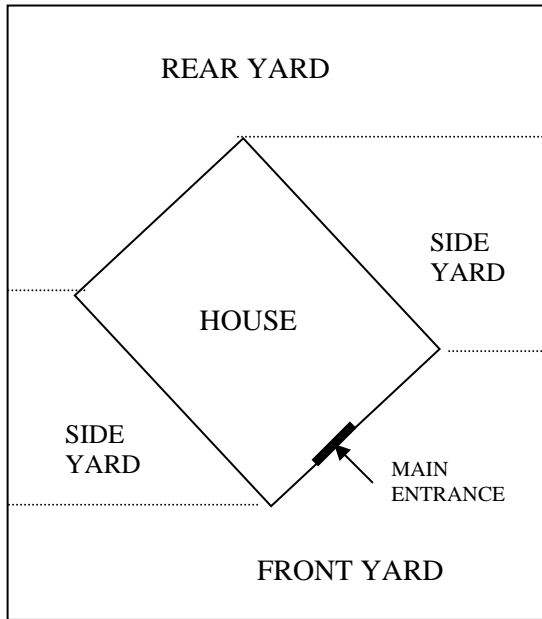
FIGURE 12-2



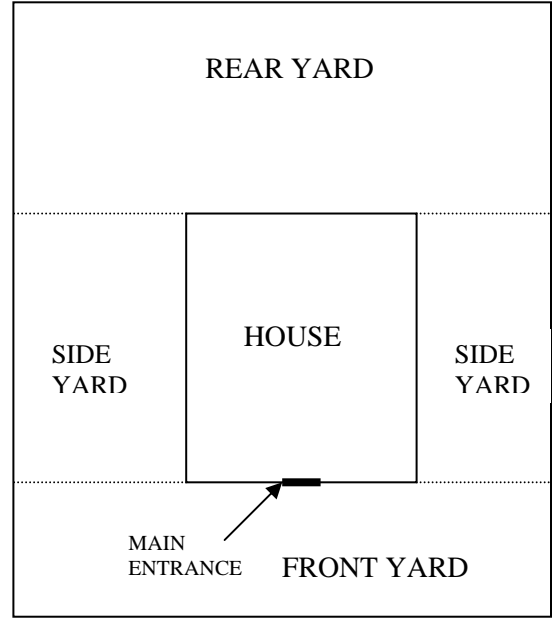
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Yard designations will change according to the location of the designed main entrance to the structure.