

*530.16 Fences and walls.* Fences and walls shall be subject to the following requirements in residential districts:

A. In any residential district zoned R-1, R-2, R-3, R-4, R-MH, R-1MH, R-2MH, or in any residential planned unit development or residential subdivision, the development of which conforms to R-1, R-2, R-3, R-4, R-MH, R-1MH, or R-2MH development standards, no fence or wall in excess of four feet in height shall be permitted outside minimum setback lines, except as part of a continuous buffer wall for a subdivision or phase thereof along collector and arterial street right-of-way lines and at subdivision entrances along private street right-of-way lines, and except in the side and rear yards, as defined in this Code, in which case no fence or wall in excess of six feet shall be permitted. The finished side of the fence or wall shall face the adjoining lot or any abutting right-of-way. The height of all fences or walls shall be measured on the fence owner's property from the ground perpendicular to the fence or wall to the top elevation of the said fence or wall. Support poles, columns, and decorative lights may exceed the height limitations by not more than one foot. Gates may exceed the height limitations by not more than two feet. Berms, when used in conjunction with fences or walls, shall be included in height determinations.

B. Electrified fences, barbed wire, corrugated metal, or sheet aluminum or similar materials shall not be permitted in any residential districts, provided that fences on property being used primarily for agriculture purposes shall be exempt from this section; and such fences may be repaired or replaced with the same variety of fence so long as the property remains in the agricultural use. Barbed wire may also be permitted when attached to fences around designated community facilities when used for security purposes. Such barbed wire must be a minimum of six feet aboveground as measured from the ground and shall not be included as part of the height of the fence.

C. In any zoning district, no fence or wall shall be installed on any public or private right-of-way used as a street, road, highway, or easement for ingress and egress, except as part of a subdivision entrance in a private street.

D. Each fence or wall erected pursuant to this section shall be of uniform construction and appearance and properly maintained, and in no event shall a fence or wall be erected or maintained in such a state of disrepair so as to pose a hazard to the community.

E. In the event 75 percent, or more, of a nonconforming fence or wall is destroyed or removed, whether by natural causes or otherwise, then such replacement fence or wall must be erected in conformance with the requirements of this section.

F. This section shall not apply to those walls or fences erected as buffers pursuant to the Landscape Ordinance, nor shall this section apply to walls or fences which are owned or erected by utility companies or owned, erected, or required by governmental agencies.