

EXHIBIT A

Chapter 14

BUILDINGS AND BUILDING REGULATIONS

Article XI. Accessory Structures

Division 1. Fences and Fence Maintenance

Sec. 14-500. Purpose.

The purpose of this division is to promote safe and attractive neighborhoods and enhance the general welfare of the community by establishing standards for the construction and maintenance of fences.

Sec. 14-501. Definitions.

In this division:

“Composite fence” means a fence constructed of a mixture of masonry, wrought iron, wood or other components.

“Intersection visibility triangle” means a sight triangle at a street intersection formed by the legs of the intersecting curb or edge of pavement lines and a diagonal line drawn between the two legs at points that are thirty-five feet (35’) from the intersection.

Sec. 14-502. Repair of existing non-conforming fences.

All new fence construction must conform to the requirements of this division. Existing non-conforming fences that are in a good state of repair must be removed or replaced with a conforming fence, on or before December 31, 2016. Existing non-conforming fences that are not in a good state of repair may not be repaired and must be removed or replaced with a new conforming fence, by December 31, 2016.

Sec. 14-503. Approved materials and colors.

(a) Except as otherwise provided by this section, only materials manufactured and marketed for fence construction may be used for fence repair or construction. By example and not by way of limitation the approved materials include cedar or treated wood planks and posts, vinyl composite fence materials, wrought iron and aluminum decorative fencing and chain link. Stone, concrete and fired masonry materials may also be used as the primary fence

material or as an element of a composite fence comprised of a mixture of approved materials. Siding, sheet metal, corrugated roofing or other similar materials may not be used for fence construction or repair.

(b) Fence posts for wood fences must be either wood or galvanized metal of a size sufficient to support the fence. Wood fence posts must be 4" x 4" posts of cedar or treated lumber and must be set on a concrete footing at a depth of at least thirty inches (30").

(c) Fence materials must be a natural wood tone, chain-link grey, or neutral colors such as white, beige, and tan, except metal fences which may be black, dark brown, or another darker color, as approved by the building official, as well as any neutral color.

(d) The use of barbed wire is limited to properties devoted to farm, ranch or agricultural use and as an upper element of security fences around properties devoted to commercial, industrial or manufacturing use. Barbed wire on a security fence may not be used below a height of eight feet (8') and must be placed on extensions above the main fence.

(e) Low voltage electrical fencing may be used around livestock enclosures but the use of electrically charged fences is otherwise prohibited.

(f) Chain link fences must be installed barb side down with the finished row on top.

Sec. 14-504. Height, Location, and other requirements.

(a) No permit is required for the construction of a conforming fence on residential property. The requirements of the building code shall control whether or not a permit is required for fence construction on non-residential property. No fence that substantially obstructs the view through the fence is permitted along the front of residential property or along a side lot line of residential property between the street and the front of the residence and no fence in this area may exceed four (4') in height. Acceptable residential front yard fencing includes wrought iron, decorative aluminum, chain link, or similar material that allows generally an unobstructed view. Opaque fencing is allowed in other locations. The front yard height and opacity restriction does not apply to residential lots that are greater than one (1) acre in size, or to neighborhood walls or fences that are installed for privacy, security, or sound mitigation around the perimeter of a residential subdivision.

(b) No fence may be placed in any street right-of-way or intersection visibility triangle and every fence shall be set back at least ten feet (10') from the edge of street pavement or five feet (5') behind the sidewalk, whichever setback is greater.

(c) Wood plank fences or other fences constructed with a finished face must be constructed so that the finished face is visible from outside the property enclosed by the fence and the posts and support members are located on the interior side.

(d) No fence may be constructed or maintained in a manner that would substantially impede the normal flow of drainage.

Sec. 14-505 Fence maintenance.

(a) The owner and/or occupant of every property possessing a fence must maintain the fence in conformity with the requirements of this section.

(b) A fence may not lean more than 5° out of vertical alignment.

(c) Every fence must be maintained in a state of good repair, with no broken, loose, damaged, removed or missing parts, and in a safe and secure condition with all braces, bolts, nails, supporting frame and fastenings substantially free from deterioration, termite infestation, rot, and rust or loosening components and able to withstand the wind load for which the manufacturer designed them. Broken, damaged, removed or missing fence parts must be promptly replaced with the same material or materials of comparable composition, color, size, shape and quality. If fifty percent (50%) or more of the length of any single side of a fence must be replaced due to damaged, broken, deteriorated or missing parts, then the entire side must be replaced or the fence must be removed.

(d) Fences that are painted or stained shall be maintained free of peeling or blistered paint and will be stained or painted as necessary. Paint or stain coloring shall be uniform along the entire fence.

(e) Every fence must be maintained free from the growth of weeds and high grass, including any area of the owner's fence located outside the fenced area.

(f) A fence that is not maintained in accordance with the requirements of this section is a nuisance and the abatement procedures of Chapter 26, Article II, Division 2 of this Code of Ordinances shall apply.

Sec. 14-506. Swimming pool enclosures.

The requirements of the standard swimming pool code adopted by Chapter 14, Article VI of this code of ordinances shall apply to fences enclosing spas and pools.