

Memo

To: MAPC
From: Otis T. Spriggs, Planning Dept.
Date: August 6, 2009
Re.: **Fence Ordinance- Amendment**

MAPC Commissioners:

Below are suggested Text Amendments for the current Fence Ordinance for your consideration. This is a request on behalf of Planning and Engineering Departments. We are having an influx of fencing being erected improperly on properties throughout the City limits.

Sec. 117-329. Fences **(Permit Required)**

Except as otherwise specifically provided in other codes and regulations, the following regulations shall apply to the construction of all fences:

(1) *Maximum height.* Fences shall not exceed eight feet in height, unless approved by the planning commission.

- a. Privacy style fencing **shall not be erected in the front yards** (See Figure 12-9), except in I-1 and I-2 Districts or where variances are granted by the Board of Zoning Adjustments based on hardship. **(Modified)**
- b. Fences that are 50 percent open may be erected to a maximum height of 4 feet in side and front yards. See Figure 12-9. **(added Section)**
- c. Fencing in the I-1 and I-2 districts, and around tennis courts and other recreational amenities, shall be exempt from the height limit.

(2) *Corner visibility.* Fences shall comply with the corner visibility standards of section 117-327.

(3) *Construction materials.* Fences in all residential zoning districts shall be constructed so that the horizontal and vertical support posts are inside the fence area or hidden from view of those outside the fenced area. This requirement shall not apply to fences that abut nonresidential zoning districts, **(insert) lots abutting highways** or in situations where the owner of the lot adjacent to the fence agrees to a plan for placing support posts on the outside of the fence. All exposed steel, except galvanized metal, shall have a color finish coat applied to them and be preserved against rust and corrosion.

(4) *Design and maintenance.* All fences shall be maintained in their original upright condition. Fences designed to be painted or have other surface finishes shall be maintained in their original condition as designed. Missing boards, pickets, or posts shall be replaced in a timely manner with material of the same type and quality.

(5) *Prohibited.*

- a. Barbed wire and electrified fences shall be prohibited on all lots of less than two acres in area.
- b. **Fencing shall be prohibited within any City right of way, easement, or utility or drainage easements. Exact location of fencing shall be the sole responsibility of the property owner. (Section Added)**
- c. **Fencing shall not obstruct the passage or storage of floodwater, surface runoff, or stormwater along lot lines as regulated in Section 112-129, of Chapter 112, Stormwater Management of the Jonesboro Code of Ordinances. (Section Added)**

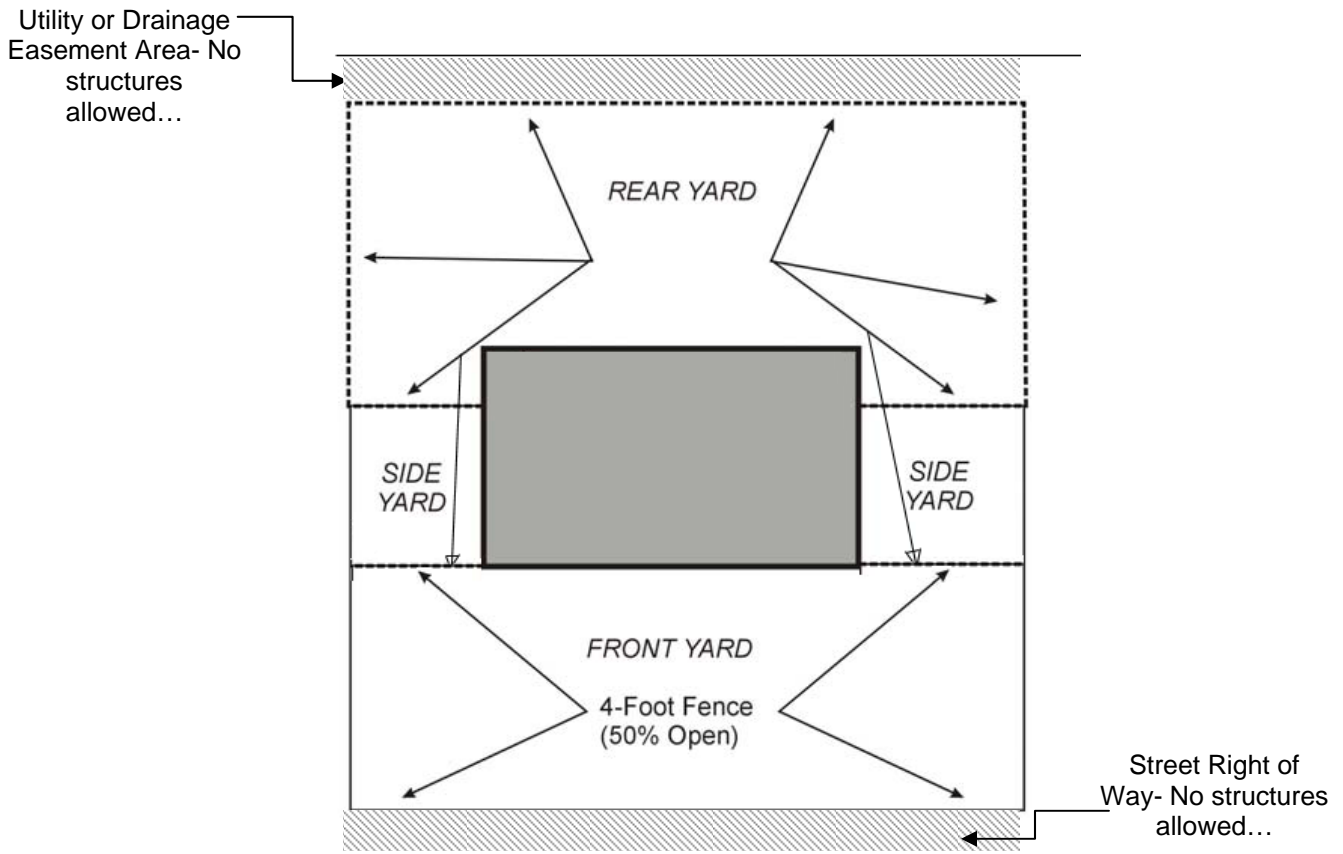


Figure 117-329