

CHAPTER 997 Fences

<p>997.01 Permit required. 997.02 Construction regulations. 997.03 Obstruction to view.</p>	<p>997.04 Prohibited fences. 997.05 Fences for other than residential use groups.</p>
---	---

CROSS REFERENCES

Snow and electric fences - see GEN. OFF. 521.07
Swimming pool construction permit required - see BLDG. 1131.01
Landscaping services to be licensed - see BLDG. 1133.02
Topsoil removal regulations - see BLDG. Ch. 1135

997.01 PERMIT REQUIRED.

No person shall construct or install any wall, fence, trellis or other such type structure on any lot in any Use District without first making application and obtaining a permit from the Building Commissioner. The applicant must submit:

- (a) A scale drawing showing the location, height and type of fence and distance from structures, easements, and swales.
- (b) A Boundary survey prepared and sealed by a surveyor registered in the State of Ohio, where the proposed installation abuts or establishes a property line. The survey shall have been performed within the last five years.
- (c) Such application shall be accompanied by a fee in the amount set forth in Section 1125.07. (Ord. 58-2004. Passed 7-26-04.)

997.02 CONSTRUCTION REGULATIONS.

(a) In any Residential Use District, no fence fabric, or panel is permitted to exceed six feet above the average grade level of the lots on both sides thereof.

(b) All supporting posts must be faced to the interior of the lot being fenced. Minimum support post burial depth for a fence less than five foot (5'0") high shall be two foot (2'0"). Minimum support post burial depth for a fence five foot (5'0") to six feet (6'0") shall be two feet six inches (2'6"). Fence supporting posts including decorative tops or finals shall not exceed seven feet above the average grade. All fences shall be structurally sound, constructed to withstand wind loading. Finishes and coatings shall be acceptable to the Planning Commission.

(c) The installations of fences in areas where easements exist are prohibited unless the property owner obtains written permission from the easement holder. It shall be the responsibility of the applicant to identify easements on documents submitted for approval. (Ord. 58-2004. Passed 7-26-04.)

997.03 OBSTRUCTION TO VIEW.

(a) No wall, fence, trellis, or other type structure shall be constructed or maintained between the rear yard building line and the street line on any lot in any Use District in the City. In Residential Use Districts where a side door exists such fence is permitted to proceed forward of the door by a maximum distance of five feet.

(b) Decorative fences, defined as fences which do not exceed 4 feet in height, do not extend past the side walls of the house or across driveways, and contain at least 2 posts shall be permitted to a maximum distance of 15 feet forward of the house.

(c) No hedges, shrubs, trees or other growth shall be planted or maintained between such front yard building line and the street line in such a manner as to obstruct the view of traffic or public walk. No such growth shall exceed 24 inches when within 15 feet of the public walk and right of way.

(d) Applicant with structures on corner lots shall be permitted to construct a fence provided:

- (1) Such fence is not within one (1) foot of the Right of Way or public sidewalk.
- (2) No such fence exceeds 48 inches above the average grade.
- (3) The fence is of an open design, as determined by the Building Commissioner, providing clear sight lines of the Right of Way and public sidewalk.
- (4) The fence does not extend forward of the rear of a dwelling without a side door. When a side door exists, not forward of the side door more than 5 feet.
- (5) No such fence is within 5 feet of any driveway.
- (6) Shrubbery or hedges are maintained to a maximum height of 24 inches.

(e) Shrubbery, Hedges and Fences of other designs are permitted where:

- (1) The minimum distance from the fence and the Right of Way and public sidewalk is twice the height of the fence.
- (2) The minimum distance from the fence and any driveway is twice the height of the fence.

(Ord. 58-2004. Passed 7-26-04.)

997.04 PROHIBITED FENCES.

(a) Fences constructed of barbed or razor wire. Exception: Protection of radio, television, or wireless communication facilities, or fence types permitted elsewhere by ordinance.

(b) Fences whose vertical elements are shaped, fashioned, or sharpened to a point less than three-quarters of an inch in diameter.

(c) Any electrically charged fences. Exception: Approved pet containment fences installed below grade.

(d) Wire strand, wire mesh material, with opening larger than 3 inches.

(e) Any fence, which has become deteriorated, decayed, or in disrepair.

(f) Snow fences at other times of the year than November 1 through April 1. Other fences designed to be temporary in nature and installed in a permanent fashion.

(g) Any stake, stick, pole, stone, rock, or other dangerous or hazardous object to mark, designate, or establish any property or property line other than required survey markings.
(Ord. 58-2004. Passed 7-26-04.)

997.05 FENCES FOR OTHER THAN RESIDENTIAL USE GROUPS.

(a) New fences and retaining walls on commercial or industrial use property shall be reviewed and approved by the Planning Commission. Such approval shall not require Council review.

(b) Replacement or repair of existing approved fences with like kind, size, and location shall not require Planning Commission approval prior to the issuance of a permit.

(c) Fences exceeding six feet above grade are permitted where screening or buffering against residential property is desired.
(Ord. 58-2004. Passed 7-26-04.)