

## Chapter 83 - Fences

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### 1. DEFINITIONS.

- (A) Fences - For the purpose of this Ordinance a fence shall be construed as a structure erected upon or near the dividing line between adjoining properties for the purpose of separating, screening and protecting the lands.
- (B) Front Building Line - A line formed by the front face of the building setback line and extending to the side lot lines.

### 2. FENCE CONSTRUCTION IN RESIDENTIAL AREAS.

The owner of any lot may construct and maintain fences between his own and the next adjoining lots, or along street or alley lines in the manner stated in the following sections of this Ordinance and elsewhere in the City Code. All owners of lots shall be responsible for rebuilding, care, and upkeep of all fences as defined in this Ordinance.

- (A) All fences in residential areas separating properties shall be of an ornamental type. Such fences may be constructed of metal, wood or masonry. Only new material, or such material as found to be structurally acceptable to the Chief Building Inspector, shall be used. In residential areas no fence shall be constructed to a height more than six (6') feet above the existing grade of the land, and no fence shall be constructed to a height of more than thirty (30") inches above the existing grade of the land in that portion of the property in front of the front building setback line. On corner lots where a double front setback is required, and where there is a common rear yard relationship with a lot in the same block, a non-obscuring fence no greater than forty-eight (48") inches in height above the existing grade of the land may be installed along the common street line from the front building setback line to the rear property line. The maximum heights requirements of this section may be waived with the approval of the Building Board of Appeals.

(Rev. 07-08-1996)

### 3. FENCE CONSTRUCTION IN NON-RESIDENTIAL DISTRICTS.

On all non-residential zoned properties, no fence shall be permitted in the yards between the building and any frontage street, unless required for utility enclosure purposes.

A decorative masonry obscuring wall shall be provided on those sides of non-residential property abutting land zoned for residential use. The decorative side of these walls shall face the land zoned for residential use. Such walls shall not be less than six (6') feet in height and may, depending upon land use, be required to be eight (8') feet in height.

(Rev. 11-12-1990)

### 4. CONSTRUCTION MATERIAL.

No electrically charged fence shall be permitted in any areas of the City, nor shall barbed wire material be used in the construction of a fence in any residentially zoned area of the City; provided that barbed wire may be used in residential areas for the purpose of avoiding access to attractive nuisances. Said wire shall be a minimum of six (6'0") feet above ground. In non-residential areas, barbed wire or other sharp pointed material may be used provided said material is over five (5'0") feet above the ground. Barbed wire, when used, should be installed so that any projections at the

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top shall be over the fence owner's property. Fences which enclose school grounds, playgrounds, tennis courts, public swimming pools, or other public areas may be erected to a height in excess of six (6'0") feet with the approval of the Building Board of Appeals.

(Rev. 10/09/1972)

### 5. PERMITS.

No fence shall be constructed until a permit for such construction has been obtained from the Building Department. Application for said permit shall contain such information as is necessary to determine if the proposed fence meets the requirements of this Ordinance and the Zoning Ordinance. The fee for said permit shall be in accordance with the Fee Schedule found within Section 60.03 of Chapter 60 of the Troy City Code.

(Rev. 06/02/2003)

No permit shall be issued for any fence construction prior to the approval of the final lot grading for said lot where the fence is proposed.

No permit shall be issued for any fence construction within any easement without the approval of the Director of Public Works, or his authorized representative.

(Rev. 09/19/1977)