

CITY OF OAK LEAF

FENCE CONSTRUCTION

Article 3.1100 Fence Construction

Sec. 3.1101 Definitions

For the purpose of this article a fence is defined as any wall or structure more than twelve (12) inches in height constructed for the purpose of enclosing, screening, restricting access to, or decorating any lot, building or structure.

Sec. 3.1102 Permit Required

It shall be unlawful for any person, group of persons, or corporation to construct, or have constructed, any type of fence, or any part of a fence, without first having secured a permit from the office of the inspector.

Sec. 3.1103 Information Required

Any person, group of persons, or corporation must supply the following information when applying for a permit to erect a fence:

- (1) applicant's name and address; and if the person represents a company or corporation, the name and address of the foreman of the company or corporation together with the name of the president of same shall be supplied.
- (2) name of owner of the property
- (3) local address where fence is to be erected
- (4) type of fence
- (5) height of fence
- (6) graphic outline of the property to be fenced, with the fence signified by a dark line
- (7) approximate value

Sec. 3.1104 Fee Required

The minimum cost of the permit fee shall be as provided for in the fee schedule found in the appendix of this code. However, should the fee be greater according to the building code, this fee shall be assessed.

Sec. 3.1105 Height Requirements – Residential

- (a) It shall be unlawful to erect a fence at a height exceeding eight (8) feet in any side yard or rear yard.
- (b) It shall be unlawful to erect a fence any height in any front yard.
- (c) On all corner lots where the rear lot line is adjacent to a side lot line or across an alley from such side lot line, no fence exceeding three (3) feet in height shall be constructed outside the designated building line along the side or rear yard which is next to the street.

Sec. 3.1106 Types of Fence and Construction

- (a) It shall be unlawful for any fence to be erected in an area zoned for residential use that is electrically charged in any form or manner.
- (b) 1) All posts shall be steel and must be set three (3) feet into the ground in concrete.
2) Posts must be installed facing the inside of the property. Finished side of the fence shall face out.
- (c) In order to allow for the entrance and exit of fire department and police department personnel there must be at least one (1) gate no less than three (3) feet wide on each fence that is adjacent or parallel to a public alley or utility easement. This does not pertain to those easements, which the City of Oak Leaf has allowed to be completely fenced in.
- (d) In all residential developments with rear or side entry access to a garage or carport, a visibility clip measured ten (10) feet from the corner of the driveway and alley, or street, in both directions shall be provided on both sides of the drive.
- (e) No fence shall ever be constructed on a corner lot that does not afford proper visual clearance for traffic approaching in either direction, 25” triangle.

Sec. 3.1108 Public Property Rights

No fence, guy wires, braces or brackets of such fence shall be allowed to be constructed upon, or extend over any property belonging to the City of Oak Leaf, or that the general public has control and dominion of, or any property which has an easement on, above, under or through same, except that property which allows such intrusions.

(Ordinance 845 of 5/8/84)

Sec. 3.1109 Reserved for future use*

Sec. 3.1110 Inspections

Upon completion of the installation of the enclosure, the building inspector shall be called for the purpose of making an inspection. A certificate of acceptance will be issued for compliance with the article or a rejection slip will be issued for defects in construction materials or procedure. Once a certificate of acceptance is received, the fence shall be maintained so as to comply with the requirements of this article at all times. Any appeal from a decision of the building inspector under the terms of this article shall be made to the planning commission and city council.

Sec. 3.1111 Maintenance

- (a) Any person, group of persons or corporation, owning or having control of any fence within the city shall be responsible to maintain the fence in a safe and presentable condition. This shall include replacement of broken or defective

boards, posts, wire or other fence parts that may cause the fence to be unsafe or unsightly.

(b) No permit will be required for normal fence maintenance; however, if the fence has deteriorated beyond fifty percent (50%) of the fence value and is not in compliance with the provisions of this article, then the terms of this article shall prevail.

(Ordinance 845 of 5/8/84)

Inspections: 1) Permit Review
2) Permit Final

Sec. 2.200 Fence Construction Permit Fee

The minimum cost of the permit fee shall be \$90.00. If lights, an electrical inspection fee will be applicable.

Sec. 3.201 Time Factors

(D) Fence – 90 days

All unexpired permits may be extended for a period of 90 days at 1/2 their original fee.