

## CHAPTER 1329

### Fences

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### CROSS REFERENCES

Fences - see Ohio R.C. Ch. 971

Electric and barbed wire fences - see GEN. OFF. 660.12

Encroachments upon public property - see B. & H. 1303.98  
(RBC 1695.10)

Swimming pool fences - see B. & H. 1363.11

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#### **1329.01 DEFINITION OF BUILDING SETBACK LINE.**

The building setback line, for the purpose of this chapter, is the setback line at the front of a property as shown in a plat and, in the case of corner lots, excludes that area at the rear or side of the main building customarily known or considered as the rear yard. The Building Commissioner shall designate the rear yard area or other required setbacks in the event of any question.  
(Ord. 87-45. Passed 6-1-87.)

#### **1329.02 HEIGHT.**

The maximum height of a fence on any property in the City shall not exceed four feet except as may be permitted in other provisions of this chapter, except that closed fences up to six feet high are permitted as boundary fences in residential districts, provided, however, that written consent from all recorded owners of adjacent lots or affected parcels of land has been obtained and filed with the Building Department.

Fencing between residentially zoned properties and other zoning classifications shall be a minimum of six feet in height with a maximum of eight feet in height, except where the activity on retail premises to be screened is such as may be found by the Board of Zoning Appeals to have an adverse effect on the value of adjoining residential real estate, in which case the fence may be higher. Similarly, activities which may be found to be dangerous to members of the general public or children may be screened by fences not to exceed eight feet in height.  
(Ord. 87-45. Passed 6-1-87.)

**1329.03 SIDE LINE FENCES.**

Fences on the side line of any property must be fifty percent open except as provided in Section 1329.02. Board on board type fences will be considered fifty percent open. (Ord. 87-45. Passed 6-1-87.)

**1329.04 STAKES OR POSTS.**

The stakes supporting a fence shall face the property of the person providing such fence with a thirty-six inch minimum depth without concrete; with concrete a minimum of eighteen inches in depth is required.  
(Ord. 87-45. Passed 6-1-87.)

**1329.05 BARBED WIRE.**

Barbed wire fences are not permitted anywhere in the City, except at the top of metal fences protecting members of the public from potentially hazardous installations where such barbed wire fences are necessary to protect the public health, safety, welfare and convenience, and except those placed around public facilities with permission of the Building Commissioner.  
(Ord. 87-45. Passed 6-1-87.)

**1329.06 BOUNDARY FENCES.**

No boundary fence shall be permitted in front of a building setback line.  
(Ord. 87-45. Passed 6-1-87.)

**1329.07 SNOW FENCES.**

Temporary snow fences will be permitted between November 15 and April 15, provided, however, that temporary snow fences shall not be erected or installed closer than twenty feet to a driveway of an abutting property owner, shall not obstruct the view of an intersection and shall not come closer than twenty inches of a public sidewalk. Snow fences shall not be placed within the public right of way.  
(Ord. 87-45. Passed 6-1-87.)

**1329.08 DECORATIVE FENCES IN FRONT YARDS.**

Decorative fences up to three feet in height are permitted parallel to the house and no closer to the street line than one-third the distance from the house to the sidewalk in the front yard. Each fence must be compatible with the architectural style of the house. Split rail fences placed at the corners of a lot or at the intersection of a driveway and sidewalk not exceeding ten feet in length in any one direction and being not closer than twenty inches to a public sidewalk shall be considered decorative. (Ord. 87-45. Passed 6-1-87.)

**1329.09 PRIVACY.**

Privacy fences are permitted when they are erected other than on a boundary line and are in a location in near proximity to the main dwelling house for the purpose of providing privacy for those persons using a patio, deck or similar outdoor gathering area; provided, however, that each privacy fence location has been approved by the Building Department and a permit has been issued therefor. The maximum height of a privacy fence shall be six feet and may be closed. (Ord. 87-45. Passed 6-1-87.)

**1329.10 SWIMMING POOLS.**

Fences for swimming pools shall be of a height not less than that required in Section 1363.11 of these Codified Ordinances. However, swimming pool fences may be higher than four feet and not to exceed six feet in height and may be closed for privacy provided that the written consent from all record owners of adjacent lots or affected parcels of land has been obtained and filed with the Building Department. (Ord. 87-45. Passed 6-1-87.)

**1329.11 ANIMALS.**

Fences or dog runs are permitted when in compliance with all applicable provisions of this chapter and when they are screened from view of abutting property owners and the street with landscape type screening. Fencing to harbor permitted animals shall be limited to a maximum of 150 square feet and shall not be erected within any required side yard. (Ord. 87-45. Passed 6-1-87.)

**1329.12 CORNER LOTS.**

Fences for corner lots shall not be closer than twenty inches to the side yard street line and not further forward than the front yard building setback line. Fences erected on the street side of a corner lot shall not exceed four feet in height, nor be closer than ten feet of a driveway. (Ord. 87-45. Passed 6-1-87.)

**1329.13 PERMITS.**

A permit is required to be secured from the Building Commissioner prior to the alteration of any existing fence or the placement of a new or replacement fence anywhere in the City. (Ord. 87-45. Passed 6-1-87.)

**1329.99 PENALTY.**

Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than six months, or both, if an individual, and shall be fined not more than five thousand dollars (\$5,000), if an organization, subject to the provisions of Sections 606.08 and 606.09 of the General Offenses Code, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.