



Sec. 16-3-430. - Fences and walls.

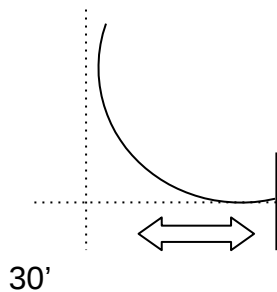
The intent is to ensure that walls and fences are attractive and in character with the neighborhood. Recognizing that fences are used to create privacy, the Town encourages privacy fences be located close to residences or other primary buildings on a property and not along side and rear property lines. (Ord. 11-2007 §1)

Sec. 16-3-440. - Fences and walls; general provisions.

- (a) *Compatibility.* Walls and fences shall be architecturally compatible with the style, materials and colors of the principal buildings on the same lot. If used along collector or arterial streets, such features shall be made visually interesting by integrating architectural elements, such as brick or stone columns, varying the alignment or setback of the fence, softening the appearance of fence lines with plantings or through similar techniques. A fence or wall may not consist of a solid, unbroken expanse for more than fifty (50) feet.
- (b) *Materials.*
 - (1) Stone walls, or brick walls with a stone or cast stone cap, treated wood fences, decorative metal, cast iron fences, stucco walls and stone piers are encouraged. Solid walls and fences are permitted only in rear and side yards. Retaining walls are permitted where required for landscaping or architectural purposes. Hedges may be used in the same manner and for the same purposes as a fence or wall.
 - (2) Fences used in front yards (being the yard area that the primary or front entrance of the primary building on the property is oriented towards) shall be at least fifty percent (50%) open. Allowable fences within front yards are split rail, wrought iron, picket or other standard residential fences of fences of similar material or nature approved by the Building Inspector.
 - (3) Other materials may be incorporated in fences and walls as may be approved by the Board of Trustees.
- (c) *Prohibited materials.* Fencing, including concertina or razor wire, are prohibited unless specifically allowed by the Board of Trustees. Barbed wire or electrically charged fences are only allowed in the Agricultural (A) or Rural Residential (RR) Districts. Electrically charged fences shall have signage at least every twenty-five (25) feet identifying such fencing as being electrically charged. Chain link fencing with or without slats shall not be used as a fencing material for screening purposes.
- (d) *Retaining walls.* Retaining walls shall be designed to resist loads due to the lateral pressure of retained material in accordance with accepted engineering practice and shall not be unsightly or detrimental to abutting property.
- (e) *Height limitations.* Fences or walls shall be:
 - (1) No more than forty-two (42) inches high between the front building line and the front property line. Such walls shall not be solid except for retaining walls.

For corner lots, front yard fence regulations shall apply to both street sides of the lot.

- (2) No more than forty-two (42) inches high if located on a side yard line in the front yard, except if approved by the Board of Trustees and required for unique security purposes. Such fences and walls shall not be solid, except for retaining walls.
- (3) No more than thirty (30) inches high when located within the site distance triangle, and fences or walls within this site distance triangle shall not be solid. In the Industrial (I) Zone District, chain link fence is permitted so long as the height of the fence is not higher than six (6) feet, the fence is not used for screening and the fencing does not obstruct visibility at any intersection.



- (4) No more than six (6) feet high for an opaque privacy fence located on a rear property line or on a side yard line in the rear yard.
- (5) Fences around a recreation court (e.g., tennis, squash racket, squash tennis or badminton) or around a publicly owned recreation area may exceed six (6) feet in height if the fence is at least fifty percent (50%) open.
- (f) *Maintenance.* Dilapidated, unsightly or dangerous fences shall be removed or repaired when removal is ordered by the Code Enforcement Officer. Hedges shall be maintained in a healthy condition, trimmed and pruned as appropriate for the plant type. Dead plant material in hedges shall be removed or replaced as appropriate when so ordered by the Code Enforcement Officer. Hedges shall not encroach upon sidewalks or street rights-of-way. (Ord. 11-2007 §1)