

Sec. 106-291. - Fence regulations.

(a) *Prohibition.* Fences shall be permitted in all zoning districts only in compliance with the provisions of this section.

(b) *General conditions.*

- (1) Unless otherwise provided, fence height shall be measured from the established grade to the top most section of the fence. Where the grade forms a contour, the fence shall be required to maintain the same contour.
- (2) All portions of any fence must be constructed of the same or harmonious material or system. All vertical and/or horizontal supports and cross members must face the interior of the lot.
- (3) Fences shall be built and maintained by the property owner according to all other codes of the city.
- (4) Fences on corner lots must observe the sight triangle requirement of section 106-282 of this Code.
- (5) Fences need not comply with lot setback requirements of this Code, except as required in Section 106-289, Landscaping and Screening, for screening of activity area in transitional buffer yards.
- (6) Fences shall be permitted as required under sections 106-193.f.2.b and 106-252.b.2 for required fences in side yards in the C-3 Service District and the C-F Community Facility District that adjoint Residential Districts.
- (7) Fences shall be permitted as required under section 106-289 for fencing required at scrap, junk, salvage, reclamation, or similar yards.
- (8) The height restrictions set forth in this section shall not apply when section 18-102 of the city code, aboveground pools, or section 18-103 of the city code, belowground pools, require a fence of a height greater than the height otherwise permitted in this section; provided, however, that the height of any such fence may not exceed six feet.

(c) *Regulations for interior lots.* Fences are permitted on interior lots (lots with frontage on only one street other than an alley) only as follows:

- (1) *Type of fence.* Only fences such as those made of aluminum, wrought iron, wood, stone, stucco, masonry, chain link or vinyl shall be permitted in front yards. Without limiting the foregoing, woven wire and permanent snow fences are specifically prohibited in front yards.

Any type of fence typically used for residential property is permitted in side or rear yards within Residential Districts.

Any type of fence typically used for commercial property is permitted in side or rear yards within all zoning districts other than Residential Districts.

- (2) *Height.* Fences in Residential, Commercial, I-1, I-P, Agricultural, Community Facility, Living History, and REC Districts may not exceed the following height, except that posts, pilasters and piers may extend two feet above said height limits:

Front yards	four feet
Side yards	six feet
Rear yards	six feet

- (3) *Height.* Fences I-2 and I-3 Districts may not exceed the following height, except that posts, pilasters and piers may extend two feet above said height limits:

Front yards	eight feet
Side yards	eight feet
Rear yards	eight feet

The height restrictions set forth in this section shall not apply to property owned by the City of Chillicothe and used for public purposes.

- (d) *Regulations for corner lots.* The regulations set forth above for interior lots shall also apply to corner lots (lots with frontage on two intersecting streets) in Residential Districts. Corner side yards in Residential Districts shall be subject to the regulations for front yards.
- (e) *Regulations for double frontage lots.* Fences on double frontage lots (lots with frontage on two parallel streets) shall comply with the regulations for interior lots; however, if all principal structures in the same block face the same street or direction, and there is no vehicular access to the street in which the principal structure does not face, the yard adjacent to said street with no vehicular access shall be considered a rear yard.
- (f) *Definition of yards.* The terms "front yard", "side yard" and "corner side yard" shall have the meaning set forth in section 106-1 of this Code. The term "rear yard", for purposes of this section 106-169, shall mean an open, unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the rear lot line of the lot and the rear line of the building projected to the side lines of the lot, or the centerline of the alley, if there be an alley, and the rear line of the building; provided, however, that on corner lots, any portion of a rear yard that also qualifies as a corner side yard shall be considered a corner side yard and not a rear yard. When a building on a lot has an offset rear line, the projection of the rear lot line to the sides of the lot shall, on each side of the building, run from the rear of the building on each side to the corresponding side lot line.

(Ord. No. 20-03-05, § 2, 3-9-2020)