ORDINANCE NO. 347

AN ORDINANCE REGULATING THE CONSTRUCTION OF FENCES; REPEALING ORDINANCE 344.

BE IT ORDAINED by the Governing Body of the City of Pawnee Rock Kansas:

SECTION 1:

Chapter IV BUILDING AND CONSTRUCTION

ARTICLE 8 FENCES

4-801 - Classification.

For the purpose of this chapter, fences are hereby classified under the following types:

- A. Class 1: masonry walls.
- B. Class 2: ornamental iron.
- C. Class 3: woven wire or chain link.
- D. Class 4: wood picket (More than fifty percent open).
- E. Class 5: solid fences (Wood or metal or other material less than fifty percent open).
- F. Class 6: hedge or other living plant or tree planted in a way to create a barrier.

4-802 - Installation permit required—Application—Fee.

No person shall install or erect any fence without first having obtained a permit authorizing the work to be done. Application for a permit shall include the location and address of the property, name of the record owner of the property, name of applicant, classification and height of fence, location as shown on a plot plan, estimated time of completion. A fee of five dollars shall be charged for such a permit.

4-803 – Requirements.

Fences located within the city shall conform to the following requirements:

- A. Front Yard. Front yard fences erected in front of the residence shall be of any class and shall not exceed a height of three feet; provided, woven wire or chain link fences may be erected to a height of four feet. Fences on corner lots in which the rear yard abuts the front yard of the adjoining lot shall conform to the requirements for front yard fences for such part of the fence as abuts the adjoining front yard.
- B. Side yard. Side yard fences erected in back of the front of the residence, and within the required side yard of the lot, may be of any class not over six feet in height.
- C. Rear Yard. Rear yard fences erected along the rear property line may be of any class and height without permit, except as provided by subsection A of this section.
- D. No barbed wire or electric fence shall be erected or maintained in the city.
- E. In case of a fence erected on top of a retaining wall, the height shall be measured from the grade of the low side; provided, that in any case, a fence of Class 2, 3, 4 or 5 may be erected on top of a retaining wall to a height not to exceed three feet above the grade of the high side.
- F. Retaining walls shall be adequately designed and drained so as to resist all lateral pressure to which they may be subjected.

- G. All fences will be constructed in a manner to not obstruct the vision or create a hazard to vehicular traffic or pedestrian access to public rights of way.
- H. Hedges must meet the same requirements of this chapter.
- I. The use of materials designed for purposes other than fences are prohibited.
- J. Fence or hedge placement within the build line of the property do not need to meet requirements of subsection A through C and E.

4-804 - Fences—Maintenance and repair.

Fences shall be kept in good repair and any dilapidated, dangerous fences shall be removed or repaired when so ordered by the city.

4-805 - Fences deemed nuisances—Notice to repair or remove.

Any fence erected or maintained contrary to the provisions of this chapter is declared to be a nuisance and shall be removed or repaired by the owner thereof or by the person occupying the premises on which it is located within five days after receipt of notice from the city to repair or remove same.

4-806 - Inspection.

The city shall inspect all fences installed or erected for compliance with this chapter.

SECTION 2: Ordinance 344 is hereby repealed.

PASSED BY THE CITY COUNCIL OF PAWNEE ROCK AND APPROVED BY THE MAYOR this 6 day of July 2020.

Attested:

Marisa Mommens, City Clerk

Terry A Mead, Mayor