

1) Fences and Walls.

- a) Plans, specifications and fence permits. Plans showing the proposed location of any perimeter fence or wall proposed to be erected and specifications for the type of construction shall be submitted to the City for review, compliance approval and issuance of a building permit prior to commencement of construction. No perimeter fence or wall shall be constructed or erected except in compliance with these fence regulations and no permit for the construction of any perimeter fence or wall shall be issued unless the plans and specifications comply with these fence regulations. The property owner shall be responsible for ensuring that a fence or wall is constructed within their property boundaries and not on within any easement, right-of-way, or any area other where not allowed. The property owner shall be solely responsible for relocation of any fence or wall that is discovered to have been installed outside of their property's boundaries, within an easement area, within a right-of-way, or any other area where not allowed. The City will not verify the property owner's boundaries or existence of any easement, or other property interest as part of the application process. The city council may by resolution establish the amount to be paid by an applicant for compliance review of plans and specifications for perimeter fences and walls, issuance of building permits for the construction or erection of perimeter fences and walls, and compliance inspection and approval of perimeter fences and walls.
- b) Fencing of easements and rights-of-way.
- i) No person shall enclose or fence any utility easement unless they have provided adequate access thereto for the purpose of working on utilities or repairing and maintaining utilities therein or thereon located, such access to be provided in such a way that no such fence will have to be cut or any wall removed. No dedicated right-of-way shall be fenced or otherwise enclosed or obstructed by any perimeter fence or wall.
- c) General regulations or restrictions for perimeter fences.
- i) All perimeter fences located, erected, constructed, reconstructed or altered outside of the building lines of all property in the city shall not be more than four (4) feet in height from the front building line to the front lot line and not more than six (6) feet in height from the front building line to the rear easement or property line, with the following exceptions:
- (1) No perimeter fence shall be permitted within the area formed by property lines adjacent to intersecting streets for a distance of twenty-five (25) feet, or as determined by the City Manager or designee, from their intersection with one (1) another at a height greater than three (3) feet.
- (2) Fences around wireless telecommunications facilities and antennas, lift stations, stormwater ponds, water and wastewater facilities and treatment plants, substations, and any local, state and federal land uses, including schools and preschools, are permitted to be in excess of six (6) feet and no greater than eight (8) feet in height from finished grade.

(3) If deemed necessary by the City Manager or designee in the interest of maintaining public safety a construction site which requires clearing, grading, stockpiling of materials, and storage of construction equipment, parking, demolition or construction shall have a construction fence. In such case a temporary six-foot chain link fence with a single color black or green fabric, or other screening materials as approved by the building official shall be located at the front, side and rear lot line of the construction site. Where a lot line is along a water body, the fence shall be placed no closer to the water than the yard setback line and shall not exceed three (3) feet in height. The fence gate shall remain locked during non-working hours. The fencing shall remain in place, upright and in good repair, until it is no longer needed to complete the project site and shall be removed prior to issuance of a certificate of occupancy for the project site.

(4) The portion of any fence which crosses a driveway shall be constructed a minimum distance of sixteen (16) feet away from the adjacent right-of-way.

ii) All fencing that is erected shall be of good workmanship, strength, and durability. All permitted fences, after construction, shall be maintained by the property owner in good order and repair consistent with original plans and specifications, these regulations and restrictions and existence building and construction codes. Any failed components shall be replaced as needed.

iii) Perimeter fences in or adjacent to any residential use shall not be constructed of chicken wire, hog fencing, barbed wire, or similar fencing material except for purposes of containing permitting animals or livestock on (i) properties with an agricultural use component that contain nonresidential buildings that are exempt from the Florida Building and local ordinances or (ii) for properties that are exempt from local regulations on agricultural uses per F.S. § 823.14. Perimeter fences constructed for the purpose of containing permitted animals or livestock shall not be constructed of any material that exposes sharp or barbed edges on the outside perimeter adjacent to public areas or any adjacent residential use.

iv) Construction of chain link fencing shall not be permitted for or adjacent to any residential use except as specifically allowed under subsection 4) below.

v) Perimeter fences incorporating razor wire shall not be permitted.

vi) All wood fencing shall be constructed using only rot and termite-resistant wood products or wood products which have been chemically treated to resist rot and termites, and shall be constructed with the structural supports facing away from the property lines.

d) Types of fences permitted. The following types of fences may be constructed and erected:

i) For residential uses, front yard, perimeter fences constructed or erected forward of the front building line to the front lot or parcel line shall be constructed in compliance with the following fencing "type" requirements:

(1) Decorative fences of ornamental iron or wrought iron or decorative PVC;

(2) Picket type fencing;

- (3) Old type rail fence or wood single or double paddock fencing.
 - (4) Chain link fencing that existed prior to May 7, 2019, may be replaced with non-vinyl chain link fencing or black or green vinyl coated chain link fencing until December 31, 2049. After December 31, 2049 subsequent replacement must be of the fencing types set forth in subsection 4) a) 1., 2. and 3.
- ii) For residential uses, rear and side yard perimeter fences shall be constructed or erected behind the front building line to the rear easement or property line and shall be constructed in compliance with the following fencing "type" requirements:
- (1) Decorative fences of ornamental iron or wrought iron or decorative PVC;
 - (2) Picket type fencing;
 - (3) Old type rail fence or wood single or double paddock fencing.
 - (4) Privacy fences of the types described as board-on-board, shadow box, straight picket, stockades.
 - (5) Manufactured PVC fencing.
 - (6) Construction of new black or green vinyl coated chain link fencing is permitted in residential side and rear yards so long as such fence is not facing a public right-of-way or park.
 - (7) Chain link fencing that existed prior to May 7, 2019, may be replaced with non-vinyl coated chain link fencing or black or green vinyl coated chain link fencing until December 31, 2049. After December 31, 2049 subsequent replacement must be of the fencing types set forth in subsection 4)b)1. through 6.
- iii) For commercial uses, perimeter fences may be constructed of:
- (1) Decorative fences of ornamental iron or wrought iron or decorative PVC;
 - (2) Picket type fencing;
 - (3) Old type rail fence or wood single or double paddock fencing.
 - (4) Privacy fences of the types described as board-on-board, shadow box, straight picket, stockades.
 - (5) Manufactured PVC fencing.
 - (6) Black or green vinyl coated chain link fencing so long as such fence is not immediately adjacent to a residential zoning district, a public right-of-way abutting a residential zoning district, or a public park.
- iv) Black or green vinyl coated chain link fence is permitted around lift stations, stormwater ponds, water/wastewater facilities and treatment plants, substations, and any local, state and federal land uses, including schools and preschools, even where such stations, plants, or uses are adjacent to a public right-of-way or park. Barbed wire or other appropriate anti-climbing device may be permitted as a security barrier in excess of the maximum height.
- v) Construction site signage may be required pursuant to Section 5.12(A)(3)(a)(3) above.
- e) Regulations and restrictions for perimeter walls.

- i) Construction of perimeter walls shall be allowed only for the purpose of providing perimeter boundary separation of platted residential subdivisions or as a buffer or physical division to surround, divide and separate manufacturing, industrial or commercial uses from residential uses.
- ii) Residential subdivision walls may be constructed to a height of six (6) feet.
- iii) Walls may be constructed to a height of six (6) to eight (8) feet for manufacturing, industrial or commercial zoning uses as deemed appropriate by the City Manager or designee.
- iv) Except to the extent otherwise permitted in this subsection, walls shall be constructed or erected only in compliance with the provisions of subsections 1), 2) and 3), above.