

§ 154.35 FENCES OR WALLS.

(A) Except where in conflict with § 154.37, retaining walls and fences not more than four feet in height are permitted in the required yards of all zones, provided that the fences are not more than 25% solid. Solid walls not to exceed six feet in height and fences between three and six feet in height are permitted, in back of required front yards and in side or rear yards in a zone, provided that the walls or fences on corner lots must meet the side street side yard setback requirement and the requirements of §§ 154.36 and 154.37, and further providing that fences or walls exceeding three feet in height or more than 25% solid may not be constructed within a side street yard in residential districts. Wire fences not more than 20% solid may be placed in any yard in an I or B District(s).

(B) A hedge, row of bushes or closely planted trees, may also be construed as a fence. The “living fences” will not be subject to the six-foot maximum height conditions set for back and side yards, they will, however, be subject to all front yard restrictions and similar restrictions concerning corner lots and safety limitations as far as street travel is concerned.

(C) Pools: every person owning land on which there is situated a swimming pool or pool of water which contains 24 inches (610 mm) or more of water in depth at any point, shall erect and maintain thereon an adequate enclosure either surrounding the property or pool area, sufficient to make the body of water inaccessible to small children. The enclosure, including gates therein, must be not less than four feet (1,219 mm) above the underlying ground. All gates must be self latching with latches placed four feet (1,219 mm) above the underlying ground and otherwise made inaccessible from the outside to small children.

(D) A natural barrier, hedge, pool cover or other protective device approved by the Zoning Official may be used so long as the degree of protection afforded by the substituted devices or structures is not less than the protection afforded by the enclosure, gate and latch described herein.

(Ord. 161, passed 12-10-2001)