

ec. 74-287. - Fences and fence walls.

- (a) All fences shall comply with the provisions of the Standard Building Code, 1988 edition, section 1205, appendix D, or subsequent editions.
- (b) The posts of each fence must be resistant to decay, corrosion and termite infestation. Wood fenceposts shall be pressure treated or otherwise preserved.
- (c) Fence walls may be constructed of concrete, concrete block, stone, brick or any suitable masonry material. Concrete and concrete block walls shall be finished with a painted stucco finish on both sides.
- (d) Fences and fence walls may be located in side, rear and secondary front yard setback areas and shall not exceed the height of six feet except as otherwise provided in this section, exclusive of decorative supporting posts which may extend no more than nine inches above the maximum six-foot height of the fence or fence wall; provided, however, any fence or fence wall placed along any property line which abuts the Pinellas Trail may not exceed ten feet in height.
- (e) Fences and fence walls shall be prohibited within the front yard setback area and within the primary front yard setback area of corner parcels.
- (f) In areas where the property faces two roadways, or is located in any other area construed to be a corner lot, no fence or fence wall shall be located in the vision triangle.
- (g) Fences shall be placed with the finished side out.
- (h) Except as provided below, all chainlink fences shall either:
 - (1) Be shielded on the exterior side (the side facing out) by a hedge or similar planting; or
 - (2) Be coated with a green or black vinyl coating.

All fences, including chainlink fences, or fence walls placed along a front yard setback or a primary front yard setback or along or within a secondary front yard setback area shall be shielded on the exterior side (the side facing out) by a hedge or similar planting. Any planting must grow to shield said fence over 85 percent of its surface within two years of planting. Should the shielding material die or be destroyed below the 85 percent coverage standard it shall, upon notification by the city, be replaced immediately or the city may take code enforcement action as provided in division 4 of article II.

- (i) No fence or fence wall shall be constructed or installed in such a manner as to adversely affect drainage on or adjacent to the site. To provide adequate drainage or to prevent the obstruction of drainage on or adjacent to the site, a fence or fence wall may be constructed so as to allow the bottom of the fence or fence wall to begin no more than two inches above the ground without being in violation of the maximum height restrictions set out in subsections (c) and (d) of this section.
- (j) Any fence or fence wall required to be shielded by a hedge or similar planting shall be shielded by plant material approved by the town and such plant material shall be, at

minimum, a size equivalent to a three-gallon plant and each such plant shall be planted not more than two feet apart. In addition, any fence or fence wall which is required to be shielded by a hedge or similar planting as provided in this section must be set back off a property line a sufficient distance to allow for the planting and growth of the hedge or similar planting and for the maintenance thereof.

- (k) Fences, and fence walls, and hedges within ten feet of the mean high water line or sea wall shall be no more than 48 inches in height.
- (l) Electrically charged and barbed wire fences are prohibited.

(Ord. No. 399, § 1, 11-20-01)

ec. 74-517. - Fences and walls.

- (a) *Specifications.* All fences or walls constructed or repaired within the corporate limits of the town shall be constructed and maintained in accordance with specifications prescribed by the town.
- (b) *Responsibility for repair.* It shall be unlawful for any owner of property in the town which has a fence or fence wall to allow such fence or fence wall to be or remain in such condition as to make it unsafe, dangerous or capable of collapsing and creating a nuisance.
- (c) *Notice to repair.* In case the condition of any such fence or fence wall becomes such as to render the use thereof unsafe or dangerous, it shall be the duty of the town, once made aware of the condition, to notify the owner of the property that such condition exists, and such notice shall require the owner, within 30 days from the date of the mailing of such notice, to take necessary steps to render the use of the fence or fence wall safe. Such notice shall be sent to such owner's last known address by registered mail. If the property owner fails to repair or take such steps as may be necessary to render the fence or fence wall safe the town shall initiate the remedies and procedures prescribed in section 74-513.

(Ord. No. 399, § 1, 11-20-01)