



## **FENCES**

### **Zoning Code:**

#### **Section 10.02 Zoning Districts**

- A. Fences in a Residential (RS and RD), Large Scale Developments, or Business Districts shall conform to the following rules and regulations:
1. **Front Yard and Portions of Side Yards Abutting a Street**
    - a. Fences are permitted in front yards and portions of side yards abutting a street subject to the following restrictions: In a front yard and/or that portion of a side yard which abuts a street, no fence shall be permitted, erected or in any way maintained that is within two (2) feet of the right-of-way of any street or exceeds the height of three (3) feet above the ground surface along which said fence is erected.
  2. **Rear Yard and Portions of Side Yards Not Abutting a Street**
    - a. Fences are permitted in a rear yard and portions of a side yard which do not abut a street: provided, however, said fences shall not at any point exceed six (6) feet in height from the ground to the top of the fence and shall have at all points a sufficient open space from the ground to the bottom of the fence to properly maintain grass, weeds, vegetation, and similar plant growth.
  3. **Permits**
    - a. No fences shall be erected, constructed, altered, relocated, or rebuilt until a permit therefore has been issued by the Zoning Inspector. Such permit shall become void if such fence is not erected, constructed, altered, relocated, or rebuilt within one hundred twenty (120) days after said permit is issued.

#### **Section 10.03 Application for Permits (Applies to all Districts)**

- A. Application for a permit to erect, construct, alter, relocate, or rebuild a fence shall file with the Zoning Inspector an application which shall contain the following:
1. A plat plan of the lot or parcel drawn to show:
    - a. The exact location of all structures located on the subject lot or parcel; and,

- b. The exact location of the proposed fence in relation to:
  1. Structures on the subject lot or parcel.
  2. The boundary lines of subject lot or parcel.
  3. The right-of-way of any street abutting subject lot or parcel.
  4. The distance from any other fence or structure on the property abutting the subject lot or parcel.
2. The complete plans and specification for the proposed fence, including;
  - a. Material to be used.
  - b. The design thereof.
  - c. The exact percentage of open space between the ground surface and top of fence in front yards or portions of side yard abutting streets.
  - d. The exact height of said fence from the ground surface along which the fence is erected.

#### **Section 10.04 Prohibitions**

- A. Barbed wire or electrically charged fences shall be prohibited, except where applicable for agricultural activities.

#### **Section 10.07 Compliance**

- A. Except for repainting and minor repairs, no fence shall hereafter be altered, rebuilt, enlarged, extended, or relocated except in conformity with the rules and regulations set forth in this Article.

### **ARTICLE 10 - FENCES**

#### **Section 10.01 General Welfare - Applies To All Fences In All Districts**

- A. Fences shall not be permitted, erected or in any way maintained in any district in a front, rear or side yard which are contrary or detrimental to the public health, safety, convenience, comfort, prosperity, or general welfare of the residents of the Village.
- B. No fence may be constructed that in the opinion of the Zoning Inspector that will obstruct the view of pedestrian or vehicular traffic or obstruct the view to the detriment of the public safety.
- C. Setback: No fence shall be permitted, erected or in any way maintained within two (2) feet of the property line.

#### **Building Code:**

**7.1.9 Fences and Retaining Walls.** All fences, retaining walls, or similar structures shall be anchored firmly in the ground, shall be constructed in a workmanlike manner and maintained in that same manner so that such shall always be in the state of good structural repair. If any fences, retaining walls, or similar structures are found not to be in a state of good structural repair, it shall be removed, replaced, or repaired within thirty (30) days of discovery.

**PLEASE VISIT THE ZONING/BUILDING CODE ON OUR WEB SITE FOR REFERENCE**

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