

CHAPTER 6

SECTION 4

Fence, Hedge and Wall Regulations

Subsections:

- 6-4-1 Fence, Hedge And Wall Restrictions.
- 6-4-2 Enforcement.
- 6-4-3 Nonconforming Fences Or Walls.
- 6-4-4 Variances.

6-4-1 FENCE, HEDGE AND WALL RESTRICTIONS.

- (A) (1) No fence, rail or freestanding wall shall exceed six (6) feet in height within the Town, except for those located within the I-1 and I-2 Light Industrial Districts which may not exceed eight (8) feet in height. (Ord 10-2008)

- (2) In the Residential and Historic Residential Zoning Districts, fences, rails or freestanding walls located within the area between the property line and the front set back line may not exceed four (4) feet in height, except for fences designed and intended to exclude deer may be up to six (6) feet high if they are substantially transparent at sight angles up to 45 degrees from perpendicular to the faces of the fence, and are constructed out of a (a) mesh; (b) woven wire; (c) rails and pickets or similar components which have a width no greater than their depth. (Ord 10-2008)

(B) No fence, freestanding wall or hedge or other plantings shall be constructed or maintained on corner lots in a place or at a height which unreasonably creates a traffic hazard by obstructing vision from vehicles on abutting streets.

(C) Electrically charged fences are not allowed within the Town unless their location is made inaccessible to persons who would not know that the fence is electrified by virtue of another fence or structure.

(D) Barbed wire fences may be allowed only I-1 and I-2 Light Industrial Districts, and only if the barbed wire is a minimum of six feet above the ground. No barbed wire fence may be maintained in other districts unless necessary to confine livestock lawfully kept within the Town. (Ord 15-2006)

- (E) All fences shall be maintained in good and safe condition.

6-4-2 ENFORCEMENT.

(A) It shall be unlawful for any person to violate any provision of this Section.

(B) Any violation of the provision of this Section is hereby declared to be a nuisance and may be

abated in accordance with law.

(C) In addition to any of the remedies the Town may have, it may maintain an action in a court of competent jurisdiction to enjoin any violation of, or compel compliance with, any of the provisions of this Section.

6-4-3 NONCONFORMING FENCES OR WALLS.

(A) Any fence or wall lawfully constructed and maintained in accordance with previously applicable regulations but not in conformity with these regulations, may be maintained in substantial conformity with its existing condition.

(B) Nonconforming fences or walls destroyed or removed for any reason, may be replaced only with a complying fence or wall.

(C) Nonconforming fences or walls for which a building permit had been issued under previous applicable regulations, may be constructed and maintained in accordance with such building permit as a nonconforming fence or wall.

6-4-4 VARIANCES.

(A) A variance to the provisions of Section 6-4 may be granted by the Board of Adjustment following the review procedure set out in Subsection 7-3-18 of the Ridgway Municipal Code, if it determines that the requirements of Subsections 7-3-16(A), (C), and (D) of the Ridgway Municipal Code are met. (Ord 16-1997)

(B) The fees and costs provided for in Subsection 7-3-20 of the Ridgway Municipal Code shall apply to any variance request. (Ord 16-1997)