

EMERGENCY ORDINANCE NO. 671

An emergency ordinance of the City of Las Animas establishing regulations regarding the erection of fences on residential and commercial properties in the City of Las Animas, Colorado.

WHEREAS, the City of Las Animas presently requires any person who installs, alters, adds or changes a fence to make application to the Public Works Department, but that no specific guidelines exist regarding the construction and maintenance of fences erected in the City of Las Animas;

WHEREAS, the Director of Public Works has recommended that the City Council of the City of Las Animas, Colorado adopt more specific guidelines regarding the construction and maintenance of fences erected in the City of Las Animas; and

WHEREAS, the City Council of Las Animas finds that the guidelines provided for herein will serve to protect the health, welfare and safety of the citizens of the City of Las Animas, and will further serve the purposes of maintaining property values, increasing community pride and enhancing the attractiveness of the City of Las Animas; and

WHEREAS, an emergency exists which may affect the health, safety and welfare of the citizens of the City of Las Animas,

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

1. Fence Construction and Fencing Materials:

a. Except as otherwise provided, it shall be unlawful for any person to install a fence, or to make any alterations, additions or changes to a fence, without first having obtained a fence construction permit from the Public Works Department. *Exception:* A fence construction permit shall not be required if alterations, additions, changes or repairs do not exceed 25% of the area of the fence.

b. All fences, regardless of whether or not a fence construction permit is required for their construction, that are constructed, repaired, expanded, or enlarged, shall be constructed only of approved fence materials. Approved fence materials shall mean materials normally manufactured for, used as, and recognized as, fencing materials such as: wrought iron or other decorative metals suitable for the construction of fences, masonry, concrete, stone, chain link, metal tubing, wood planks, and vinyl or fiberglass composite manufactured specifically as fencing materials that are approved by the Building Official. Approved fence materials shall be approved for exterior use and shall be weather and decay-resistant. The Building Official is authorized to evaluate proposed fence materials, and to determine if the proposed material is satisfactory and complies with the

intent of the provisions of this code, and that the material is, for the purpose intended, at least the equivalent of that prescribed in this chapter in quality, strength, effectiveness, durability and safety.

c. Barbed wire, Razor wire and electric fences are prohibited.

2. Except as otherwise provided by the zoning ordinance, no fence shall be placed in the required front yard of any zoning district in excess of 6' in height.

3. All fences shall be maintained reasonably plumb and structurally sound. Each structural and decorative member of a fence shall be free of deterioration and be compatible in size, material and appearance with the remainder of the fence. The fence will not create a site problem for traffic.

4. A fence that has deteriorated to a condition that is likely to fall shall be repaired, replaced or removed.

5. Fences shall not be externally braced in lieu of replacing or repairing posts, columns or other structural members.

6. If a party receives an adverse decision from the Director of Public Works, the decision may be appealed to the Building and Properties Committee of the Las Animas City Council by filing a written request within 10 days of the decision made by the Director of Public Works.

7. It shall be unlawful and a Class 1 Municipal Offense for any person to knowingly violate, disobey, omit, neglect, refuse or fail to comply with or resist the enforcement of any provision of this ordinance.

READ, EXECUTED AND PASSED as an emergency ordinance on this 8th day of August, 2006.

CITY OF LAS ANIMAS, COLORADO

Lawrence Sena

By: Lawrence Sena, Mayor

ATTEST:

Charmaine Tripp
Charmaine Tripp, City Clerk

