

## **SECTION 407.070: FENCES**

Except as otherwise specifically provided in other codes and regulations, the following regulations shall apply to the construction of all fences in MF-18 and less intensive zoning districts.

A. *Maximum Height.* Fences shall not exceed eight (8) feet in height. Fencing around tennis courts and other recreational amenities shall be exempt from this eight (8) foot height limit.

B. *Corner Visibility.* Fences shall comply with the corner visibility standards of [Section 407.120](#).

C. *Setbacks.* Fences shall not encroach into a required exterior front setback. Fences may extend into or enclose required interior setbacks and exterior side setbacks on corner lots, provided that any fence that is over four (4) feet in height shall be set back from the right-of-way line at least eight (8) feet, except a wrought iron fence, which shall be exempt from exterior side setback requirements.

D. *Construction and Materials.* Fences shall be constructed in a workmanship-like manner so that the horizontal and vertical support posts are inside the fence area or otherwise hidden from view of those on outside the fenced area. This requirement shall not apply to fences that abut non-residential zoning districts or in situations where the owner of the lot adjacent to the fence agrees to a plan for placing support posts on the “outside” of the fence. All exposed steel except galvanized metal shall have a color finish coat applied to them and be preserved against rust and corrosion.

E. *Swimming Pools.* Fences enclosing swimming pools shall meet the requirements of this Section, as well as all other applicable regulations.

F. *Design and Maintenance.* All fences shall be maintained in their original upright condition. Fences designed to be painted or have other surface finishes shall be maintained in their original condition as designed. Missing boards, pickets or posts shall be replaced in a timely manner with material of the same type and quality.

G. *Prohibited.* The following fences shall be prohibited in all MF-18 and less intensive zoning districts:

1. Fences constructed in whole or in part of barbed wire unless the barbed wire is at least six (6) feet above ground and at least one (1) foot inside the property line of a lot located within a GB, RC, LI or HI Zoning District;
2. Fences constructed of more than two (2) different types of fencing material;
3. Fences constructed in whole or in part of cloth, canvas or other like material;

4. Fences used as signs; and
5. Fences constructed solely of a single wire or of two (2) wires between posts or supports.

H. *Permits Required.* No fence in the City of Blue Springs shall be erected, modified or changed in any manner until a fence permit application has been reviewed and approved by the Director of Community Development. Such application shall be filed upon forms provided by the City and shall clearly show the type of fence to be erected, modified or changed, the material to be used, and the placement location. (Ord. No. 2738 §1, 11-18-96; Ord. No. 3228 §10, 8-7-00; Ord. No. 4203 §23, 11-3-08)

***Erection or Maintenance of Barbed Wire or Electrically Charged Fences***

- A. It shall be unlawful for any person to erect or maintain or for any property owner or occupant to allow to be erected or maintained on any property within the City, except property zoned for agricultural purposes (RA), a fence equipped with or having barbed wire, spikes, or any similar device or any electrical charge sufficient to cause an electric shock.
- B. It shall, however, not be unlawful, under this Section to maintain a barbed wire fence so long as said barbed wire is at least six (6) feet above the ground and at least one (1) foot within the property line of the owner's or occupant's property and so long as said property is located within an industrial or business zoning classification.
- C. Every person who is convicted of violation of this Section shall be punished by a fine of not exceeding five hundred dollars (\$500.00). (CC 1968 § 14-189; Ord. No. 1147§1, 4-12-82; Ord. No. 2558 §1, 3-20-95)