

17.12.080: WALL, FENCE OR HEDGE:

- A. Height Of Fences, Hedges Or Shrubs: No fence or wall or other similar structure shall be erected in any required front, rear or side yard to a height in excess of six feet (6') or in the case of residential front yards, to a height in excess of forty eight inches (48"), except for accessory buildings and structures permitted therein. The height of a security fence in a commercial zone may be increased to seven feet (7') after obtaining a conditional use permit and a building permit. Where there is a difference in the grade of the properties on either side of a fence or wall, the height of the fence or wall shall be measured from the average elevation of finished grades of the adjoining properties in question at the fence line.
- B. Where a retaining wall protects a cut below the natural grade and is located on the line separating lots, such retaining wall may be topped by a fence, wall or hedge of the same height that would otherwise be permitted at the location if no retaining wall existed. Where a retaining wall contains a fill, the height of the retaining wall built to retain the fill shall be considered as contributing to the permissible height of a fence, solid wall or hedge, providing that in any event a protective fence or wall not more than forty eight inches (48") in height may be erected at the top of the retaining wall.
- C. Where the subdivision or lot line is adjacent to any public, commercial, manufacturing or private enterprise or business, a fence or obstruction may be required to be constructed by the subdivider or builder when in the judgment of the city council such fence or obstruction is needed to prevent a hazard, nuisance or to otherwise protect the best interest of the citizens of Smithfield City. Said fences shall be required to separate residential areas from areas of high public and private schools, or any other similar type use. Said fences or obstructions shall be six feet (6') or more in height and subject to approval by the city council. (Ord. 03-22 § 1, 2003: Ord. 00-09 § 1, 2000: Ord. 90-10 § 2-8, 1990)