

Fayette City Code in reference to fences as of May 2017

****Note: This is not the complete city code, only sections pertaining to fences.***

**CHAPTER 165
ZONING REGULATIONS**

165.01 Definitions	165.11 Application of District Regulations
165.02 Establishment of Districts and Zoning Map	165.12 Nonconforming Use
165.03 Changes in Official Zoning Map	165.13 Administration and Enforcement
165.04 Interpretation of District Boundaries	165.14 Permits
165.05 R-1 Residential District Regulations	165.15 Fees
165.06 B-1 Local Business District Regulations	165.16 Interpretation of Provisions
165.07 B-2 Restricted Business District Regulations	165.17 Violations and Penalties
165.08 M-1 Local Industrial District Regulations	165.18 Changes and Amendments
165.09 A-1 Agricultural District Regulations	165.19 Downtown Overlay Zone (DOZ)
165.10 ZONING Supplementary District Regulations	

165.05 R-1 RESIDENTIAL DISTRICT REGULATIONS.

1. Principal Uses and Structures. Only the following land uses shall be permitted in any area of the City zoned R-1 Residential District:

I. Educational, religious or philanthropic institution, but not including a penal institution or other institution requiring the erection of escape-inhibiting fences or barricades around its perimeter;

165.08 M-1 LOCAL INDUSTRIAL DISTRICT REGULATIONS.

1. Permitted Principal Uses And Structures. Only the following land uses shall be permitted in any area of the City zoned M-1 Local Industrial District:

C. Auto wrecking, rebuilding, salvage and storage when enclosed within a tight, solid fence no less than six feet in height or surrounded with a green belt planting not less than 20 feet wide and eight feet high. All such storage shall be located not less than 30 feet from any street line and not less than 20 feet from any other lot line. The storage of rags, paper and similar combustible waste shall not be closer than 100 feet to any property line, unless enclosed in a masonry building of not less than four-hour fire restrictive construction;

165.10 SUPPLEMENTARY DISTRICT REGULATIONS.

1. Visibility at Intersection. On a corner lot in any agricultural or residential district, no fence, wall, hedge or other planting or structure that will obstruct vision between a height of two-and-one-half feet and 10 feet above the centerline grades of the intersecting streets shall be erected, planted or maintained within the triangular area formed by the right-of-way lines at such corner and a straight line joining said right-of-way lines at points which are 25 feet distant from the intersection of the right-of-way lines, and are measured along the right-of-way lines.

8. Hedges and Fences. Fences or hedges shall not exceed four feet in height in any required front yard and shall not exceed six feet in height in any required side yard, subject to the further restrictions of subsection 1.

165.19. DOWNTOWN OVERLAY ZONE (DOZ)

e) VEHICLE PARKING AND ACCESS

3. Any new parking area proposed to be located adjacent to a public right-of-way, other than that required for a single family home, shall be screened from the adjacent street right-of-way with shrubbery or an architectural wall or mostly solid **fence**, between 30 and 42 inches in height.

CHAPTER 41 PUBLIC HEALTH AND SAFETY

41.01 Distributing Dangerous Substances	41.07 Barbed Wire and Electric Fences
41.02 False Reports to or Communications with Public Safety Entities	41.08 Discharging Weapons
41.03 Refusing to Assist Officer	41.09 Throwing and Shooting
41.04 Harassment of Public Officers and Employees	41.10 Urinating and Defecating
41.05 Abandoned or Unattended Refrigerators	41.11 Fireworks Permit
41.06 Antenna and Radio Wires	41.12 Interference/Obstruction
	41.13 Penalty

41.07 BARBED WIRE AND ELECTRIC **FENCES.** It is unlawful for a person to use barbed wire or electric **fences** to enclose land within the City limits without the written consent of the Council unless such land consists of ten (10) acres or more and is used as agricultural land.

CHAPTER 50 NUISANCE ABATEMENT PROCEDURE

50.01 Definition of Nuisance	50.08 Request for Hearing
50.02 Nuisances Enumerated	50.09 Abatement in Emergency
50.03 Other Conditions	50.10 Abatement by City
50.04 Nuisances Prohibited	50.11 Collection of Costs
50.05 Nuisance Abatement	50.12 Installment Payment of Cost of Abatement
50.06 Notice to Abate: Contents	50.13 Failure to Abate - Penalty
50.07 Method of Service	

50.02 NUISANCES ENUMERATED. The following subsections include, but do not limit, the conditions which are deemed to be nuisances in the City:

5. Blocking Public and Private Ways. Obstructing or encumbering, by **fences**, buildings or otherwise, the public roads, private ways, streets, alleys, commons, landing places or burying grounds.

(Code of Iowa, Sec. 657.2[5])

CHAPTER 55

ANIMAL PROTECTION AND CONTROL

55.01 Definitions	55.11 Rabies Vaccination
55.02 Animal Neglect	55.12 Owner's Duty
55.03 Livestock Neglect	55.13 Confinement
55.04 Abandonment of Cats and Dogs	55.14 At Large: Impoundment
55.05 Livestock	55.15 Disposition of Animals
55.06 At Large Prohibited	55.16 Impounding Costs
55.07 Damage or Interference	55.17 Abatement Procedures Pertaining to Vicious and Dangerous Animals
55.08 Annoyance or Disturbance	55.18 Removal of Dog/Cat Waste
55.09 Vicious Dogs	55.19 Penalty
55.10 Dangerous Animals	

55.10 DANGEROUS ANIMALS. It is unlawful for any person to harbor or keep a dangerous animal within the City, except as provided in this section, and any such person shall immediately surrender any such animal to the Police Chief or designee. Violation of this section will constitute a simple misdemeanor and shall be punished accordingly.

2. Exception - Guard Dogs. The prohibition contained in this section does not apply to keeping of guard dogs. However, guard dogs must be kept within a structure or a fenced enclosure at all times. Any guard dog found at large may be processed as a dangerous animal pursuant to the provisions of this section. Any premises guarded by a guard dog shall be prominently posted with a sign containing the words "GUARD DOG" or words of similar import, and the owner of such premises shall inform the Police Department or City Administrator/Clerk, in writing, that a guard dog is on duty at the premises. It is the owner's responsibility to notify the Police Department immediately when a guard dog has escaped and is running at large.