

10-12-13: FENCES, WALLS AND HEDGES:

A. No fence or wall shall be placed in a manner that would deter the fire department from immediately discerning and gaining access to any fire hydrant or other fire protection device. Fences and walls shall be located to maintain a minimum of three feet of clearance around the circumference of any fire hydrant.

B. Retaining Walls Not Included: For the purpose of this section, the term "wall" shall not include retaining walls.

C. Height: The maximum height for fencing, walls, hedges, and similarly enclosing planting, whether or not sight obscuring, shall be eight feet (8') above finished grade level. Fences may be permitted in excess of eight feet (8') in accordance with section 2-2-7 of this Code. A building permit is required for any fence over seven (7) feet in height, as required by Utah State Code, or as required by the currently adopted Building Code. Fences in excess of eight (8') feet may require Engineer approval. No fence, wall, hedge or similarly enclosing planting or structure shall be permitted in the front setback and/or clear view area of a lot at a height greater than thirty-six inches (36") above the finished grade level.

D. Retaining Walls: Retaining walls greater than ten feet (10') in height shall be terraced. Such terracing shall be designed and constructed so that each vertical segment of terracing is the same height with each segment being no greater than ten feet (10') in height. Terracing shall not be required when in the case of retaining walls constructed for the purpose of providing support for external basement stairways. The height of retaining walls shall be determined as measured from the bottom of the footing to the top of the wall. Fencing atop retaining walls shall not exceed eight feet (8') above the finished grade of earth being retained. For any retaining wall above thirty inches (30"), a fence or guardrail must be installed, as per International Building Code (IBC) or its successor. Retaining walls over four feet (4') in height as measured from the bottom of the footing to the top of the wall, or having an exposed face height greater than thirty inches (30"), or supporting a surcharge shall require a building permit and shall be properly engineered with the plans stamped by a certified engineer.

E. Corner Lots: On corner lots, a sight obscuring fence, wall, hedge and similarly enclosing planting or structure having a height of more than thirty six inches (36") may not extend into the front setback area and clear vision area of the lot as defined under section 10-12-9 of this chapter. Placement of a fence, wall or hedge in the location proposed shall not result in the establishment of a hazardous condition as determined by the Zoning Administrator.

F. Double Frontage Lots: On double frontage lots, a sight obscuring fence, wall, hedge and similarly enclosing planting or structure may be placed along the rear property line with the exception of the clear vision area provided that the placement will not result in the establishment of a hazardous condition to adjacent properties, as determined by the Zoning Administrator.

G. Material, Design And Construction: All fences and walls shall be of appropriate design and construction and the design and construction should be consistent with the nature, type, and aesthetics of other such improvements within the surrounding area.

H. Nonconforming; Referral; Appeal: Where, in the opinion of the Zoning Administrator, a proposed or existing fence, wall, hedge and similarly enclosing planting or structure does not conform to the above criteria, he or she shall immediately pursue the removal of the planting or structure or the correction of issues that may exist causing violation of the provisions herein or refer the application back to the applicant for correction, as applicable. Any person aggrieved by a decision of the Zoning Administrator may appeal said decision to the Appeal Authority, who shall have the authority, as an appeal under the terms of the Utah State Code, to reverse or affirm any decision of the Zoning Administrator.

I. Tennis Courts, Sport Courts, Batting Cages, Etc.: Fence type enclosures for uses such as tennis courts, sport courts, swimming pools, ball diamond backstops, batting cages, etc., may be erected to a height not greater than twelve feet (12'), including any retaining walls, provided:

1. Any enclosure or part of an enclosure over seven feet (7') in height will require engineering and a building permit as defined by Utah State Code, or as required by the currently adopted Building Code, and may require Engineer approval.
2. Portions of the enclosure may be located within the rear and/or side area of the lot.
3. No part of the enclosure shall be placed in the front yard setback area of a lot.
4. All portions of the enclosure above a height of eight feet (8') shall be non-sight obscuring.
5. On corner lots, the enclosure shall not be located in the front setback area and clear vision area of the lot as defined under section 10-12-9 of this chapter. (Ord. 18-6, 5-8-2018; amd. Ord. 22-01, 3-8-2022; Ord. 22-08, 10-11-2022)