

V. CERTAIN FENCES PROHIBITED

- a. No electric fences are allowed.
- b. No barbwire or razor wire fences shall be allowed. However, up to three (3) strands of barb wire may be placed at the top of a fence for security purposes provided a minimum height above ground is six (6) feet and overall height may not exceed nine (9) feet in the A, C-2, C-3, I-1 and I-2 Zoning Districts.
- c. No above ground electric pet fences. However, underground pet fences (restraining devices), where the animal has to wear a collar in order for the fence to be activated are allowed.
- d. No fence shall be constructed in a manner that will impair storm water flow whether or not there is a public storm drainage easement.



Per ordinance that was passed and adopted by the Governing Body of the City of Ottawa, Kansas, the 2nd day of March 2005.



CITY HALL
101 S. Hickory – 2nd Floor
Ottawa, Kansas 66067
Phone (785) 229-3620
Fax (785) 229-3625

FENCE ORDINANCE

CITY OF OTTAWA COMMUNITY DEVELOPMENT DEPARTMENT

Article 24, Section 24-7. Fences



No fence shall be constructed without first obtaining a proper building permit. Permit applications can be requested from the Community Development department.

No permit will be issued until all adopted codes have been conformed to and an
Forms & Pamphlets Revised 10-29-15
Fence Brochure

appropriate site drawing, site inspection and

REQUIREMENTS

TO OBTAIN A BUILDING PERMIT:

- 1) Complete a site drawing which illustrates accurate depictions of property lines, proposed fence location, and any easements and/or existing structures;
- 2) Complete and submit a permit application with site drawing.

I. LOCATION

a. Front yard or abutting streets: No fence shall be constructed closer to the street than the front setback line established for the district or neighborhood in which such fence is to be erected; provided however, that 1) a fence four (4) feet or less in height with a visual density of seventy (70) percent or less per-square foot may be constructed in the required front yard setback; 2) If the front yard setback of a principle building is established closer to the street right-of-way than the required front yard setback, a fence greater than four (4) feet in height shall not be erected closer to the street right-of-way than the front corner of the principal building; 3) If the established front yard setback of a principle building is greater than twenty-five (25) feet, a fence greater than four (4) feet in height may be constructed with a setback of twenty-five (25) feet from the street right-of-way line. In no case, however, shall said fence be constructed closer than ten (10) feet from the paved surface or curb of the street.

b. Corner lots: If the established front yard setback on a corner lot is located to the side of the principle building, a fence greater than four (4) feet in height may be constructed within ten (10) feet from the street right-of-way line. If however, an interior lot or through lot is located to the rear of a corner lot, said fence shall maintain the same front

permit application are approved.

yard setback as required for fences on the adjoining interior lot or through lot. Fences constructed in accordance with this subsection shall also comply with the applicable provisions of subsection I above. In no case, however, shall said fence be constructed closer than ten (10) feet from the paved surface or curb of the street.

c. Double-frontage (not corner): If the established front yard setback of a through lot adjoins a street which is to the rear of the principle building, a fence greater than four (4) feet in height may be constructed within ten (10) feet of the street right-of-way line. In no case, however, shall said fence be constructed closer to the street right-of-way line than the front yard setback of an existing principle building located on an adjoining lot or closer than ten (10) feet from the paved surface or curb of the street.

d. Agricultural and P District, Schools (public or private) and City parks: A chain link fence greater than four (4) feet but no higher than six (6) feet may be constructed in the required front yard setback where safety is an issue.

II. HEIGHT

a. No fence shall be erected or constructed of a height greater than six (6) feet above grade level in residential districts and eight (8) feet above grade level in commercial or industrial districts. If grade level of lot slopes drops more than one (1) foot in twenty (20) foot of distance, administrative review may result in grade level being determined to be the average grade of the lot.

III. FENCES IN EASEMENTS

a. Fences constructed within a delegated utility easement are subject to an order of removal

by the owner, or removal by the easement-holder, with the owner bearing the expense of removal under either condition. The owner of a fence within such an easement will also be responsible for repairs to the fence for damages resulting from lawful activities taken under the easement. Fences in these areas shall be identified in the building permit process and be reviewed by the Director of Utilities or designee. All such fences shall have gates or openings or be constructed of removable panels to provide proper access sufficient in width for access by utility vehicles to utility meters and/or easements. The City of Ottawa shall not be liable for any replacement of the fence and the waiver of liability shall be noted on the face of the permit issued. Signage indicating placement in easement will be provided and installed.

b. No fence shall be placed in a storm drainage easement.

IV. RESTRICTIONS

a. No fence shall be constructed in such manner or be of such design as to be a traffic hazard.

b. No fence shall be constructed within the sight triangle as defined herein. The minimum area included in a sight triangle shall be bounded on two sides by the centerline of each street, and on the third side by a line connecting the two center lines at points a distance of seventy-five (75) feet from the intersection of the center lines. This distance shall be increased to ninety (90) feet on arterial or collector streets.

c. No fence shall be constructed parallel to an exterior wall of a residential structure unless there is at least four (4) feet from the wall of the home to allow for emergency passage way.