

By signing this I have seen the above diagram and agree to the location and height of the fence.

Neighbor's Printed Name and Address: _____

Neighbor's Signature: _____ Telephone: _____

Neighbor's Printed Name and Address: _____

Neighbor's Signature: _____ Telephone: _____

Neighbor's Printed Name and Address: _____

Neighbor's Signature: _____ Telephone: _____

CHAPTER 1155

Fences, Landscaping and Screening Requirements

1155.01 Permit required; location; survey or agreement.

1155.02 Construction.

1155.03 Height restrictions.

1155.04 Barbed wire fences.

1155.05 Permit fees.

1155.06 Appeals and waivers.

1155.07 Waivers for swimming pools; restoration.

1155.08 Landscaping and screening requirements.

1155.09 Prohibited fences; installations.

CROSS REFERENCE

Electric fences - see GEN. OFF. 521.07

1155.01 PERMIT REQUIRED; LOCATION; SURVEY OR AGREEMENT.

(a) No fence shall be erected, altered, relocated or reconstructed upon, along or adjacent to any boundary line of any lot or parcel of land or part thereof, in the City without first obtaining a permit therefor. No permit shall be issued without the applicant first presenting to the Building Commissioner a survey of the parcel of land sought to be enclosed by the fence or in the alternative, an agreement between all persons of interest, contiguous to such parcel of land being enclosed, expressing their agreement and consent to the location of such fence upon the applicant's parcel of land.

(b) No fence shall be erected or constructed between the rear building line and the street or sidewalk except as hereinafter provided.

(1) An extension of a fence shall be allowed one foot beyond the side door of a dwelling from the back building line, with a gate, provided that the dwelling does not have a rear entrance and that such side door shall be a direct means of entrance into the home. A side door on attached garages as an entrance shall not be considered for the purposes of this section.

(2) The Building Commissioner shall only permit the extension provided for in subsection (b)(1) hereof, when in his determination, the extension of fence from the rear building line to one foot beyond the side door shall not constitute a hardship to the adjoining property owner.

(Ord. 127-1976. Passed 1213-76.)

(3) Split rail or picket fences, not exceeding 3 feet in height, shall be permitted within the front yard, but set back at least 25 feet from the right-of-way line of a property, so long as the fence will not obstruct the view of pedestrians or operators of motor vehicles intending to enter a street, alley, sidewalk or other passageway, and are not constructed across the entire front nor the entire side of the front yard.

1155.02 CONSTRUCTION.

Fences constructed of wood shall have boards or pickets not exceeding six inches in width, and shall be spaced not less than two inches apart, except that basket-weave type of fences shall be permitted. Fences shall be constructed of either wood or vinyl. Solid vinyl fences shall be permitted, since vinyl fencing, for stability, and other manufacturing purposes is not spaced apart. The face of the fence is to be on the outside, and on the lot or land of the person constructing or causing the construction of such fence, with wood or iron posts not exceeding four inches by four inches. The height of the fence shall be measured from the surface of the ground, undisturbed by fills, in relation to adjoining property.

1155.01 PERMIT REQUIRED; LOCATION; SURVEY OR AGREEMENT.

(a) No fence shall be erected, altered, relocated or reconstructed upon, along or adjacent to any boundary line of any lot or parcel of land or part thereof, in the City without first obtaining a permit therefor. No permit shall be issued without the applicant first presenting to the Building Commissioner a survey of the parcel of land sought to be enclosed by the fence or in the alternative, an agreement between all persons of interest, contiguous to such parcel of land being enclosed, expressing their agreement and consent to the location of such fence upon the applicant's parcel of land.

(b) No fence shall be erected or constructed between the rear building line and the street or sidewalk except as hereinafter provided.

(1) An extension of a fence shall be allowed one foot beyond the side door of a dwelling from the back building line, with a gate, provided that the dwelling does not have a rear entrance and that such side door shall be a direct means of entrance into the home. A side door on attached garages as an entrance shall not be considered for the purposes of this section.

(2) The Building Commissioner shall only permit the extension provided for in subsection (b)(1) hereof, when in his determination, the extension of fence from the rear building line to one foot beyond the side door shall not constitute a hardship to the adjoining property owner.

(Ord. 127-1976. Passed 1213-76.)

(3) Split rail or picket fences, not exceeding 3 feet in height, shall be permitted within the front yard, but set back at least 25 feet from the right-of-way line of a property, so long as the fence will not obstruct the view of pedestrians or operators of motor vehicles intending to enter a street, alley, sidewalk or other passageway, and are not constructed across the entire front nor the entire side of the front yard.

INSERT NEW AMENDED SECTION

ORDINANCE NO. 52-2015

SPONSORED BY: MAYOR VIC COLLOVA
COSPONSORED BY: COUNCILMAN JOSEPH SUSTER, COUNCILMAN MICHAEL NENADOVICH AND COUNCILMAN THOMAS VAUGHN

AN EMERGENCY ORDINANCE AMENDING GARFIELD HEIGHTS CODIFIED ORDINANCE SECTION 1155.02 IN RELATION TO THE CONSTRUCTION OF FENCES.

WHEREAS, The current version of Section 1155.02 relating to the construction of fences within the City has become outdated, and

WHEREAS, the City would like to adequately define the various fences that are permitted with the City of Garfield Heights.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Garfield Heights, Ohio that:

SECTION 1. Section 1155.02 of the Codified Ordinances of the City of Garfield Heights, which currently reads:

1155.02 CONSTRUCTION

~~Fences constructed of wood shall have boards or pickets not exceeding six inches in width, and shall be spaced not less than two inches apart, except that basket-weave type of fences shall be permitted. Fences shall be constructed of either wood or vinyl. Solid vinyl fences shall be permitted, since vinyl fencing, for stability, and other manufacturing purposes is not spaced apart. The face of the fence is to be on the outside, and on the lot or land of the person constructing or causing the construction of such fence, with wood or iron posts not exceeding four inches by four inches. The height of the fence shall be measured from the surface of the ground, undisturbed by fills, in relation to adjoining property.~~

~~Where the land is uneven, with depressions and ridges, the Building Commissioner shall determine the average or mean level of the ground. Stockade type fences are prohibited.~~

Section 1155.02 of the Codified Ordinances of the City of Garfield Heights, shall read:

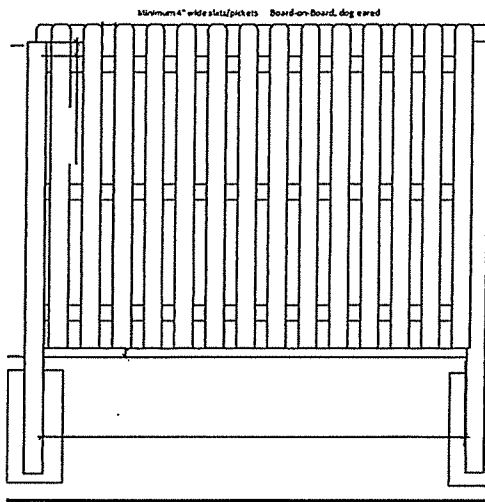
1155.02 FENCE REGULATIONS

- a) **Construction**: The face of the fence is to be on the outside, and on the lot or land of the person constructing or causing the construction of such fence. The height of the fence shall be measured from the surface of the ground, undisturbed by fills, in relation to adjoining property, and shall comply with Section 1155.03. Where the land is uneven,

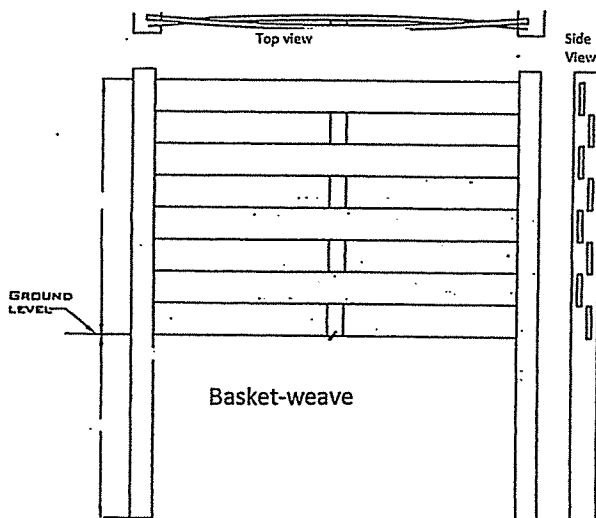
with depressions and ridges, the Building Commissioner shall determine the average or mean level of the ground.

- b) Vinyl Privacy Fences: Solid vinyl fences shall be permitted.
- c) Wooden Privacy Fences: Only the following wooden fences shall be permitted within the residential districts of the City of Garfield Heights.

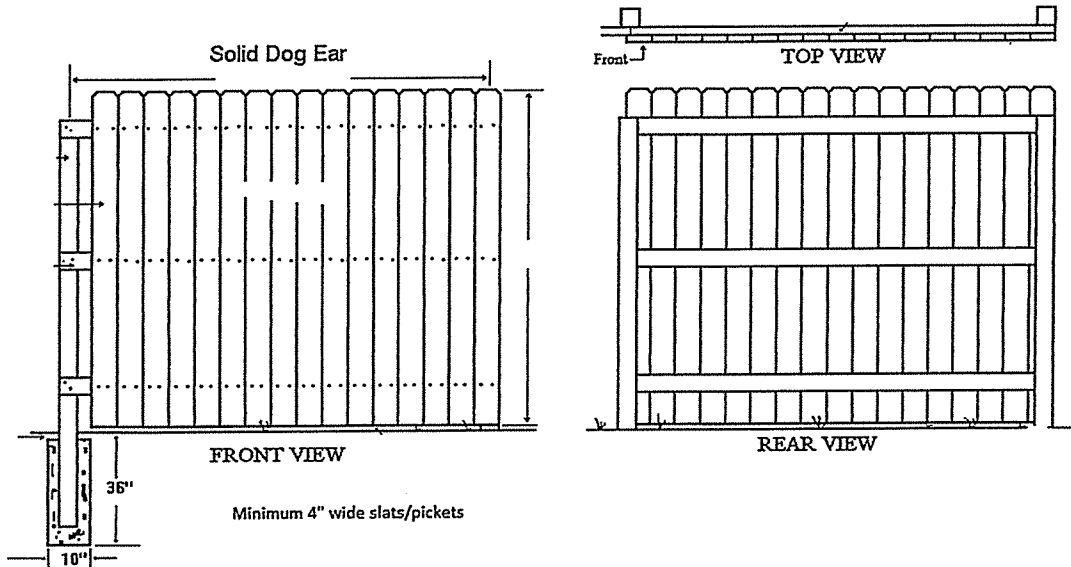
- 1) Board on Board Fence or Shadow Box Fence: A fence constructed with a row of boards placed upright on opposite sides of a supporting beam. The individual boards on the same side of the supporting beam shall be separated by a distance that equals or is less than the width of the board. Example as follows:



- 2) Basket Weave Fence or Woven Fence: A fence made of interwoven strips or slats of flexible or semi-flexible material in which the pattern has the appearance of a plaited basket. Example as follows:



- 3) **Solid Board**: A fence constructed with a row of boards no less than four (4) inches in width, but no more than (6) inches in width, placed upright and against each other. Example as follows:



- d) **Chain Link Fences**: Shall be permitted so long as the fence is made of metal consisting of loops of wire interconnected in a series of joined links
- e) **Ornamental Fences**: The following ornamental fences shall be permitted within the residential districts of the City of Garfield Heights: Split Rail Fences, Post and Board Fences, Picket Fences, Wrought Iron Fences, and Decorative Fences.
- f) **Fences Not Permitted**:
- 1) **Plywood Fences**: No fence constructed in total or in portion of plywood shall be permitted.
 - 2) **Stockade Fence or Palisade Fence**: No fence constructed with a row of large, pointed stakes placed upright and against each other shall be permitted.
 - 3) **Poultry-Netted Fences**: No fence constructed in total or in portion of poultry-net / chicken wire

SECTION 2. Section 1155.02 of the Codified Ordinances of the City of Garfield Heights, shall be amended as provided.

1155.03 HEIGHT RESTRICTIONS.

Fences along the side lines of residential lots may extend to six feet in height provided that all adjoining property owners sign an agreement as to the height of such fence(s).

Fences along the rear lot lines of residential lots shall not exceed a height of six feet.

Fences along the rear and/or side lot lines of residential lots abutting or adjacent to retail, commercial or industrially zoned areas shall not exceed a height of seven feet.

Fences along the rear or side lines of properties zoned retail, commercial or industrial, which are not abutting or adjacent to residential properties, shall not exceed a height of eight feet.

(Ord. 11-1990. Passed 2-12-90.)

1155.04 BARBED WIRE FENCES.

Barbed wire in fences shall not be permitted where the adjacent property is residential.

Where barbed wired is not prohibited, such wire shall be not less than seven feet above the ground. Ord. 74-1965. Passed 7-12-65.)

1155.05 PERMIT FEES.

Fees for fence permits shall be charged at the rate provided under the fee schedule in the Building Code.

1155.06 APPEALS AND WAIVERS.

Appeals and requests for waivers of any of the foregoing restrictions and requirements shall be heard and decided by the Board of Appeals.

(Ord. 67-1974. Passed 12-8-75.)

1155.07 WAIVERS FOR SWIMMING POOLS; RESTORATION.

A resident who has been extended a fence waiver of any type in conjunction with the construction or maintenance of a swimming pool whether such waiver has been granted by Council or by the Board of Zoning Appeals, shall in the event the swimming pool is abandoned or removed, be required within thirty days thereof, to restore the height of all fencing in compliance with this chapter. All waivers issued in connection with swimming pool fences, whether by Council or by the Board shall from the date of passage of this section bear the notation. "This waiver is issued only for the life of the swimming pool. In the event the swimming pool is abandoned or removed, all fences shall be restored to height provided in ordinances of this City within thirty days thereof." (Ord. 69-1974. Passed 8-26-74.)

1155.08 LANDSCAPING AND SCREENING REQUIREMENTS.

The purpose of this section is to provide for visual screening or landscape buffers to remove, reduce, lessen or absorb the shock impact between one incompatible use or zone; breakup and lessen impact of large parking areas; provide interest and lessen the monotony of the streetscape; and obscure the view of outdoor rubbish areas, dumpsters and loading areas. In addition to any required screening or landscaping, all pervious areas of the sites that are subject to this section shall be permanently protected from soil erosion with grass or other suitable ground cover.

(a) Definitions. Terms relative to landscaping and screening shall have the following meanings: