

The City of New Sharon will conduct a public hearing on June 20, 2018, at 6 o'clock p.m. at the New Sharon City Hall, 101 South Main St., in New Sharon, Iowa, to consider the following ordinance change for fences and then proceed with the first reading of Ordinance 2018-001.

**ORDINANCE NO. 2018-001**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEW SHARON, IOWA, BY ADDING A NEW CHAPTER FENCES AND AMENDING PERMIT ISSUANCE**

**BE IT ENACTED** by the City Council of the City of New Sharon, Iowa:

**SECTION 1. NEW SECTION.** The Code of Ordinances of the City of New Sharon, Iowa, is amended by adding a new Chapter 157, entitled FENCES, which is hereby adopted to read as follows:

## **CHAPTER 157**

### **FENCES**

**157.01 Enforcement Officer**  
**157.02 Definitions**  
**157.03 Permits Required**

**157.04 Maximum Height**  
**157.05 Fence Materials**  
**157.06 Fences and Wall Placement**

**157.01 ENFORCEMENT OFFICER.** Is any City Official appointed by the Mayor or Council for the purposes of inspecting fences and enforcement of this chapter.

**157.02 DEFINITIONS.** For use in this chapter, the following terms are defined:

1. "Fence" a barrier, railing, or other upright structure, typically of wood or wire, enclosing an area of ground to mark a boundary, control access, or prevent escape.
2. "Front yard," extending across the full width and lying adjacent to the front lot line.
3. "Rear yard" A yard which extends across the full width and lying adjacent to, the rear property line except as provided above in the side yard definition.
4. "Side yard" A yard extending from the front yard to the rear yard except in the case of a corner lot when the side yard on the flanking street shall extend to the rear property line.
5. "See-through fence material" is wire fence or other fence material that provides openings of at least 75 percent in area of the vertical surface to permit the transmission of light, air, or vision through the vertical surface at a right angle.

**157.03 PERMIT REQUIRED.** No person shall erect, alter, or relocate any fence, wall, or other vision barrier without first obtaining a building permit, per Chapter 155 of this code, the fee for which shall be established by resolution of the Council.

**157.04 MAXIMUM HEIGHT.**

1. Front Yard. No fence more than 36 inches high may be erected in the front yard area of any residential property, unless the fence is constructed of see-through fence material. A fence constructed of see-through fence material may not exceed a height of 42 inches in the front yard

of a residential property. No wall, fence, and/or hedge shall be so located as to obstruct the view of traffic approaching an intersection from any direction.

2. Side Yard and Rear Yard. No fence more than six feet in height may be constructed in the side yard or rear yard of any residential property.

**157.05 FENCE MATERIALS.** Fences shall be constructed of material commonly used for landscape fencing, such as masonry block, lumber, chain link, or natural plantings, but shall not include corrugated sheet metal, chicken wire, temporary plastic fencing, and/or salvaged material. See Section 41.08.

**157.06 FENCES AND WALLS PLACEMENT.**

1. The property owner is required to locate the official survey pins or have the lot survey made by a licensed surveyor with the corner pins located.
2. Perimeter fences or walls means any fence constructed on the property line or within two feet of and parallel to the property line. Placement of the fence on or near the property line is determined by the type of fence and the maintenance that the fence will require.
3. The finished side of the fence is to be to the neighbor's sides with posts on the inside of the fence. In the case of a fence with centerline posts and both sides are finished, the provision that posts are to be on the inside does not apply.

**SECTION 2. SECTION MODIFIED.** Section 155.02 of the Code of Ordinances of the City of New Sharon, Iowa, is repealed and the following adopted in lieu thereof:

**155.02 PERMIT ISSUANCE.** A building permit shall be issued by the Clerk for the amount of seven and one-half cents (7.5¢) per square foot for any new residential structure, seven and one-half cents (7.5¢) per square foot for any commercial structure and four cents (4¢) per square foot for garages. A permit for the purpose of remodeling an existing structure shall be issued for the amount of twenty dollars (\$20.00). and a permit for the purpose of constructing a deck, patio or small shed shall be issued for the amount of ten dollars (\$10.00). See Chapter 157 for fence permits. Permits are only valid for a twelve-month period, beginning with the date of issuance.

**SECTION 3. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 4. SEVERABILITY CLAUSE.** If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

**SECTION 5. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

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Lisa Munn, City Clerk