Chapter 18 BUILDINGS AND CONSTRUCTION

Article I. In General

Secs. 18-1 – 18-30. Reserved.

Article II. Administration

Sec. 18-31. Office of building official establish ed.

Sec. 18-32. Duties of building official.

Sec. 18-33. Building inspector.

Secs. 18-34 – 18-60. Reserved.

Article III. Electrical Regulations

Division 1. Generally

Secs. 18-61 – 18-80. Reserved.

Division 2. Inspections

Sec. 18-81. Duties of building inspector.

Sec. 18-82. Required.

Secs. 18-83 - 18-100. Reserved.

Division 3. Permits

Sec. 18-101. Required.

Sec. 18-102. Interpretation of rules.

Sec. 18-103. Insurance required before permit issuance.

Secs. 18-104 – 18-120. Reserved.

Division 4. Standards

Se c. 18-121. Adoption of electrical code.

Sec. 18-122. Modification.

Sec. 18-123. Standards.

Sec. 18-124 Construction of an accessory dwelling unit

Secs. 18-125 - 18-140. Reserved.

Division 5. Electricians

Sec. 18-141. Licensing of electricians.

Sec. 18-142. Qualifications.

Sec. 18-143. Failure to comply.

Sec. 18-144. License to individual.

Secs. 18-145 - 18-180. Reserved.

Article IV. Plumbing

Sec. 18-181. Adoption of plumbing code.

Sec. 18-182. Insurance required before permit issuance.

Secs. 18-183 – 18-210. Reserved.

Article V. Building Regulations

Sec. 18-211. Adoption of building code.

Sec. 18-212. Building code definitions.

Sec. 18-213. Permit fees.

Sec. 18-214 Adoption of the International Energy Conservation Code

Secs. 18-215 – 18-239. Reserved.

Article VI. Minimum Housing Standards

Sec 18-240 Adoption of the International Property maintenance Code

Sec. 18-241. Adoption of minimum housing code

Sec. 18-242. Enforcement.

Sec. 18-243. Board of housing appeals.

Sec. 18-244. Duties of housing enforcing official.

Sec. 18-245. Right of entry.

Secs. 18-246 – 18-280. Reserved.

Article VII. Construction of Driveways

Sec. 18-281. Purpose.

Sec. 18-282. Approval required.

Sec. 18-283 Adoption of mechanical code

Sec. 18-284 Insurance requited before Permit issuance

Article VIII Fences

Sec. 18-285-18-299 Reserved

Sec. 18-300 Purpose of article

Sec. 18-301 Permit to install or alter required

Sec. 18-302 Regulation of electric fences

Sec 18-303 Compliance with the zoning ordinance

Sec. 18-304 Location on or protrusion over city property

Sec. 18-305 visibility obstruction

Sec. 18-306 Height limit along rear yard or alley line in residential districts

Sec. 18-307 Height limit on side of yard line in residential districts

Sec. 18-308 Height limit in industrial districts

Sec. 18-309 Fence arms in residential district; limited in industrial districts

Sec 18-310 barbed wire

Sec 18-311 inspection of new fences

Sec. 18-312 Maintenance

Sec. 18-313 appeals from decisions under this article

ARTICLE I. IN GENERAL

Secs. 18-1 – 18-30. Reserved.

ARTICLE II. ADMINISTRATION

Sec. 18-31. Office of building official established.

(a) The office of building official is created, and the executive official in charge shall be known as the building official.

(b) The building official shall be appointed by the city council. His appointment shall continue during good behavior and satisfactory service. He shall not be removed from office except for cause after full opportunity has been given him to be heard on specific charges.

(c) During temporary absence or disability of the building official, the appointing authority shall designate an acting building official.

(d) The Building Official shall also serve as the Code Enforcement Officer.

Code 1987 § 6.31

Amended

Sec. 18-32. Duties of building official.

(a) The building official shall receive applications required by this chapter, issue permits and furnish the prescribed certificates. He shall examine the premises for which permits have been issued and shall make necessary inspections to see that the provisions of law are complied with and that construction is prosecuted safely. He shall enforce all provisions of the building code. He shall, when requested by proper authority, or when the public interest so requires, make investigations in connection with matters referred to in the building code and render written reports on the subject. To enforce compliance with the law, to remove illegal or unsafe conditions, to secure the necessary safeguards during construction, or to require adequate exit facilities in buildings and structures, he shall issue such notices or orders as may be necessary.

(b) Inspections required under the provisions of the building code shall be made by the building official or his duly appointed assist ant. The building official may accept reports of inspectors of recognized inspection services, after investigation of their qualifications and reliability. No certificate called for by any provision of the building code shall be issued on such reports unless they are in writing and certified to by a responsible officer of such service.

(c) The building official shall keep comprehensive records of applications, of permits issued, and of certificates issued, or inspections made, of reports rendered, and of notices or orders issued.

(d) All such records shall be open to public inspection for good and sufficient reasons at the stated office hours but shall not be removed from the office of the building official without his written consent.

(e) The building official shall make written reports to his immediate superior once each month, or more often if requested, including statements of permits and certificates issued, and orders promulgated.

(f) The Building Official for the City of East Tawakoni, Texas shall have the authority to enforce by all reasonable means necessary all Codes and Ordinances.

(g) The Building Official for the City of East Tawakoni, Texas, shall have the right to enter upon private property at all reasonable times to conduct inspections and investigations with regard to any structure or building which he reasonably believes to be not in conformity with the International Building Code of the City of East Tawakoni and shall be guilty of no trespass in the performance of his official duties in conjunction therewith.

(h) Whenever the Building Official shall find any building or structure or portion thereof to be unsafe, unsanitary, or unfit for human habitation, he shall provide and furnish to the true and lawful owner by Certified Mail; or by other means prescribed in Sec 30- 34 of the Ordinances of the City of East Tawakoni, Texas, a written notice of each and every violation noted by him of Ordinance No. 18 as amended. This notice so furnished shall require the owner to initiate the required rehabilitation or demolition according to the requirements of the Building Official within thirty (30) days from the receipt of the notification by Certified Mail.

(i) The Building Official shall have; however, the right and prerogative to grant an additional time period, not exceeding one hundred twenty (120) days, in which to initiate the rehabilitation or demolition as required by him in those instances where the owner can demonstrate to the satisfaction of the Building Official that the owner is making application for a loan or is taking other definite steps toward compliance with the requirements set forth by the Building Official.

(j) Failure by the owner to initiate rehabilitation measures within the time frame of thirty (30) days and/or one hundred twenty (120) days (if allowed by the Building Official) shall, absent an appeal from the directive of the Building Official to the Board of Adjustment, constitute due and just cause for the City of East Tawakoni, Texas, to initiate demolition and removal of the offending structure in order to protect the public health, morals, safety and welfare.

(k) There is adopted by the city for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use an occupancy, location and maintenance of buildings and structures, including permits and penalties, that certain building code known as International Building Code, 2003 edition, International Residential Code, 2003 edition, International Fuel and Gas Code, 2003 edition, International Plumbing Code, 2003 edition, International Energy Code, 2003 edition, International Mechanical Code, 2003 edition, and National Electric Code (NFPA 70), 1999 edition. The whole of such codes, save and except such portions as are deleted, modified or amended, of which not less than one copy has been and is now filed in the office of the city secretary. Such building codes are adopted and incorporated as fully as if set out at length in this article, and the provisions of such codes shall be controlling in the construction of all buildings and structures contained within the corporate limits of the city to include the Extra Territorial Jurisdiction.

Amended

Code 1987 § 6.33

Sec. 18-33. Building inspector.

(a) There is created the office of building inspector, who shall be appointed by the mayor, subject to the confirmation of the city council. The building inspector shall have had at least two years' experience as an electrician, shall be of good moral character, shall be versed in the approved methods of electrical, plumbing and building construction for safety of life and property and the technical codes adopted in this chapter. He shall receive such compensation as the city council may decide.

(b) The building inspector shall have experience in plumbing to the extent that it enables him to know when plumbing is installed correctly. It shall be the duty of the building inspector to enforce all provisions of this chapter, and such inspector is granted the authority to enter all buildings within the corporate limits of the city when such buildings are connected or are to be connected to the municipal water and/or sewer system.

Code 1987 § 6.21

Secs. 18-34 -18-60. Reserved.

ARTICLE III. ELECTRICAL REGULATIONS

DIVISION 1. GENERALLY

Secs. 18-61 – 18-80. Reserved.

DIVISION 2. INSPECTIONS

Sec. 18-81. Duties of building inspector.

(a) The building inspector shall have the duty and is authorized, empowered and directed to enforce the electrical code adopted in this article regarding the placing of electric wires or other appliances for electric lights , heat or power in the city and to cause all such wires, appliances or apparatus to be placed, constructed and guarded as not to cause fires or endanger life or property, and to be constructed so as to keep to a minimum the loss or waste of electric current.

(b) It shall be the duty of the inspector to enforce all provisions of this chapter, and he is granted the authority to enter all buildings in the city in the performance of his duties between the hours of 8:00 a.m. and 5:00 p.m. daily, except that in emergency and within the limits of reason the inspector may enter buildings for such purposes at other than the designated hours.

(c) It shall be the duty of the inspector to inspect and/or test all electrical work and equipment or apparatus for compliance with codes. Whenever electric wiring, appliances or apparatus shall be defective or hazardous through improper manufacture or improper or insufficient insulation or for any other reason, he shall at once cause the removal of such defect at the expense of the owners of such wiring, appliance or apparatus.

Code 1987 § 6.3

Sec. 18-82. Required.

Upon the completion of the wiring, installation or alteration of any building or structure for light, heat, power, appliance, or apparatus, it shall be the duty of the person having direct charge of such to notify the inspector, who shall, as early as possible, inspect such wiring, installation, appliance and apparatus; and if installed , altered and constructed in compliance with the permit and in accordance with the requirements of this article he shall execute a certificate of satisfactory inspection. The certificate of inspection shall contain the date of such inspection and the result of his examination; but no such certificate shall be issued unless such electric wiring, motors, heating devices, appliances and apparatus are in strict accord with the rules and requirements and the spirit of this article; nor shall current be turned on such installation, equipment, appliance, motors, heating device and apparatus until the certificate is issued. The amount of fee or charge to be made for such inspections and certificate is to be fixed and determined by the city council.

Code 1987 § 6.5

Sec 18.83 – 18.100 Reserved

DIVISION 3. PERMITS

Sec. 18-101. Required.

All General, Plumbing, Mechanical Electrical, and Sign Contractors must be licensed and registered with the City of East Tawakoni before receiving and permits or commencing any work as follows

1. Contractors shall register on such forms as provided by the City for that purpose.
2. Contractors shall provide a copy of a current Driver’s license or other State issued Identification Card.
3. Contractors shall provide a copy of a current license to perform work for which a permit is sought
4. Contractors shall provide proof of commercial general liability insurance coverage with a aggregate of $300.000 for all claims arising within any one year and in the case of Propane gas registration a minimum of $1.000.000 commercial general liability insurance coverage for all claims arising within any one year.
5. Contractor shall pay the registration fee .

Code 1987 § 6.4

Amended 10-6-2016

Sec. 18-102. Interpretation of rules.

The inspector supervising the enforcement of this article will have the responsibility and authority for making interpretations of the rules, for deciding upon the approval of equipment, materials, construction and for granting the special permission contemplated in a number of the rules and the inspector, where necessary, shall follow the code procedure for securing official interpretation of this article.

Code 1987 § 6.6

Sec. 18-103. Insurance required before permit issuance.

(a) No electrical permit shall be issued, except to a homeowner for work by him on his own home, until the mechanical contractor files with the building official a certificate of insurance evidencing at least the following coverage: commercial general liability insurance with an aggregate of $300,000.00 for all claims arising in any one year, and a current license issued by the Texas Department of Licensing and Regulation authorizing the contractor to perform such work.

(b) Such insurance shall be written by an insurance carrier licensed to do business in this state and shall provide that coverages afforded under the policy will not be canceled, suspended, voided or reduced until at least 30 days' prior written notice has been given to the city via certified mail, return receipt requested. Additionally, the city shall be added as an additional insured on the policy, and the coverage shall contain no special limitation on the scope of protection afforded to the city.

Code 1987 § 6.8

Secs. 18-104 – 18-120. Reserved.

DIVISION 4. STANDARDS

Sec. 18-121. Adoption of electrical code.

There is adopted by the city for the purpose of establishing rules and regulations for the construction, alteration, removal and maintenance of electrical wiring and apparatus, including permits, and penalties, that certain electrical code known as the National Electrical Code , 2011 edition, and the whole of such code, save and except such portions as are deleted, modified or amended in this division, of which not less than one copy has been and is now filed in the office of the city secretary. The code is adopted and incorporated as fully as if set out at length in this division, and from the date on which this article shall take effect, the provisions shall be controlling in the construction, alteration, maintenance or removal of all electric wiring and apparatus within the corporate limits of the city.

Code 1987 § 6.1

Amended 1-12-2018

Sec. 18-122. Modification.

The fire marshal shall have power to modify any of the provisions of the code adopted in this article upon application in writing by the owner or lessee or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety shall be secured, and substantial justice shall be done. The particulars of such modification when granted or allowed and the decision of the chief of the fire department shall be entered upon the records of the department, and a signed copy shall be furnished to the applicant.

Sec. 18-123. Standards.

All electrical construction; all materials , appliances, motors, heating devices and apparatus used in connection with electrical work; and the operation of all electrical apparatus within the city shall conform to the rules and requirements of the National Electrical Code adopted in section 18 121 when work is performed or equipment and apparatus installed; however, the necessity, good service and the results often require larger sizes of wire, more branch circuits , and better types of equipment than the minimum which is specified in the National Electrical Code.

Code 1987 § 6.6

Sec 18-124Construction of an accessory dwelling unit

An accessory dwelling unit shall follow all currently adopted building codes and shall be built to the same standards and inspections as any other dwelling.

Adopted 10-20-2020

Secs. 18-125 – 18-140. Reserved.

Division 5 Electricians

Sec. 18.141 Licensing of electricians.

Any person desiring to engage in the business of electrical construction or of the installation of wiring and apparatus for electric lights, appliances, heating or power in the city shall, before doing so, obtain a license the annual fee for which is on file in the city secretary’s office, which shall be paid into the city treasury before such license shall become effective.

Code 1987 § 6.7

Sec. 18.142 Qualifications

No license under this division shall be issued until the person applying for such license has made a satisfactory score on the exam and presented such evidence to the inspector of the ability to do electrical work in a safe a satisfactory manner. No permit for installation or alteration of any wiring, heating devices, motors, appliances and apparatus shall be issued until license and insurance required in this division have been obtained.

Code 1987 § 6.9

Sec. 18.143 Failure to comply.

Any person who shall fail within a reasonable time to correct any defect in his work or to meet the required standards after having been given notice of the unfit condition by the inspector shall be refused any other permit until such defect has been corrected. Such person shall be subject to revocation of his license for defective work and may be punished as provided in section 1-14 upon conviction for violation of the provisions of this article.

Code 1987 § 6.10

Sec. 18.144 License to individual

Any individual desiring to perform his own electrical work personally shall not be required to make the required insurance or to obtain the required license but shall be required to obtain the regular permit for that job. Such work done by an individual must be done by him personally on his own particular job and not be a way of performing a service to the public generally.

Code 1987 § 6.13

Sec. 18.145 – 18.180 Reserved

ARTICLE IV. PLUMBING

Sec. 18-181. Adoption of plumbing code.

The provisions and regulations of the International Building Code, 2003 edition, International Residential Code, 2003 edition, International Fuel and Gas Code, 2003 edition, International Plumbing Code, 2003 edition, International Energy Code, 2003 edition, International Mechanical Code, 2003 edition, are made a part of this article by reference. One certified copy of each code is on file in the office of the city secretary and shall extend over and govern the installation of all plumbing installed, altered, or repaired within the city.

Code 1987 § 6.20

Amended

Sec. 18-182. Insurance required before permit issuance.

(a) No plumbing permit shall be issued, except to a homeowner for work by him on his own home, until the mechanical contractor files with the building official a certificate of insurance evidencing at least the following coverage: commercial general liability insurance with an aggregate of $300,000.00 for all claims arising in any one year, and a current license issued by the Texas State Board of Plumbing Examiners authorizing the contractor to perform such work.

(b) Such insurance shall be written by an insurance carrier licensed to do business in this state and shall provide that coverages afforded under the policy will not be canceled, suspended, voided or reduced until at least 30 days' prior written notice has been given to the city via certified mail, return receipt requested. Additionally, the city shall be added as an additional insured on the policy, and the coverage shall contain no special limitation on the scope of protection afforded to the city.

Code 1987 § 6.23

Secs. 18-183 – 18-210. Reserved.

ARTICLE V. BUILDING REGULATIONS

Sec. 18-211. Adoption of building code.

There is adopted by the city for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, that certain building code known as the International Building Code 2015 edition, The whole code, save and except such portions as are deleted, modified or amended, of which not less than one copy has been and is now filed in the office of the city secretary. Such building code is adopted and incorporated as fully as if set out at length in this article, and the provision of such code shall be controlling n the construction of all buildings and structures contained within the corporate limits of the city.

Code 1987 § 6.30

Amended 1-12-2018

Sec. 18-212. Building code definitions.

(a) Wherever the term "municipality" is used in the building code, it shall be held to mean the city.

(b) Wherever the term "corporation counsel" is used in the building code, it shall be held to mean the city attorney.

Code 1987 § 6.36

Sec. 18-213. Permit fees.

1. It shall be unlawful for any person to build, construct or erect any building upon any land within the city limits without first having obtained a permit from the city for the purpose of building, constructing, and erecting any such building upon a designated lot or tract of land. The outside of all structures must be completed within a six-month period from date of permit. It is also required for the appropriate fees to be paid to the city for the issuance of such permit prior to beginning any construction. A schedule of current fees is on file in the office of the city secretary.
2. 1. You must provide 2 sets of blue line construction documents including

Foundation

Framing

Plumbing

Electrical

HVAC-R

Door and window Schedule

Site Plan with setbacks

One set will be returned for construction or revision

2.Request for permits will be review by the building inspector, Planning & Zoning Commission or the Board of Adjustments at least monthly, or more frequently if circumstances require. Authority for this review and permit issuance may be modified from time to time for the convenience of the City.

3. Issuance or denial of permits will be satisfied by the aforementioned authority.

4. Permits will be issued upon satisfactory payment of all fees and inspections at rates established by the City of East Tawakoni.

5. Failure to obtain a permit prior to construction in any manner shall constitute intentional evasion of this Ordinance an is punishable by fines established by the City of East Tawakoni.

(c) Additional fees shall be established by the City Council for the re inspection of any and all items deemed "red tagged" by the Building Inspector.

(d) Supply electrical for events at park (flat fee) $25.00.

(e) Permit applications will be process for issuance ten (10) working days after a complete application is submitted.

(f) All construction must be completed within (6) months of the date the Building Permit is issued unless an extension is granted by the City Inspector because of extenuating circumstances.

(g) All buildings, containers, modular homes and other structures to be moved into the City must prior to entry into the City provide proof of a valid permit issued by the Texas Department of Transportation of the building, Container , modular home or structure

(h) All buildings, containers, modular homes and structures moved into the City must:

1. comply with all City Building Codes and Ordinances

2. obtain a Building Permit and be inspected by the City Council

(I) a person who violates this Ordinance is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine not to exceed $500.00.

Code 1987 § 4.4

Ord. 2-16-1999§6.40

Amended 3-1-2018

Sec 18-214 Adoption of the international Energy Conservation Code

There is adopted the City Council those certain health and housing standards known as the International Energy Conservation Code, 2015 edition of which one copy has been and is now filed in the office of the City Secretary.

The Code is adopted and incorporated on all dwellings and premises within the corporate limits of the City

Adopted 10-20-2020

Secs. 18-215 – 18-239 Reserved.

ARTICLE VI. MINIMUM HOUSING STANDARDS

18-240 Adoption of the International Property Maintenance Code

There is adopted by the City Council those certain health and housing standards known as the International Property Maintenance Code, 2012, of which one copy has been and is now filed in the office of the city secretary. The code is adopted and incorporated as fully as if set out at length in the article and shall be controlling on all dwellings and premises with the corporate limits of the city.

Adopted 9-12-2021

Sec. 18-241. Adoption of minimum housing code.

There is adopted by the city council those certain health and housing standards known as the International Residential Code, 2015 edition, of which one copy has been and is now filed in the office of the city secretary. Then code is adopted and incorporated as fully as if set out at length in this article and shall be controlling on all dwellings and premises within the corporate limits of the city.

Code 1987 § 9.1

Amended 1-12-2018

Sec. 18-242. Enforcement.

The building official shall be responsible for the enforcement of this article.

Code 1987 § 9.2

Sec. 18-243. Board of housing appeals.

(a) There is created a board of housing appeals, which shall consist of five members appointed by the mayor subject to confirmation of the city council. One member shall be appointed to serve one year, two members to serve two years, and two members to serve three years.

(b) This board of housing appeals shall act by majority vote of the members present.

(c) This board of housing appeals shall have the power and be required to hold public hearings in deciding appeals where it is alleged there is an error in law or fact in any order or decision of the housing enforcing official in the enforcement of this article.

Code 1987 § 9.3

Sec. 18-244. Duties of housing enforcing official.

It shall be the duty of the housing enforcing official to enforce all laws and provisions specified in the 1997 edition of the Standard Housing Code.

Code 1987 § 9.4

Sec. 18-245. Right of entry.

The housing enforcing official, in the discharge of his official duties and upon proper identification, shall have authority to enter any building, structure or premises at any reasonable hour.

Code 1987 § 9.5

Secs. 18-246 - 18-280. Reserved.

ARTICLE VII. CONSTRUCTION OF DRIVEWAYS

Sec. 18-281. Purpose.

It shall be the purpose of this article to regulate, permit or prohibit the construction of driveways within the city limits.

Code 1987 § 6.60

Sec. 18-282. Approval required.

(a) All driveways, whether constructed deliberately or because of common use of property as such, are prohibited except as approved by a duly appointed representative of this city or as represented in the plat or planning code of a subdivision within this city authorizing the driveway within the city limits.

(b) Any construction of a driveway without proper permit and/or authority may be cause for halting the construction of or ceasing the use of the driveway until such permit and authority is obtained from the proper city official.

Code 1987 § 6.60

Sec. 18-283 Adoption of mechanical code

The provisions and regulations of the International Building Code, 2003 edition, International Residential Code, 2003 edition, International Fuel and Gas Code, 2003 edition, International Plumbing Code, 2003 edition, International Energy Code, 2003 edition, International Mechanical Code, 2003 edition, and National Electric Code (NFPA 70), 2003 edition are made a part of this article by reference. One certified copy of each code is on file in the office of the city secretary and shall extend over and govern the installation of all mechanical installed, altered or repaired within the city.

Adopted

Sec. 18-284 Insurance required before permit issuance

(a) No mechanical permit shall be issued, except to a homeowner for work by him on his own home, until the mechanical contractor files with the building official a certificate of insurance evidencing at least the following coverage: commercial general liability insurance with an aggregate of $300,000.00 for all claims arising in any one year, and a current license issued by the Texas Department of Licensing and Regulation authorizing the contractor to perform such work.

(b) Such insurance shall be written by an insurance carrier licensed to do business in this state and shall provide the coverage afforded under the policy will not be canceled, suspended, voided, or reduced until at least 30 days prior written notice has been given to the city via certified mail, return receipt requested. Additionally, the city shall be added as an additional insured on the policy, and the coverage shall contain no special limitation on the scope of protection afforded to the city.

(c Assuming that the City of East Tawakoni effectuates the demolition and, removal of an offending structure or causes the same to be accomplished, then, in such instance, the City of East Tawakoni shall have the right and shall have a lien against the property so involved for the full expense and cost of the forceful demolition and removal. As prescribed in Sec 30 35 and Sec 30 35 of the Ordinances of the City of East Tawakoni, Texas.

Adopted

Article VIII Fences

Sec. 18-285-18-299 Reserved

Sec. 18-300. Purpose of article.

The purpose of this article is to regulate the construction, erection, enlargement, alteration, and maintenance of all fences within the boundaries of the city in order to provide a practical safeguarding of life, health and property from hazards that may arise from improper construction of such installations. However, this article and the provisions of this article shall not apply to fences erected or maintained in districts within the city which are zoned but are still under agricultural use as undeveloped property.

Adopted 11-16-2010

Sec. 18-301. Permit to install or alter required.

(a) It shall be unlawful for any person to install or cause to be installed, or to permit any person to install a fence or to make any alterations, additions, or changes to a fence, without first having procured a permit to do so from the building inspector.

(b) A permit required by this article shall be as provided for a fee and shall be paid prior to the issuance of the permit. ·

(c) The building inspector shall require a plot plan showing the lot size, all improvements on the lot, and the proposed location of the fence to be constructed and that the construction will not block the view of the lake to lake front homeowners on each side of the fence to be installed. A permit will be issued if builder meets all requirements.

(d) The building inspector may refuse to issue a permit under this article to any person who has been convicted of a violation of any provision of this article.

Adopted 11-16-2010

Sec. 18-302. Regulation of electric fences.

(a) No fence constructed in such a manner that it may continuously conduct electrical current may be allowed in any zoning district wherein farm animals are not allowed:

(b) Single strand wires designed to conduct electricity through an approved low voltage

regulator shall be allowed only along the interior base line of an otherwise permitted fence. No permit shall be required for the erection and maintenance of such single strand electric wires.

Adopted 11-16-2010

Sec. 18-303 Compliance with the zoning ordinance.

All fences and fence locations shall conform to the requirements of the zoning ordinance of the city, and nothing in this article shall be construed as permitting construction of a fence which would violate the provisions of the zoning ordinance, as such ordinance presently exists or as it may be hereafter amended.

Adopted 11-16-2010

Sec. 18-304. Location on or protrusion over city property.

No privately owned fence or guy wires, braces or any other part of a privately owned fence shall be constructed upon or caused to protrude over property owned by the city.

Adopted 11-16-2010

Sec. 18-305. Visibility obstruction.

No fence shall be erected or maintained in a manner so as to be a visibility obstruction as indicated in Sec. 19 301, 19 306 & 19 307 of this section.

Adopted 11-16-2010

Sec. 18-306. Height limit along rear yard or alley line in residential districts.

No fence shall be constructed at a height exceeding eight feet along the rear yard unless it is lake front property only, the builder will be required to install chain link to the rear of the yard or alley line in residential districts or to a height that does not blocks the view of the lake of lake front property owners.

Adopted 11-16-2010

Sec. 18-307. Height limit on side yard line in residential districts.

No fence shall be constructed at a height exceeding eight feet on any side yard line in residential districts up to the building line of the house property. All such fences constructed on side yard lines in residential districts must be vertical and do not block the view of the lake of homeowners with lake front property on any side yard of the fence.

Adopted 11-16-2010

Sec. 18-308. Height limit in industrial districts.

No fence shall be constructed at a height exceeding ten feet in industrial districts.

Adopted 11-16-2010

Sec. 18-309. Fence arms in residential district; limited in industrial districts.

Fence arms shall not be permitted in residential districts or districts other than industrial. Fence arms may be permitted on fences located in industrial districts so long as they do not extend beyond the property line.

Adopted 11-16-2010

Sec. 18-310. Barbed wire.

In no event shall barbed wire be permitted, except on arms in industrial zoning districts.

Adopted 11-16-2010

Sec. 18-311. Inspection of new fences.

When any fence for which a permit has been issued under this article is completed, it must be inspected. The building inspector shall be notified upon completion of the fence. It will be up to the building inspector that the fence complies with the provisions of this article or reject the fence if it does not so comply.

Adopted 11-16-2010

Sec. 18-312. Maintenance.

All fences constructed under the provisions of this article shall be maintained so as to comply with the requirements of this article at all times.

Adopted 11-16-2010

Sec. 18-313. Appeals from decisions under this article.

Any appeal from an interpretation of the building inspector of the provisions of this article shall be made to the city council at a city council meeting on the third Tuesday of any month.

Adopted 11-16-2010