

metal or combinations thereof. Wood fences shall utilize standard building lumber or S2S lumber. Barbed wire and/or electrified fences are not permitted, and are defined as any fence that includes in its material barbs, blades, razors, electric current or other features specifically designed to injure or abrade an individual or animal who attempts to negotiate the fence.

Residential Swimming Pools. A closed or privacy fence with a height of at least six feet with a locking gate shall be required as a perimeter fence around a below-ground open residential swimming pool, or a permanent, above-ground swimming pool.

Fences utilized to make the boundary between two properties should be located on the common property line.

**Other Fences.** Fences constructed in commercial and industrial districts are subject to the following special provisions:

The maximum height of a fence for any permitted use in any non-residential zoning district shall be eight feet.

Civic Uses in Residential Districts. The maximum height of fences installed as part of Primary and Secondary Educational Facilities or Park and Recreation Use Types within Residential Zoning Districts shall be eight feet.

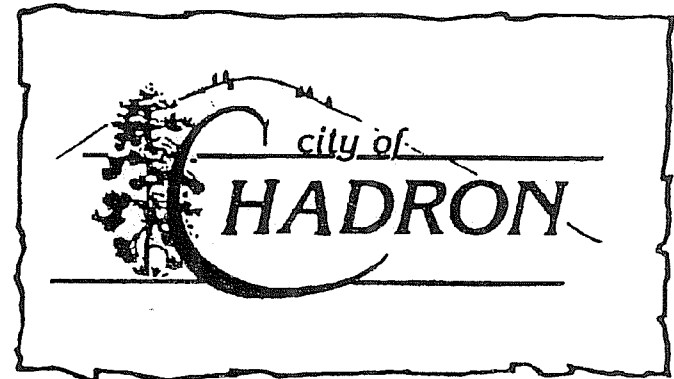
The Board of Adjustment may approve greater fence heights on a case-by-case basis if it concludes that such permission furthers the health, safety, and welfare of the residents of the City of Chadron.

Barbed wire may be used in the construction of perimeter security fencing in an industrial district or for municipal facilities provided that the bottom strand of the wire shall be at least six feet above ground level. Barbed wire may be constructed for agricultural purposes in an AG or RR District. Electrified fences are not permitted within the corporate limits of the City of Chadron.

June 2001

# **PUBLIC INFORMATIONAL PAMPHLET**

## **FENCES, WALLS, HEDGES**



**City of Chadron**

**Zoning/Building Department  
234 Main Street / PO Box 390  
Chadron, Nebraska 69337  
Phone: (308) 432-0506  
Fax: (308) 432-0503**

## **Purpose of Pamphlet**

The purpose and intent of this pamphlet is to assist the public in understanding the City's fence, wall and hedge standards, including public street right-of-way restrictions and street/alley intersection restrictions.

Listed below are excerpts from City of Chadron Ordinance No. 1043 approved by the City Council on November 15, 1982, and Ordinance Nos. 1219, 1220 and 1221 approved by the City Council on July 7, 1997. The ordinances cover types of fences, and placement, construction and maintenance of fences. Fences also include walls and hedges. ALL fences, walls and hedges must be placed on private property. They may not be placed in or project over the public right-of-way. It is the property owner's responsibility to: 1) know where property lines are located, and 2) obtain a fence permit prior to the construction of a fence. Requests for fence permits and inspections are to be directed to the Zoning/Building Department in City Hall, 234 Main Street.

### **Fences, Walls and Vegetation Ordinance Nos. 1043, 1219, 1220, 1221 Chadron, Nebraska**

**Permit Required.** No fence or sight obstruction shall be built, planted or hereafter constructed without first obtaining a permit and payment of the fees as established by the City Council.

**Public Right-of-Way and Fence Restrictions.** Walls, fences or hedges may be installed up to or on property lines, front, side and rear. No wall, fence or hedge shall be placed or maintained on property which falls within any platted street, sidewalk, or parking, or on property owned by the City, or on any property, sidewalk, street, or way which is dedicated to public use. Walls and fences shall be of sufficiently solid construction to withstand wind and weather.

Location Restriction. Unless otherwise provided by this title or other sections of the Chadron Municipal Code, no fence shall be built on any lot or tract outside the surveyed lot lines, excluding public streets.

Required Openings. Unless otherwise provided by this title or other sections of the Chadron Municipal Code, any

fence built on residential property within required front yards shall contain openings constituting no less than 50 percent of the surface area of the fence.

Sight Obstruction. No solid fence permitted or required by this title or other sections of the Chadron Municipal Code shall be built within a triangle formed by the adjacent side lines of two intersecting streets and a line connecting points 50 feet on each leg from their point of intersection; or otherwise in any manner to create a traffic hazard or obstruction to visibility. Maximum height of any fence in the triangle shall be 3 feet.

Facing. The finished surfaces of any fence shall face toward adjacent properties and street frontage.

Residential Fences. Fences constructed within residential districts or on land used for residential purposes are subject to the following provisions:

Height. The maximum height of a fence within a required front yard or street side yard setback shall be four feet. The maximum height for any fence outside of a required front yard shall be 6.5 feet.

Exception for Street Side Yards. On corner lots, a fence built parallel to the street side yard line but set back in conformance with the required street yard setback may have a maximum height of six feet.

Exception to Openness Requirement. Fences built on residential property other than in the front yard may exceed 50 percent closed construction.

Exception for Front Yards of Double Frontage Lots. A fence built within the required front yard of a double frontage lot may be a maximum of six feet in height and may exceed 50 percent closed construction if such lot fronts a major street, as defined in the Comprehensive Development Plan of the City of Chadron, and if such frontage does not provide primary access to the property.

Materials. Fences shall be constructed of wire, wood, brick, chain-link, PVC/resin, stone or masonry materials, or

**PLEASE DRAW YOUR SITE PLAN IN THIS SPACE**

**Street Address** \_\_\_\_\_