

FENCE ORDINANCE



**CITY OF PASADENA
PLANNING DEPARTMENT
(713) 475-5543**

Fence Ordinance Checklist

_____ Scaled site plan indicating location required

_____ Statement describing the materials required

Residential

_____ Maximum height of 7 ft.

_____ Fence placed forward of the front residential building setback line should be chain link, wrought iron, or white picket fence only and not exceed 4 ft. in height

Commercial

_____ If a nonresidential development is abutting an unscreened residential lot, they have to build a fence along the abutting property line

_____ Maximum height of 9 ft.

_____ No previously used materials for an opaque metal fence

_____ Fence is painted one color

_____ Storage yards are enclosed with an opaque fence no less than 7 ft. in height

_____ No openings to the adjoining property except for required entrances and exits

_____ Barbed wire is prohibited except for controlling livestock

_____ Razor wire cannot be below 6 ft. of the natural grade

_____ Electric fences are prohibited

_____ Fences cannot be built on or inside a drainage easement

Fence for multifamily dwelling

- _____ Enclosed on all sides except those abutting or facing a public dedicated street
- _____ Sides that are abutting or facing a public dedicated street are no less than 7 ft. in height
- _____ Fence made of wood boards not less than 1 in. thick and 4 in. wide
- _____ If the fence abuts a residential property, it is no less than 8 ft. in height and opaque
- _____ Designed to sustain 90 mph wind gusts
- _____ One pedestrian opening allowed per side not exceeding 4 ft. in width and contains bollards
- _____ Controlled access gate has a setback distance sufficient to prevent traffic congestion and traffic in the public street

Sec. 9-3. Permit to build, alter, etc., a fence or wall.

No fence or wall (except for barbed wire, minor repair, or replacement providing there is no change in material or location) shall be erected, enlarged, altered or moved, unless such fence or wall is completely removed, without a permit from the building official. The permit fee shall be calculated at the rate of twenty dollars (\$20.00) for each five hundred (500) lineal feet or part thereof in the length of each side of the fence or wall, gates and doors inclusive. A scaled site plan drawing indicating the location of the existing or proposed fence or wall, a statement fully describing the materials to be used as to quantity and quality, and a complete legal description of the premises involved, including set back lines, building lines and property lines, shall be provided by the applicant.

- (1) *Residential.* The maximum allowable height shall be seven (7) feet, unless prohibited by subdivision deed restrictions. Fences shall be constructed in accordance with section 9-4(c)(1) and (2) as well as chain link or wrought iron. Any fence placed forward of the front residential building setback line shall be chain link, wrought iron, or white picket fence only and shall have a maximum allowable height of four (4) feet.
- (2) *Commercial.* The maximum allowable height shall be nine (9) feet, excluding razor wire or barbed wire placed on the top of a security fence. Any fence or wall height in excess of seven (7) feet shall require an original drawing sealed by a professional engineer and shall be designed for a wind load of ninety (90) miles per hour. In the case of an opaque metal fence, no previously used materials shall be permitted and the fence shall be painted one color. All storage yards shall be enclosed with an approved opaque fence not less than seven (7) feet in height above the natural grade, with no openings to the adjoining property other than the required entrances and exits to public streets. For the purposes of this paragraph, a storage yard is defined as any commercial location visible from public view on which any used goods, wares, commodities or merchandise, whether or not intended for sale, are stored for a continuous period of thirty (30) days outside of a completely enclosed building or structure.
- (3) *Barbed wire/razor wire.* No permit shall be required to construct a two (2) or three (3) strand barbed wire pasture fence for the purpose of controlling livestock. The use of barbed wire for a fence for any other purpose shall be prohibited. Razor wire shall not be placed on a fence below six (6) feet of the natural grade.

- (4) No fence or wall shall encroach a road right of way or reduce sight visibility.
- (5) No fence or wall shall be erected, enlarged, altered or moved to within five (5) feet of an open drainage channel, ditch, swale or bayou. Separation shall be without slope and measured from fence line to drainage top of bank and/or right of way or easement. A fence shall not be installed where drainage is required to flow under the fence to reach a drainage facility.

Sec. 9-4. Fence or wall for multifamily dwelling.*

(a) Every multifamily dwelling or apartment house, as defined in the building code adopted by section 9-62, built or constructed upon any tract or parcel of land shall be enclosed on all sides, except those abutting upon or facing a public dedicated street, with a fence or wall as described in subsection (c).

(b) Where appropriate, one (1) pedestrian opening shall be allowed per side. The opening shall be no larger than four (4) feet in width and shall contain bollards to prevent vehicle access.

(c) The fence or wall required by subsection (a) shall be not less than seven (7) feet in height except in those instances whereby a multifamily residential development abuts or adjoins a residential property or subdivision in the city, as shown by a properly recorded map or plat, the fence or wall shall then not be less than eight (8) feet in height, and shall be of such construction as to be opaque. Seven-foot fences shall be constructed in accordance with subsection (c)(1) and (2); eight-foot fences shall be constructed only in accordance with subsection (c)(2). The opaque portions of every fence or wall referred to herein shall be constructed in such a fashion as to be generally acceptable to those skilled in the fence building trade and may be constructed of the following materials:

- (1) Wood boards, each measuring not less than one (1) inch thick and four (4) inches wide, of redwood, cedar, fir, pine, or combinations thereof in any alternating sequence. Alternatively, or in alternating sequence combinations with such boards, three-quarter-inch marine plywood sheets.
- (2) Masonry, concrete block, or brick on foundations as well as drop panel and tilt wall construction equivalent to city outside wall specifications, less live load which shall be designed to sustain wind gusts of up to ninety (90) miles per hour, as certified by a registered professional engineer,

and as set forth in the BOCA Basic Building Code as now in force or hereafter amended.

(d) Each multifamily residential development not fully enclosed by the preceding paragraphs, shall provide a perimeter fence along that side abutting or facing a public dedicated street. A controlled access gate shall be constructed at a setback distance sufficient to prevent traffic congestion from any vehicle being stopped in the public street at peak hours.

Sec. 9-5. Electric fences prohibited.

It shall be unlawful for any person owning or controlling any property in the city to construct, maintain, or permit to remain on such property any fence charged with electricity. It shall further be unlawful for any person to cause any fence situated in the city to become charged with a current of electricity, or to connect any such fence with a source of electricity. In any prosecution under this section, testimony that any fence was under the control of the defendant or situated on his premises and that any person received an electric shock by coming in contact with such fence shall be prima facie evidence that such defendant caused such fence to be charged with a current of electricity and caused and permitted such fence to be connected with a source of electricity.

Sec. 9-6. Fences prohibited on or in drainage easements.

No fence shall be built, constructed or erected on or inside the drainage easements of the city or on or inside the drainage easements of Harris County, TxDOT or the Harris County Flood Control District located within the city.