

ORDINANCE NO. 405

AN ORDINANCE AMENDING PARTS OF ORDINANCE 312, ZONING, APPEARING IN THE MILLS MUNICIPAL CODE AS SECTION 18.12.020, FENCES, WALLS, AND HEDGES, TO ALLOW FENCES IN COMMERCIAL AND INDUSTRIAL DISTRICTS TO EXCEED 42 INCHES BETWEEN THE BUILDING FRONT AND STREET IN CERTAIN INSTANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MILLS, WYOMING.

WHEREAS, in some business and industrial areas security fences six feet high are used, and;

WHEREAS, the Town of Mills desires to allow such security fences while not diminishing sight distance at corners.

NOW THEREFORE, be it ordained by the Town Council of the Town of Mills, Wyoming:

SECTION 1.

Section 18.12.020, Fences, Walls, and Hedges, is hereby amended to read:

18.12.020

FENCES, WALLS, AND HEDGES

FENCES, WALLS AND HEDGES. A fence, wall, hedge, column, pier, post, or any similar type structure or any combination of such structures, may be permitted in the required yards of the zoning districts subject to the following conditions and requirements. The intent of the conditions and requirements is to provide privacy and protection without unduly interfering with the view from neighboring properties or jeopardizing the safety of pedestrians and vehicles.

1. All fences and walls are subject to Building Code requirements.
2. It shall be the responsibility of the property owner to locate all property lines.
3. No fence, hedge or wall may extend beyond or across a property line unless in joint agreement with the abutting property owner.
4. No barbed wire or other sharp, pointed or electrically charged fence shall be permitted, without approval of the Board.
5. No fence between the building front and the front property line shall exceed 42 inches, except as outlined in Section 9.
6. Fences, walls or compact hedges shall not exceed 7 feet in height. Heights, including retaining walls or other structures, shall be measured as follows:
  - a. In required yards abutting a street, it shall be the total effective height measured from the finished grade on the side nearest the street.
  - b. In other required yards, it shall be the total effective height above the finished grade measured on the side nearest the abutting property.
  - c. On property lines the height may be measured from the finished grade of either side when the abutting property owners are in joint agreement.
7. Any fence, hedge or wall placed within 15 feet of the intersection of a public sidewalk (or proposed location of such walk) and an alley or driveway, shall

not restrict or obscure the visibility through such fence, hedge, or wall by more than 25 percent of its total vertical plane area. Such fence, hedge or wall shall maintain at least 75 percent of the unobstructed view when viewed at an angle of 90 degrees from the direction of the fence, hedge or wall, at a distance of 30 feet.

8. On corner lots, no fence, hedge, structure, wall or landscaping display shall interfere with the unobstructed view over 36 inches above the nearest street in a restricted triangular area formed by the three points established by:
  - a. The intersection of the property lines at the corner, and by measuring 30 feet back from this intersection on each property line.
  - b. Rail type or chain link fences not exceeding 42 inches in height, with not more than two 4-inch rails, mounted on a minimum number of 4-inch posts, may be permitted in the restricted triangular area.
9. In E-B, D-B, E-I, and D-I Districts chain link fence seven feet in height may be constructed along all lot lines. Only open chain link fence shall be permitted between the building front and street at a height over 42 inches. Seven foot open chain link fence may be permitted in the sight distance triangle defined in 8, upon approval of the Board. Neither the fence nor anything inside the fence shall impair the sight distance triangle.
10. Tree branches which overhang the public sidewalk shall be kept trimmed to a height of at least eight feet above sidewalk level.
11. Tree branches which overhang public street shall be kept trimmed to a height of not less than fourteen feet above the street.
12. The Board may waive any of the above requirements where cause can be shown that the need of security or safety would be served by variance of the requirements.

PASSED on FIRST READING the 6th day of May, 1992.

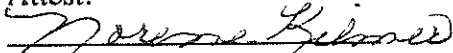
PASSED on SECOND READING the 3rd day of June, 1992.

PASSED, APPROVED and ADOPTED on THIRD and FINAL READING the 8th day of July, 1992.

TOWN OF MILLS, a Municipal corporation

  
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Attest:

  
Norene Kilmer, Town Clerk

I, Norene Kilmer, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance No. entitled "AN ORDINANCE AMENDING ORDINANCE 312, ZONING CODIFIED AS CHAPTER 18, TOWN OF MILLS CODE TO AMEND FENCE HEIGHT RESTRICTIONS. Passed on Third Reading by the Town Council of the Town of Mills, Wyoming at a meeting held at the Council Chambers on the 8th day of July, 1992.

(Seal)

Sign: Norene Kilmer  
Norene Kilmer, Town Clerk