



Agenda Briefing

Date of Meeting: April 20, 2021

Responsible Department: Community Development

Presenter: Sean Landis

Briefing Prepared By: Sean Landis

Strategic Focus Area: Public Safety

General Information / Subject:

Request for an amendment to Appendix A, "Comprehensive Zoning", Article III "Establishment of Zoning Districts and Associated Regulations". by modifying Sections 3.03.13, 3.04.11, 3.05.11, 3.06.13, 3.07.13, 3.09.12, 3.10.13, 3.11.10, 3.12.03 (H), and 3.13.13 all titled "Supplementary Regulations", by creating a prohibition against the use of "Hazardous Materials" as a construction method of a fence; to include, but not limited to the prohibition of Barbed wire, Concertina Wire, Razor wire, Electrically Charged Wire, and the use of Glass or other Sharp Objects.

AN AMENDMENT TO APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE III. "ESTABLISHMENT OF ZONING DISTRICTS AND ASSOCIATED REGULATIONS". BY MODIFYING SECTIONS 3.03.13, 3.04.11, 3.05.11, 3.06.13, 3.07.13, 3.09.12, 3.10.13, 3.11.10, 3.12.03 (H), AND 3.13.13 ALL TITLED "SUPPLEMENTARY REGULATIONS", BY CREATING A PROHIBITION AGAINST THE USE OF "HAZARDOUS MATERIAL" AS A CONSTRUCTION METHOD OF A FENCE; TO INCLUDE; BUT NOT LIMITED TO THE PHOIBITION OF BARBED WIRE, CONCERTINA WIRE, RAZOR WIRE, ELECTRICALLY CHARGED WIRE, AND THE USE OF GLASS OR OTHER SHARP OBJECTS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Executive Summary / Background:

Recently, a fence was constructed of barbed wire; a material that could be considered hazardous to humans and wild life alike. The fence was constructed around the perimeter of a large parcel of land located within a (R-1) Single-Family Detached Residential Zoning District. Upon review of the City's Code of Ordinance staff found no ordinances prohibiting or regulating the construction of a fence using materials that could be defined as hazardous.

Staff is recommending modifying Sections 3.03.13, 3.04.11, 3.05.11, 3.06.13, 3.07.13, 3.09.12, 3.10.13, 3.11.10, 3.12.03 (H), and 3.13.13 all Titled "Supplementary Regulations", by creating a prohibition against the use of "Hazardous Materials" as a construction method of a fence; to include, but not limited to the prohibition of Barbed wire, Concertina wire, Razor wire, Electrically Charged Wire, and the use of Glass or other Sharp Objects.

Staff is recommending the adoption of the following language:

It is unlawful for any person to erect, maintain, or permit a fence that;

- A. Is electrically charged in any manner, except a single-strand wire shall be permissible that is designed to conduct electricity through an approved low-voltage regulator along the fence's interior within 18 inches of finished ground level for the purposes of securing pets within a fenced yard.
- B. Has barbed wire constructed within or attached to it.
- C. Has razor/concertina wire within or attached to it.
- D. Has constructed within it or attached to it barbs, projections, broken glass, or anything reasonably capable of causing harm to persons or animals

Funding / Fiscal Information:

Account Number: N/A

Amount Budgeted: N/A

Amount Requested / Required: N/A

Funding Source (if not budgeted):

N/A

Supporting Materials Attached:



Prior Action / Review by Council, Boards, Commissions:

The Planning and Zoning Commission recommended approval of this amendment at its meeting of March 18, 2021 as provided within the final report.

Staff Recommendation:

**APPROVED BY:
(as appropriate)**

Sean Landis
Preparer or Department Director

4-9-2021
Date

Building Official

Date

City Engineer/Asst. Dir. of PW

Date

City Secretary

Date

Community and Visitor Relations Director

Date

Director of Municipal Court

Date

Deputy City Manager

Date

EDC Director

Date

All requests must be submitted to the City Secretary's Office no later than 12:00 p.m. on the Monday, one week prior to the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

Emergency Services Director

Date

Finance Director

Date

HR Director

Date

IT Director


Date

Police Chief

Date

Public Works Director

Date



City Manager

4/12/2021

Date