

CITY OF WAKEFIELD
CODE OF ORDINANCES
ORDINANCE NO. 237

AMENDMENT TO ORDINANCE 155 OF THE CITY OF WAKEFIELD TO MODIFY THE
FENCES AND OBSTRUCTING WALLS SECTION IN CHAPTER 155 OF THE ZONING CODE.

Section 1. The City of Wakefield Ordains

Chapter 155, "Zoning Code" in the Code of Ordinances of the City of Wakefield is hereby amended by adding and deleting the following described text. Additions are underlined, deletion are ~~struck-through~~).

Fences and Obscuring Walls

155.230 BUILDING PERMIT REQUIRED

No fence or obscuring wall shall hereafter be erected or altered within any district, without first obtaining a building permit from the Building Inspector.

155.231 PLACEMENT AND HEIGHT

- (A) Front yard. No fence shall be erected on the front lot line which exceeds 48inches in height, or be placed within a distance of one foot from the inside sidewalk line, and must be (fifty) 50% or more opaque. An access gate shall be installed not less than 36 inches wide.
- (B) Side yard. No fence shall be erected on the side yard lot line which exceeds six feet in height; provided, that no fence exceeding 48inches in height above the established grade shall be directed or maintained nearer the front property line than the front line of the main dwelling thereon.
- (C) Rear yard. No fence shall be erected on the rear lot line which exceeds eight feet in height.
- (D) Corner lots. No fence over 48inches in height above the establish sidewalk grade shall be permitted within 20 feet of any such street intersection, so as not to interfere with traffic visibility and no fence shall be located nearer than one foot of the inside sidewalk line.
- (E) In all zoning districts, fences, and other obstructing walls, other than front yard fences must be setback a minimum of two feet from the property line.

155.232 OPENINGS AND CONSTRUCTION REQUIREMENTS

- (A) . All walls addressed by this chapter shall be constructed of materials, approved by the Building Inspector, to be durable, weather resistant, rust proof and easily maintained.
- (B) Masonry walls shall be erected on a concrete foundation which shall have a minimum depth of 48 inches below a grade approved by the Building Inspector and shall be no less than four inches wider than the width of the wall to be erected.

(C) Masonry walls may be constructed with openings which do not, in any square section (height and width), exceed 20% of the surface. Where walls are so pierced, the opening shall be placed so as to maintain the obscuring character, and shall not reduce the minimum height requirement. The arrangement of the openings shall be reviewed by the Building Inspector.

155.233 POSITION OF FINISHED SIDE

(A) The finish side of any fence shall face away from the structure to be fenced in (the finish side shall face the neighbors).

(B) All cyclone fences shall have a finished edge on the top side.

155.234 Swimming Pool Required Fences and Enclosures

Every person owning land on which there is located a swimming pool, spa, hot tub, or similar device (below ground or above ground) which contains twenty-four (24) inches or more of water in depth at any point, shall erect and maintain thereon a fence or enclosure approved by the building inspector surrounding the device sufficient to make such device inaccessible to small children. Such fence or enclosure, including the gates, shall not be less than four (4) feet nor greater than six (6) feet above grade. All gates shall be self-latching with latches placed no less than four(4) feet above grade or otherwise made inaccessible from the outside to small children.

155.235 MAINTENANCE AND REPAIR NUISANCE.

(A) Fences must be maintained so as not to endanger life or property. The use of barbwire, without permission from the Planning Commission, is expressly prohibited. Any fence which through lack of repair, type of construction or otherwise imperils life or property shall be deemed a nuisance. The Building Inspector shall notify the owner of the property upon which the fence is located, of the existence of such a nuisance and that the nuisance must be abated. Notice shall be sent by certified mail, specifying the work to be done and the deadline for the conditions of the subchapter be met.

(B) Any failure to comply with requirements of this notice shall be punishable by those city authorities.

Section 1. CONFLICT AND REPEAL. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

Section 2. EFFECTIVE DATE. This ordinance becomes effective 30 days from its passage and publication.

Section 3. PUBLICATION. After its adoption, this ordinance or a summary thereof, as permitted by law, shall be published by the City Clerk in a newspaper of general circulation in the City.

CERTIFICATION:

Ordained and Enacted into an Ordinance at a regular meeting of the City Council of the City of Wakefield this 24th day of May, 2021.

First Reading: April 26, 2021
Second Reading: May 10, 2021
Public Hearing: May 24, 2021
Published: June 3, 2021

ATTEST:

Susan Ahonen
Susan Ahonen, City Clerk

