

AN ORDINANCE REGULATING THE LOCATION AND HEIGHT OF FENCES AND WALLS WITHIN THE CITY LIMITS AND DEFINING SUCH IMPROVEMENTS.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE.

SECTION 1. Definitions

The following words and phrases, when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section:

Corner lot. A lot or parcel of land having a greater depth than width and situated at the junction of and abutting on two intersecting streets.

Fence. An enclosing structure made of wire, wood, metal, masonry or other materials. Typical fences are wire fences, ornamental iron fences, wood picket fences, wood lattice fences, wood rail fences and masonry block or brick fences.

Finished ground surface. The ground surface within a yard which has been surfaced with concrete, brick, stones, bituminous materials, crushed rock, gravel sand or similar materials, or on which grass, flowers, shrubbery or trees have been planted, or which has been graded in preparation for surfacing or planting.

Front yard. A yard between the front line of the lot and the front line of the main building and which extends across the entire width of the lot; provided, however, that upon vacant property the front yard shall be the yard between the front line of the lot and the front yard setback line ascribed to such lot, and which extends across the entire width of the lot.

Lot. A parcel of land recorded as a lot or otherwise approved by the city council as a building site for the construction of one main building.

Rear yard. A yard between the rear line of the lot and the rear line of the main building which extends across the entire width of the lot.

Required yards. Those portions of a lot or building site upon which no portion of a main building is permitted.

Retaining wall. A structure made of wood, metal, masonry or other materials designed to withstand pressure exerted by earth or by water or by both.

Side street line or a corner lot. The side line of a corner lot along the side of the lot abutting on a street.

Side yard. A yard between the side line of the lot and the side line of the main building and which extends from the front yard to the rear yard; provided, however, that upon vacant property the side yard shall be the year between the side line of the lot and side yard setback line ascribed to such lot, and which extends across the entire width of the lot.

Yard. That portion of the same lot or building site upon which a building is situated, which remains open and unoccupied except by stairways, porches, landing places, cornices, canopies, eaves, chimneys, fireplaces, detached accessory buildings and garages.

SECTION 2. Conformity with ordinance

From and after the effective date of this ordinance, no fence or wall shall be built, erected, constructed, enlarged, relocated or structurally altered in the city except in conformity with the provisions of this ordinance.

SECTION 3. Regulations for fences and walls in Commercial or Industrial Zone.

No fence, yard wall or retaining wall shall be erected, constructed or maintained, or permitted to be erected, constructed or maintained, in the Commercial or Industrial Zones unless it conforms with the following regulations:

(a) Height limit. It shall not exceed six feet in height.

(b) Height of fence or yard wall defined. The height of any fence or yard wall at any point shall be defined as the difference in elevation between the top of the fence or yard wall and the finished ground surface at a point within the lot distant one foot from the fence or yard wall, measured at right angles.

(c) Height of retaining wall defined. The height of any retaining wall shall be defined as the height of its exposed vertical surface.

(d) Exposed vertical surfaces. The exposed vertical surface of a yard wall or the total combined height of the exposed vertical surfaces of a yard wall and a supporting retaining wall shall not exceed six feet in height.

SECTION 4. Regulations for fences and walls in residential zones.

No fence, yard wall or retaining wall shall be erected, constructed or maintained, or permitted to be erected, constructed or maintained, in the Residential Zone unless it conforms with the following regulations:

(a) Height in front yard. Fences, yard walls and retaining walls within the required front yard shall not exceed three feet in height.

(b) Height in rear yard. Height in rear yard fences, yard walls and retaining walls within the required rear yard shall not exceed six feet (6').

(c) Height in side yard. Fences, yard walls and retaining walls within the required rear yard shall not exceed six feet in height.

(d) Height of fence or yard wall defined. The height of any fence or yard wall at any point shall be defined as the difference in elevation measured between the top of the fence or yard wall and the finished ground surface at a point one foot from the fence or yard wall measured at right angles from the low side, that is, the side with the greatest exposed surface.

(e) Height of retaining wall defined. The height of any retaining wall shall be defined as the height of its exposed vertical surface.

(f) Exposed vertical surfaces. The exposed vertical surfaces of a yard wall or fence or the total combined height of the exposed vertical surfaces of a fence or a yard wall and a supporting retaining wall shall not exceed the height limitation established by subparagraphs (a), (b) and (c) of this section

SECTION 5. Court fences.

Any tennis, handball, badminton or volley ball court may be enclosed by a wire fence not exceeding twelve (12) feet in height; provided that no part of such court fence shall be constructed within the required front yard or side yard or within twenty-five (25) feet of any street or alley nor closer than one (1) foot from the property lines around the required rear yard.

SECTION 6. Swimming pool fences and yard walls.

The city council of the city hereby finds and determines that the maintenance of private swimming pools without appropriate precautionary measures constitutes a hazard to the safety of small children of the city.

Any person in possession of land within the city, either as owner, purchaser under contract, lessee, tenant or licensee, upon which is situated a swimming pool or other outside body of water designed or used for swimming shall at all times maintain on the lot or premises upon which such pool or such body of water is located and completely surrounding such pool or body of water, a fence or wall not less than four feet and not more than six feet in height, with no opening, holes or gaps therein larger than six inches square, except for doors or gates; provided, however, that a dwelling house or accessory building may be used as a part of such enclosure. All exterior doors or gates other than a dwelling house door, opening through such enclosure, shall be equipped with a self-closing, self-latching device.

SECTION 7. Barbed wire, electrically charged, etc., fences.

No barbed wire or other sharp pointed fence and no electrically charged fence shall be erected, constructed or maintained in the city.

SECTION 8. Nonconforming fences and walls.

Any fence, yard wall or retaining wall lawfully erected, constructed or maintained prior to the effective date of this chapter and not conforming with the requirements of this chapter shall be classified as nonconforming and shall be subject to conformance within 6 months of date of passage of this ordinance.

SECTION 9. Agricultural Use Exceptions.

Notwithstanding the effective zoning, any land actually and legally used for agricultural purposes as of the date hereof, shall not be subject to the provisions of this ordinance.

SECTION 10. Required permits.

No person shall build, erect, construct, enlarge, relocate or structurally alter any fence, yard wall or retaining wall in the city, or cause or direct such work, without first having obtained therefor a permit from the building department

Passed by the City Council of the City of Troudale this

14 day of January, 1975.

YEAS: 5

NAYS: 0

Signed by the Mayor this 17 Day of January 1975.

R. M. Stump  
MAYOR

ATTEST:

Recorder: Betty J. Bergstrom