

18.42.130 FENCES, WALLS AND HEDGES

- A. Location and Height. Except as provided in §18.44.100, BMC, fences, walls and hedges, in any district may be located on lot lines provided such fences, walls and hedges comply with the following height requirements:
1. Do not exceed 6 feet in height in any required rear or required side yard. Fences exceeding 6 feet in height shall be subject to the minimum yard requirements of the district in which such fences are located. Decorative post caps may exceed the height limit by no more than 1 additional foot. Fences in excess of 6 feet in height require a building permit before installation may commence. Fences may not exceed 8 feet in height.
 - a. A gate may be provided which defines an entrance point. The gate may have a defining structure so long as the defining structure is not more than one foot wide on either side of the gate. Gate structure heights may not exceed twice the allowed fence height.
 2. Do not exceed 4 feet in height in any required front yard or any portion of a required corner side yard that is forward of the rear edge of the building facade nearest the corner side yard. Decorative post caps may exceed the height limit by no more than 1 additional foot.
 3. Fences used in an agricultural pursuit to retain stock animals or for public safety shall be excepted.
 4. The height of fences located in the B-3 district shall meet the requirements of this section for any provided, not required, yards.
- B. Relation to Linear Parks. Fences located in the rear or side yard setback of properties adjoining any Bozeman linear park shall have a maximum height of 4 feet.
- C. Construction and Maintenance. Every fence or wall shall be constructed in a substantial, workman-like manner and of substantial material reasonably suited for the purpose for which the fence or wall is proposed to be used. Every fence or wall shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair, damage or unsightliness, or constitute a nuisance, public or private. Any such fence or wall which is, or has become, dangerous to the public safety, health or welfare, or has become unsightly through improper maintenance or neglect is a public nuisance and the Building Official shall commence proper proceedings for the abatement thereof.
- D. Barbed Wire and Electric Fences.

1. No barbed wire or similar sharp fencing or electric fences shall be permitted, except in R-S districts; except that barbed wire or other similar sharp fencing materials may be used on the top of security fences in M-1 and M-2 districts.
2. When electrically charged fences are used in an R-S district, such fences shall be posted with warning signs at intervals not to exceed 150 feet where such fences are adjacent to public rights-of-way.

F. Measuring Fence and Wall Height. In case of a fence erected on top of a retaining wall, the height shall be measured from the grade of the high side of the wall.

F. "Finished" Side Out. Any fence or wall constructed so as to have only one elevation "finished," which shall be defined as not having its supporting members significantly visible, shall be erected such that the finished elevation of the fence is exposed to the adjacent property.

G. Fencing of Utilities and Outdoor Storage Areas.

1. All utility substations, wells, storage facilities or other utilities shall be screened from view by a wall, fence, hedge or landscape screen.
2. All storage for commercial operations shall be conducted within a completed enclosed building or within an area completely enclosed, except for access points, by a wall, fence, hedge or landscape screen at least 6 feet in height.