

A GENERAL ORDINANCE OF THE CITY OF NEVADA, MISSOURI AMENDING CHAPTER 6 OF THE MUNICIPAL CODE OF THE CITY OF NEVADA, MISSOURI CONCERNING FENCES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, MISSOURI, THAT:

Section 1. Chapter 6 is hereby amended by addition of the following provision.

Sec. 6-7.1 - Fences

It shall be unlawful for any person to erect or maintain any fence or other like structure except as follows:

- (a) Privacy fences may be erected on any lot, and shall be no more than six (6) feet high and shall not be located closer to the front property line than the nearest portion of the front of the building.

Materials for construction of a privacy fence must be wood or vinyl, except that posts may be made of metal. Maximum board width is 12 inches for solid, staggered or basket weave fences. Solid panels such as plywood, wafer board, etc., will not be allowed, except around construction sites for public safety, and such fences must be removed when the construction project is completed. Sheet Metal and tin fences are not allowed.

- (b) Decorative fences may be erected on any lot, and shall be no more than four (4) feet high and be of open construction. Decorative fences located in the rear yard shall be no more than six (6) feet high and shall not be located closer to the front property line than the nearest portion of the front of the building.

Materials for construction of a decorative fence may be wood, vinyl, woven wire, chain link, wrought iron, square tubing or metal pipe. A decorative fence must be of open construction, and no panels such as plywood, wafer board, etc., will be allowed.

- (c) All framework of a wood fence, whether a privacy fence or a decorative fence, must be on the inside portion of the fence.
- (d) Security fences constructed for the purpose of limiting access to the property shall be of chain link material located in commercial or industrial areas to a height of not more than ten (10) feet.
- (e) Open wire fences for the enclosure of private tennis courts may be constructed to a height of no more than ten (10) feet, but must be set back from all property lines at least six (6) feet.

- (f) No person in the city shall place or permit any hedge fence located along and adjacent to any public street, alley or sidewalk to grow to a height exceeding four (4) feet or to project over such street, alley or sidewalk.
- (g) Barbed wire fences or any fence constructed in whole or in part with sharp and/or pointed metal material, are prohibited except under the following conditions:
 - (1) Along the top of a "security fence" located in commercial or industrial areas, when such barbed wire or other sharp and/or pointed metal material is six (6) feet or greater in height from the base of the fence.
 - (2) Fields utilized for research, education and experimental activities by schools, colleges and students engaged in agricultural and crop educational and research endeavors, or to tracts historically used for gardens or agricultural purposes, however fencing shall not intrude on the public way, to the end that a reasonable buffer for sidewalks or pedestrian travel between such fences and the public ways shall be maintained.
- (h) Electric fencing are not allowed except under the following conditions:
 - (1) Fields utilized for research, education and experimental activities by schools, colleges and students engaged in agricultural and crop educational and research endeavors, or to tracts historically used for gardens or agricultural purposes, however fencing shall not intrude on the public way, to the end that a reasonable buffer for sidewalks or pedestrian travel between such fences and the public ways shall be maintained.
 - (2) Electric fences, if any, shall be of low voltage not threatening to human life, and shall be segregated from public ways within an outer fence to reduce exposure to human contact. It is recommended that an area where electric fencing is utilized, if practical and consistent with the discretion of the owner, be distanced on the tract, away from the public ways and marked with appropriate warnings. Electric controls should be isolated to reduce exposure to tampering. These provisions are advisory, and not intended to create a cause of action for third parties.

Sec. 6-7.2 - Maintenance.

No person shall permit, cause, keep, maintain or allow a fence within the corporate limits of the city in a dilapidated or dangerous condition.

Sec. 6-7.3 - Violations declared nuisance.

All fences or other like structures erected or maintained in violation of this section are hereby deemed and declared to be a nuisance, and any owner or occupant of a lot or tract of land upon which such nuisance exists shall be deemed guilty of a misdemeanor. Each day on which such violation continues shall constitute a separate offense.

Section 2. This ordinance shall be in full force and effect from and after its date of passage and approval.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Nevada, Missouri, this 24th day of August 2021.



Michelle Bailey

Michelle Bailey, City Clerk

George Knox

George Knox, Mayor