



**TOWN FENCE ORDINANCE**

**Section 29.10.020 Height**

Fence height shall be measured from finished grade and shall be measured from either side of the property line which affords affected property owners the most buffering from noise, light, glare, or privacy impacts.

**Sec. 29.40.030. Fences, hedges and walls.**

- (a) In residential zones, fences, hedges, and walls not over six (6) feet high are allowed on or within all property lines, except that no owner or occupant of any corner lot or premises in the Town shall erect or maintain upon such lot or premises any fence, hedge or wall higher than three (3) feet above the curb in a traffic view area unless a permit is secured from the Town Engineers. A traffic view area is the area which is within fifteen (15) feet of a public street and within two hundred (200) feet of the right-of-way line of an intersection. Barbed wire or razor ribbon wire is prohibited in all zones.
- (b) The following exceptions shall apply:
- (1) Properties within historic districts or have a Landmark and Historic Preservation Overlay shall not have fences, hedges, and walls higher than three (3) feet in a front yard except as provided in Subsection 29.40.030(b)(2). Any fence, hedge or wall erected in a front yard shall be of open design.
  - (2) Gateways or entryway arbors may be higher than six (6) feet in any zone including historic districts and shall be of open design but in no case shall a gateway or entryway arbor be higher than eight (8) feet, have a width greater than six (6) feet, or have a depth greater than four (4) feet. All gateway or entryway arbors shall be constructed of open design. No more than one (1) gateway or entry arbor per street frontage is allowed.
  - (3) Boundary line fences or walls adjacent to commercial property may be eight (8) feet high if requested or agreed upon by a majority of the residential property owners.
  - (4) Properties not on a street corner, may have side yard and rear yard fences, hedges, or walls behind the front yard setback that are eight (8) feet high if the property owner can demonstrate to the satisfaction of the Director of Community Development that the following conditions exists:
    - (a) A special privacy concern exists that merits the need for the eight-foot height and that these concerns cannot be practically addressed by additional landscaping or tree screening. Written justification shall be provided to the Community Development Department which documents the special privacy concern, and the higher fence height may only be approved at the discretion of the Director of Community Development.

- (b) A special wildlife/animal problem affects the property and merits the need for the higher eight-foot height because no practical alternatives exist to address the problem. Documented instances of wildlife grazing on gardens or domestic landscaping may be an example of such a problem. Fencing proposed for rural or hillside areas shall be of an open design that does not detract from the scenic nature or character of the surrounding area.

Gateways or entryway arbors may be higher than six (6) feet in any zone including historic districts and shall be of open design but in no case shall a gateway or entryway arbor be higher than eight (8) feet, have a width greater than six (6) feet.

### **WORK EXEMPT FROM BUILDING PERMITS**

#### **2016 CALIFORNIA BUILDING CODE—APPENDIX CHAPTER 1, SECTION 105.2**

##### **2016 CALIFORNIA BUILDING CODE - APPENDIX CHAPTER 1, SECTION 105.2**

**105.2 Work Exempt from Permit.** Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

**Building:**

1. One-story detached accessory structures, provided that the floor area does not exceed 120 square feet (11.15 m<sup>2</sup>).
2. Fences not over 7 feet (2134 mm) high. **(Town amendment does not allow fences over six (6) feet without the permission from the Community Development Director).**
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge (i.e. water, dirt, sand, etc.).
5. Sidewalks and driveways (require Encroachment Permit from Engineering Dept.).
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
10. Decks not exceeding 200 square feet (18.58 m<sup>2</sup>) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

**Electrical:**

1. Listed cord-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

**Gas:**

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

**Mechanical:**

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid

**Plumbing:**

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.