

STATE OF GEORGIA

CITY OF RINCON

ORDINANCE

AN ORDINANCE TO AMEND CHAPTER 90, SECTION 90-94, PERIMETER FENCE AND WALL STANDARDS AND REQUIREMENTS OF THE RINCON CODE OF ORDINANCES; AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rincon Charter, specifically Chapter 90, Article XIII, Section 90-334.F establishes out the requirements for changing the zoning ordinance; and

WHEREAS, the City's fence regulations have not been updated since 2010 and both City Council and the Planning and Zoning Board identified that the fence regulations are outdated and should be amended; and

WHEREAS, the Planning and Zoning Board met on July 15, 2023 and discussed the proposed amendments to the fence regulations and voted 6-0 to recommend approval of the amendments with certain changes; and

WHEREAS, City Council held a public hearing on the proposed fence regulations on August 14, 2023 and suggested additional changes; and

WHEREAS, on August 28, 2023, City Council gave first reading approval to the proposed fence regulations with a vote of 5-0; and

WHEREAS, Mayor and Council find that it is in the best interest of the City of Rincon, Georgia to amend the fence regulations; and

BE IT ESTABLISHED by the Mayor and Council of the City of Rincon, Georgia, and it is hereby ordained by the authority thereof that:

They Mayor and Council of the City of Rincon, Georgia, hereby approves and adopts by the authority thereof the following amendments to Chapter 90, Zoning and Growth Management, Article III, General Provisions, Section 90-94, Perimeter Fence and Wall Standards and Requirements:

~~Perimeter fences and walls are allowable on land lots in all Land Use Zoning Districts, but shall not be constructed to extend past the front building setback line or to encroach on the front building setback area,~~

~~nor be constructed more than 7.0 linear feet in height, unless extraordinary property protection or security requirements or special "attractive nuisance" enclosure requirements are evident, or can be proven:~~

- ~~(a) Common wood, metal, brick, concrete or other materials are allowable for construction of fences and walls, but scrap metal sheeting or other materials hazardous to passersby, shall be prohibited; and~~
- ~~(b) Retaining walls, flood control structures or similar devices or structures are exempted from the limitations of this section.~~

Perimeter fences and walls are allowable on land lots in all Zoning Districts; however, a fence permit is required.

- A. Front-yard fences shall consist of more than 75% open voids (see Figure 90-94.1), as viewed on a horizontal plane, and shall not be constructed more than 4 linear feet in height.
- B. Rear and side yard fencing shall not be constructed more than 7 linear feet in height unless extraordinary property protection or security requirements or special "attractive nuisance" enclosure requirements are evident or can be proven.
- C. Barbed wire fences are prohibited on any residential property.
- D. Fences shall be constructed with the finished side facing adjacent properties or street rights-of-way.
- E. The height of a fence or wall shall be measured from the finished grade at the base of the fence or wall to the top of the fence or wall but shall not include posts or columns.
- F. Only the following materials shall be permitted:
 - 1) Wrought iron and extruded aluminum;
 - 2) Split-face concrete masonry units (CMU);
 - 3) Brick;
 - 4) Stone with mortar or dry stack stones;
 - 5) EIFS or stucco;
 - 6) Composite materials;
 - 7) Vinyl; and
 - 8) Decay-resistant wood. Wooden fence surfaces other than cypress or cedar should be painted or stained in order to protect the wood from decay.
 - 9) Other materials as approved by the Building Inspector.
- G. No wall or fence may be constructed of exposed concrete block, tires, roofing tin, wooden pallets, junk or other discarded materials.
- H. Retaining walls, flood control structures or similar devices or structures are exempted from the limitations of this section.
- I. All fences shall be regularly maintained and kept in good condition by the respective property owners.

This ordinance shall take effect from and after the _____ day of _____, 2023.

This ordinance passed by the Mayor and Council of the City of Rincon, Georgia, this 11 day of September, 2023.

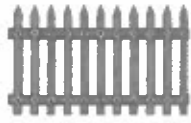
By: 
Ken Lee, Mayor

Attest: 
Dulcia King, City Clerk

1st reading: August 28, 2023

2nd reading: Sept. 11, 2023

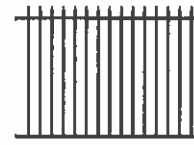
Figure 90-94.1 Examples of more than 75% open voids



Spaced Picket



Split Rail



Iron Style