

ORDINANCE NUMBER 02-12

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF CENTURY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE OF THE TOWN OF CENTURY, FLORIDA; AMENDING CHAPTER VIII, SECTION 8.01.05, FENCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CENTURY, FLORIDA:

Section 1. Purpose and Intent.

The Town of Century Land Development Code, as adopted by reference and codified in Part II of the Town of Century Code of Ordinances (1991), Chapter VIII, Section 8.01.05, Fences, and all notations, references and information shown thereon, is hereby amended as follows:

A. Residential Districts

- (1) Construction of all fences shall be entirely upon the owner's property. No fence shall be permitted to obstruct visual clearance along a right-of-way.
- (2) All fences to be built shall comply with the Florida Building Code. The posts of each fence must be resistant to decay, corrosion and termite infestation. The posts must also be decay resistant or pressure-treated for strength and endurance.
- (3) Fences or hedges may be located in all front, side and rear yards. For single-family residences, maximum heights for fences in the **front yard or a yard abutting a road or public right-of-way**, shall be [in feet] as follows:
 1. Opaque materials: Three (3) feet
 2. Transparent materials:* Four (4) feet

*Those transparent materials which do not obstruct light, air and visibility.

- (4) Each fence located in the side and rear yards shall not exceed the height of eight (8) feet.
- (5) In areas where the property faces two roadways or is located in any other area construed to be a corner lot, no fence or hedge that obstructs the view and exceeds two (2) feet in height shall be located in the vision triangle.
- (6) Any fence located adjacent to the public right-of-way or private road shall be placed with the finished side facing that right-of-way.

- (7) No fence or hedge shall be constructed or installed in such a manner as to interfere with drainage on the site.
- (8) All fence construction shall be of suitable materials as follows: masonry (brick, stone or substantial wall material that contributes to the identification and beauty of principal use), chain link, chain link with slatting, wood, cast iron, aluminum, plastic (all as manufactured for fencing), precast concrete and hedges (if trimmed).

B. Commercial and Industrial Districts

- (1) Fences or hedges shall not exceed eight (8) feet in height in front, side, or rear yards. Barbed wire is permitted only on top of a solid or chain link fence at least six (6) feet in height. Where a commercial district is adjacent to a residential district, a fence may be constructed to a maximum height of eight (8) feet on the property line contiguous to the commercial district. The method of measurement shall be as follows: Where a fence is located at a common property line with varying elevation, including berm(s) and sloping ground, the height shall be measured and averaged at regular intervals along the property line. The final height shall be determined by averaging the dimensions obtained from measured interval averages. The fence height includes the height of berm(s) and sloping grounds. The measured interval distances shall be eight (8) feet.

C. Public Agency

- (1) A fence required for safety and protection of hazard(s) by another public agency may not be subject to height limitations in either Residential Districts and/or Commercial and Industrial Districts. Approval to exceed maximum height standards may be given by the Town Council upon receipt of satisfactory evidence of the need to exceed height standards.

Section 2. Severability.

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 3. Inclusion in Code.

It is the intention of the Town Council of the Town of Century, Florida, that the provisions of this Ordinance shall be codified as required by Florida Statutes, and that the sections, subsections and other provisions of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 4. Effective Date.

This Ordinance shall become effective immediately upon approval and adoption by the Town Council of the Town of Century, Florida.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2012, by the Town Council of the Town of Century, Florida.

TOWN OF CENTURY

By: _____
Ann Brooks, Council President

By: _____
Freddie W. McCall, Sr., Mayor

ATTEST:

By: _____
Leslie Gonzalez, Town Clerk

First Reading of Ordinance: September 4, 2012

Second Reading and Adoption of Ordinance: