

CITY OF COCKRELL HILL, TEXAS

ORDINANCE NO. 2006-A

AN ORDINANCE OF THE CITY OF COCKRELL HILL, TEXAS, AMENDING THE CITY OF COCKRELL HILL CODE OF ORDINANCES, CHAPTER 153, "ZONING CODE," SECTION 153.067 RELATIVE TO FENCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 153, Section 153.067 of the Code of Cockrell Hill, Texas ("Code"), sets forth fence requirements including a permit requirement and height limitations; and

WHEREAS, the City Council of the City of Cockrell Hill finds that the fence requirements should be amended; and

WHEREAS, the City Council has determined that it is in the best interest of the health, safety and general welfare of the public to amend Chapter 153, Sections 153.067 of the Code to provide for a permit requirement in specified circumstances and fence height restrictions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COCKRELL HILL, TEXAS:

Section 1. That all of the above premises are hereby found to be true and correct and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

Section 2. The Code of Cockrell Hill, Chapter 153, Section 153.067, is hereby repealed in its entirety and a new Section 153.067 shall be established and shall read as follows:

§ 153.067 FENCES.

Fences shall be located in accordance with the following rules:

- (A) All persons desiring to construct a fence must obtain a permit from the City prior to construction.
- (B) All fences must be constructed within the property lines.
- (C) It shall be unlawful for a person to locate or construct a fence more than three feet (3') high within fifteen feet (15') of a street intersection for visibility purposes, measured from the curb or edge of the asphalt, whichever is closer.

- (D) Residential fences less than eight feet (8') high may be located in the rear yard and the side yard up to the building line. In Residential Districts, no person shall locate or construct a fence more than six feet (6') high in any required front yard. In Commercial Districts, no person shall locate or construct a fence more than eight feet (8') high.
- (E) The property owner, agent or tenant shall be required to maintain the fence on the property at all times. It shall be unlawful for any person to permit the fence to lean or have missing, loose or broken slats or panels. The fence shall not have any symbols, writings or other graffiti, except for signs which pertain to the address or occupancy of the property.
- (F) No property owner, agent or tenant may have a fence that is made of barbed wire, hog wire or chicken wire or have a fence that is electrified.
- (G) All front yard fences that exceed four feet (4') in height shall have opacity of at least 75%. In Commercial Districts, all front yard fences must be commercial grade wrought iron fences. In Residential Districts, all front yard fences over four feet (4') shall not be of solid construction.

Section 3. If any section, article, paragraph, sentence clause, phrase or word in this ordinance or application thereto any person or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of this ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

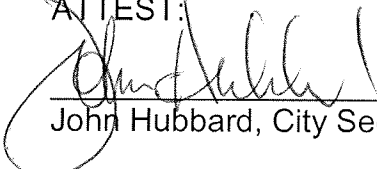
Section 4. This ordinance shall become effective, and be in full force and effect, from and after the date of its passage, and it is accordingly so ordained.

PASSED AND APPROVED the 24th day of January 2006.



 C. P. Slayton, Mayor

ATTEST:



 John Hubbard, City Secretary

APPROVED AS TO FORM:

 Robert F. Brown, City Attorney