

RESOLUTION   #R-52809  

A RESOLUTION OF THE GOVERNING BODY OF TROPIC TOWN  
AMENDING THE FENCING ORDINANCE

Be it resolved by the Governing Bodies of Tropic Town, Garfield County, State of Utah:

**WHEREAS**, The Town Planning Commission and the Tropic Town Council have reviewed the requirements for fencing as stated in the Zoning Ordinance; and

**WHEREAS**, the maximum allowed height for fences, walls, hedges, allowed limit the privacy and other needed partitioning; and

**WHEREAS**, the governing bodies of the Town of Tropic desire to make needed changes to Subsection 2.15 “Maximum Height of Fences, Walls, and Hedges” in the Zoning Ordinance;

NOW, therefore the Governing Body of **Tropic Town** declares the descriptions, rules and regulations regarding fencing, walls, hedges, or other partitions are as follows:

- A. The term fence shall include any tangible barrier, an obstruction of any material, line of obstacles, lattice work, screen, wall, hedge, or continuous growth of shrubs or trees with the purpose of, or having the effect of, preventing passage or view across the fence line.
- B. Fences, walls, and hedges may be erected or allowed to the permitted building height when located within the building area, provided that any physical structure over six (6) feet in height shall require Town Board approval.
- C. It is recommended that the fence, wall, hedge, etc., be built to beautify the property on which it is being built; and contribute to the overall appearance of the Town, Community and Neighborhood. It is recommended that fencing between neighbors be built as close to the established existing boundary line.
- D. The Town Council will need to approve any material(s) other than the standard building materials.
- E. Fences located on Corner lots shall be subject to the following provisions:
  - 1. Any fence, wall, hedge, etc., within thirty- (30) feet of an intersection on the front yard setback shall not exceed (4) feet in height of solid construction, or a minimum of 50% transparency. Any fence on yard 15-foot setback shall not exceed 4 feet in height of solid construction, or a minimum of 50% transparency. Fence will have the finished side facing out on a public street.

2. It is recommended that the fence, wall, hedge, etc., be built to beautify the property on which it is being built; and contribute to the overall appearance of the Town, Community and Neighborhood. It is recommended that fencing between neighbors be built as close to the established existing boundary line.
- F. Fencing and walls six (6) feet in height, including protective gates, shall be required around swimming pools, spas, and similar structures by a non-climbable fence and lock.
- G. Fencing and walls for adequate screening six (6) feet in height are required in commercial/industrial and manufacturing/distribution districts that border other zones as determined by the Town Council.

Passed this 28<sup>th</sup> day of May 2009.

Signature: /s/ Lowell Mecham  
Mayor

Signature: /s/ Marie H Niemann  
Town Clerk