

BILL NO. 2024-13

ORDINANCE NO. 2024-1487

**AN ORDINANCE APPROVING AMENDMENTS TO SECTION 405.1120 OF THE CITY CODE RELATING TO FENCE MATERIALS.**

WHEREAS, the Town proposed a change in its fence regulations; and

WHEREAS, after due notice of a public hearing was given, the Planning and Zoning Commission held a public hearing on the proposed change on April 10, 2024, and the Planning and Zoning Commission recommended approval of the proposed change; and

WHEREAS, the Town Council, after due notice, held a public hearing to consider the petition on May 6, 2024, at 6:00 p.m. at which interested persons were offered an opportunity to speak; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF CARROLLTON as follows:

**Section 1:** That after proper notice in accordance with the ordinances of the Town and applicable laws of the State of Missouri, a public hearing was held with regard to the proposed amendments to Section 405.1120.H and I, pursuant to the Municipal Code of the Town of Carrollton, Missouri, which amendments read as follows:

405.1120.H. - Except for special fences as noted in Section 405.1130(A) and (B) of this Article, fences shall be constructed of commonly used residential type fencing. Commonly used fence materials include wood, brick, stone, concrete, chain-link, welded wire (4/5 gauge), ornamental iron work and extruded rigid vinyl. Rigid vinyl fences shall be constructed in accordance with the manufacturer's specific guidelines for installation. All fences shall be constructed with the finished surface facing neighboring property with support posts placed to the inside, except in cases where the posts are an integral part of the fence design which enhances the aesthetic appearance of the fence.

405.1120.I. - Fences constructed of poultry wire, rabbit wire, barbed wire, razor wire, concertina wire, bamboo or other similar material, railroad ties, plywood, snow fence (both wire/wood and flexible plastic), sheet metal, wood pallets, tires, T-posts, branches, rubble or salvaged material, or materials originally intended for other purposes are prohibited.

**Section 2:** The zoning authority and approval embodied in this ordinance is granted subject to compliance with the Zoning Ordinance, and all other Town of Carrollton ordinances, rules, and regulations, as may be amended from time to time, and the conditions of this ordinance, except as may be modified herein.

**Section 3:** The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City

Council would have enacted the valid portions without the invalid one, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

**Section 4:** Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant, or otherwise nullify any other Ordinance of the Town or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

**Section 5:** This ordinance shall be in full force and effect from and after the date of its passage and approval.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Council and this bill was read by title in the open meeting two times prior to its final passage.

PASSED AND APPROVED THIS 6<sup>th</sup> DAY OF May, 2024.

**TOWN OF CARROLLTON, MISSOURI**

*Susan Bliss*  
Susan Bliss, Mayor

ATTEST: *Dana L. Reimer*  
Dana Reimer, City Clerk