

## ORDINANCE NO. 9341

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF EL RENO, OKLAHOMA; CODE CHAPTER THREE HUNDRED SIXTY-ONE (361), SECTION SEVENTEEN (17); AND CODE CHAPTER THREE HUNDRED TWELVE (312), SECTION THIRTY-THREE (33.1); HAVING TO DO WITH SCREENING WALLS AND/OR FENCES; AMENDING AND REPEALING CONFLICTING SECTIONS; PROVIDING FOR SEVERABILITY, AND DECLARING AN EMERGENCY.**

**SECTION 1:** That Section 361-17 of the Code of Ordinances of the City of El Reno is hereby amended to read as follows:

### **§ 361-17 Screening walls or fences.**

- A. Specifications. When the provisions of this chapter require the construction of a screening wall or fence as a condition for the initiation and subsequent continuance of a use, the screening wall or fence:
- (1) Shall be constructed, designed, and arranged to provide visual separation of uses, irrespective of vegetation;
  - (2) Shall not be less than five feet nor more than eight feet in height; and
  - (3) Shall be constructed with all braces and supports on the interior.
- B. Maintenance. The screening wall or fence shall be maintained by the owner of the zoning lot containing the use requiring the construction of the screening. Failure to maintain after notice by the Zoning Administrator shall constitute an offense hereunder.
- C. The maximum height regulations of this section shall not apply to fences required on pens for aggressive or potentially dangerous dogs as set forth in Chapter **135**, Animals and Fowl, § **135-26**.
- D. *Screening of residential uses that abut limited access highways.*
- (1) When a platted single-family or two-family residential lot not zoned A-1 or A-2 abuts an interstate highway right-of-way, a privacy fence shall not be permitted adjacent to the interstate highway right-of-way unless constructed and maintained by a homeowner's association.

**SECTION 2:** That a new section in Article V of Chapter 312 is hereby added to the Code of Ordinances of the City of El Reno to read as follows:

### **312-33.1 Thoroughfare Screening.**

Where subdivisions or additions are platted so that the rear yards of residential lots are adjacent to a dedicated roadway or separated from a roadway by an alley or service road, the owner shall provide screening at his sole expense. A screening plan, including elevations and materials, shall be submitted with the preliminary plat. All forms of screening shall conform to the requirements of the ordinances of the city governing the sight distance for traffic safety and other city ordinances. Additional right-of-way or easements may be required for wider columns and more elaborate screening walls.

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**SECTION 3:** All former ordinances or parts of ordinances conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

**SECTION 4:** If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity of effectiveness of the remaining portions of this ordinance or any part thereof.

**SECTION 5:** It being immediately necessary for the preservation of the public health, peace, and safety of the City of El Reno and the inhabitants thereof, an emergency is hereby declared to exist by reason whereof, this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

**PASSED AND APPROVED** by the Mayor and City Council of the City of El Reno this 12<sup>th</sup> day of December, 2023.

ATTEST:

  
\_\_\_\_\_  
City Clerk



  
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Mayor

Approved as to legal form this 12<sup>th</sup> day of December, 2023.

  
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City Attorney