

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,
AMENDING SECTION 15-2009 OF THE FRESNO
MUNICIPAL CODE, RELATING TO SECURITY FENCING.

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 15-2009 of the Fresno Municipal Code is amended to read:

SECTION 15-2009. – SECURITY FENCING.

A. **Where Permitted.** The use of barbed wire, razor wire, ultra-barrier, and other hazardous fencing is prohibited with the exception of barbed wire and razor wire in the situations listed below.

1. Where such fencing is required by any law or regulation of the City, the State of California, the federal government, or other public agency.

2. **Livestock.** Where used to contain livestock, the maximum height of a fence shall be five feet, measured from the natural grade of the site to the highest strand of barbed wire and razor wire.

3. **Commercial Districts.** Where not visible from any street, highway, public open space, recreation area, or Residential District, barbed wire and razor wire may be up to 18 inches in height on top of permitted fencing provided the barbed wire and

razor wire is located at the top portion of a fence which is at least six feet in height.

4. **Industrial Districts.** May be up to 18 inches in height on top of permitted fencing provided the barbed wire and razor wire is located at the top portion of a fence which is at least six feet in height, unless it abuts a Residential District, is located within 100 feet of a Residential District, or is located within 100 feet of a park or other public open space, where it is prohibited.

B. **Construction Sites.** Nothing in this Development Code shall be deemed to prohibit the erection of temporary fencing around construction sites in compliance with the Building Code and other applicable provisions of the Fresno Municipal Code.

C. **Fencing Encroachments.** All fencing within the public right-of-way requires an encroachment permit from the City Engineer and shall be subject to all requirements of this section, in addition to those of the Public Works Department. Security fencing shall not extend over into any abutting property.

D. **Maintenance.** All walls and fences shall be maintained in a safe, neat, and orderly condition at all times, and shall be kept free of all litter, graffiti, and signs or postings not authorized by Article 26, Signs. Where hedges are used as screening, trimming, or pruning shall be employed as necessary to maintain the maximum allowed height.

E. **Permit.** Property owner(s) shall apply for a permit with the City prior to installation.

F. **City Indemnification.** Prior to the installation of security fencing, the fence owner shall obtain a permit and execute an agreement to defend, hold harmless, and indemnify the City against all claims related to the fencing.

SECTION 2. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its final passage.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2023.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2023
Mayor Approval/No Return: _____, 2023
Mayor Veto: _____, 2023
Council Override Vote: _____, 2023

TODD STERMER, CMC
City Clerk

BY: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ,
City Attorney

BY: _____
Heather Thomas Date
Deputy City Attorney