

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2024-293

Madam President –

I hereby move to amend Ordinance No. BL2024-293 by amending Section 1 as follows:

Section 1. That section 16.04.200 of the Metropolitan Code of Laws is hereby amended by deleting existing subsections E. and F. and adding new subsections E, F, G, and H, ~~and I~~ as follows:

- E. No fence shall be constructed in the floodway or floodplain without the approval of the department of water and sewerage services. A fence must comply with all applicable regulations, including standards for fences established by the department of water and sewerage services.
- ~~F. The construction of a fence, including the installation of a new fence, the addition of fence sections to an existing fence, the replacement of more than fifty percent of an existing fence, or the change in location, type, or materials of a fence, shall require a fence permit to be issued by the department of codes administration prior to construction. The department of codes administration is authorized to create rules and regulations necessary to effectuate a fence permitting program. All associated fees required for a fence permit shall be determined by the director of the department of codes administration and approved by a resolution of council. The department of water and sewerage services shall review each fence permit to ensure compliance with subsection E.~~
- ~~GE.~~ The provisions of subsections C. and D. of this section shall not apply to temporary construction fencing, temporary tree protection fencing, temporary festival fencing, fencing around a place of incarceration, or to any fence located on property in the AR2A and AG zoning districts as designated on the official zoning map of the metropolitan government.
- ~~HG.~~ Fences shall be constructed in such a manner so that all fence cross beams and cross bracing shall face the interior of the property and shall not be oriented toward the street or an adjacent property.
- ~~IH.~~ Fences shall not be located within public utility easements, public utility and drainage easements, and easements for sanity and/or storm sewers, water mains, pumps, and appurtenances without written consent from the applicable utility.

SPONSORED BY:

Jason Spain
Member of Council