

ORDINANCE NO. 230

AN ORDINANCE TO AMEND THE OFFICIAL ZONING ORDINANCE TO ADD REQUIREMENTS FOR FENCES AND RETAINING WALLS IN THE CITY OF DUNLAP, TENNESSEE

WHEREAS, the City of Dunlap, Tennessee has adopted a zoning ordinance under authority granted in Tennessee Code Annotated (TCA) Section 13-7-201; and

WHEREAS, TCA Section 13-7-204 enables a municipality with the authority to amend zoning ordinances and maps; and

WHEREAS, pursuant to the requirements of TCA, Section 13-7-204, the Planning Commission has recommended this amendment to the Dunlap Board of Mayor and Commissioners, as herein described; and

WHEREAS, pursuant to the requirements of TCA, Section 13-7-203, the City of Dunlap conducted a public hearing subject to 15 days notice prior to the final reading and adoption of this ordinance described herein;

NOW THEREFORE BE IT ORDAINED, by the Board of Mayor and City Commissioners of the City of Dunlap, Tennessee; that,

Section 1

Chapter 3 of the Dunlap Zoning Ordinance shall be amended by adding Section 3.21 "Standards for Fences and Retaining Walls" as follows:

03.21. STANDARDS FOR FENCES AND RETAINING WALLS

For the purposes of this Ordinance, this section shall apply to all properties in all zoning districts of the City of Dunlap, Tennessee. The purpose of these regulations are to allow for the construction of fences and retaining walls along property lines of private property while not encroaching on neighboring properties, thus resulting in boundary line disputes.

1. For any fence or retaining wall that is to be constructed on or along property lines, that crosses multiple parcels of property, and/or is located outside of the building setbacks, approval of the Dunlap Building Official shall be required. A permit shall be obtained from the City, and the proposed design shall be in compliance with the standards herein.

2. A survey, prepared by a professional land surveyor, shall be submitted along with the Fence and Retaining Wall Permit Application. The survey shall show the exact location of the property lines as well as the proposed location of the fence and/or retaining wall. The surveyor will also be able to assist the property owner in determining the exact location of the fence and/or retaining wall so as not to encroach on neighboring properties. A survey may not be required if all property owners adjoining the property line where the fence and/or retaining wall is to be constructed agree to its location. If a survey is not required, then all affected property owners shall submit a letter to the Building Official stating that they agree to the location of the fence and/or retaining wall, and they shall also be required to sign the permit application.


3. The "good side" or the "attractive side" of the fence and/or retaining wall shall face the neighboring properties.


THEREFORE BE IT FURTHER ORDAINED, that this ordinance shall become effective fifteen (15) days after final reading and passage by the Dunlap Board of Mayor and City Commissioners, **THE PUBLIC WELFARE REQUIRING IT.**

FIRST READING: 8/4/2011 Ayes 5 Nays 0

SECOND READING: 9/1/2011 Ayes 5 Nays 0

THIRD READING: 10/6/2011 Ayes 5 Nays 0


George Dwain Land, Mayor

ATTEST 
Norman D. Hatfield
City Recorder

Date of Public Hearing: 10/6/2011

