



**The following standards from Section 3.2.500 of the Baker City Development Code apply to all fences and walls:**

**A. General Requirements.**

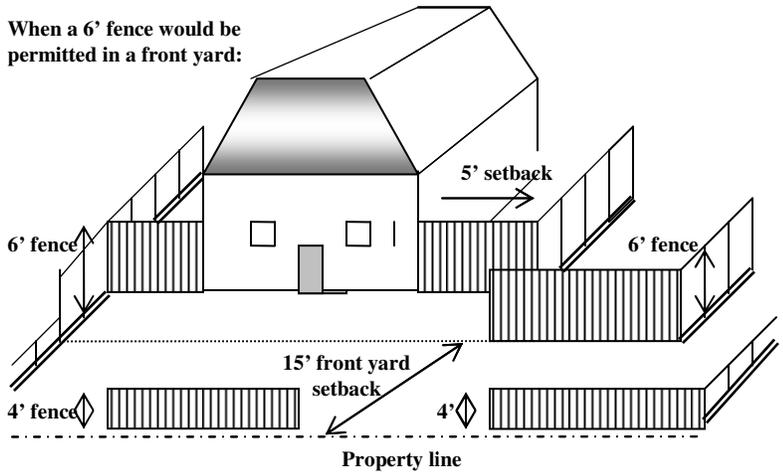
1. All fences and walls shall comply with the height limitations of the respective zoning district (Article 2) and the standards of this Section. All fences and walls shall also comply with the requirements of the Baker City Fence Ordinance (Baker City Resolution number 3374 or its successors). The City may require installation of walls and/or fences as a condition of development approval, in accordance with land division approval (e.g., flag lots), approval of a conditional use permit, or site design review approval. New fences and walls require Land Use Review (Type I) approval; if greater than 6 feet in height, a building permit is also required. (See also, Section 3.2.300 for landscape screening wall requirements.)
2. Fences shall not conflict with the requirements for clear vision areas set forth in section 3.1.200(N). The Planning Director may require greater setbacks or height limitations when it is determined that clear vision safety cannot be maintained under standard requirements.
3. All fences shall be constructed and maintained in a structurally sound manner. Fences which are structurally unsound are subject to abatement as set forth in subsection (8).
4. Fences may be constructed of wood, masonry, wire, or similar materials employed by standard building practice. Prohibited fence and wall materials include; straw bales; barbed or razor wire; scrap lumber, metal, tires or other scrap or salvage materials not originally designed as structural components of fences.
5. Any free-standing property perimeter wall which is not a retaining wall shall be considered a fence. Retaining walls may be constructed to the height necessary to protect a cut-fill type needed grade, but shall be a maximum of nine (9) inches above finished grade along the fill side of the wall.
6. Where an earthen berm is used as a barrier in lieu of a fence, the height restrictions of this resolution shall apply and shall be measured from the highest finished grade of the berm or any fence atop the berm.

**B. Dangerous Fences.** No person shall construct or maintain any fence which contains barbed wire as a part thereof, unless it meets the following conditions:

1. It is located inside the area in which certain large animals are allowed according to Section 10 of Ordinance 2617, and it is actually used or intended for use for control of such animals; or
2. It is actually used for use for security of commercial property regardless of location. In such instances, any barbed wire must be planed above a fence at least otherwise six (6) feet in height.
3. No person shall install, maintain or operate any electric fence unless such fence is first approved by the City Manager or his or her designee. Electric fences must be set back at least five (5) feet from the property line or enclosed by additional fencing or other barriers which prevent access to the electric fence by persons on the adjacent property.

**C. Dimensions – Residentially Zoned Fences**

1. Front Yard. From the front yard set-back line (front plane of the structure) to the front property line, no fence shall exceed four (4) feet in height with the following exceptions. The front yard fence height may be up to (6) feet in height in accordance with the following illustration. If the property abuts a commercial or industrial zone, fences may be erected and maintained to a height of eight (8) feet along the commercial or industrial zone line.
2. Rear and Side Yards. Fences not to exceed six (6) feet in height are permitted in side and rear yards, but shall not extend into the front yard set-back area. If the property abuts a commercial or industrial zone, fences may be erected and maintained to a height of eight (8) feet along the zone line. For residential properties located in a commercial or industrial district, fences may be up to eight (8) feet tall on side and rear yards.
3. One arbor, gate, or similar garden structures not exceeding 8 feet in height and 4 feet in width is allowed within the front yard, provided that it is not within a clear vision triangle.
4. Swimming Pool. All swimming pools to be constructed shall be enclosed by a fence which shall be at least four (4) feet in height and which shall be the type not readily climbed by children. The gate shall be a self-closing and latching type, the latch on the inside of the gate not readily available for children to open.



**D. Dimensions – Commercially Zoned Fences.**

1. Front Yard. Fences constructed within the front yard setback area shall not exceed six (6) feet in height. Front yard fences beyond the required front-yard setback line shall not exceed eight (8) feet in height.
2. Side and Rear Yards. The maximum height in the rear yard and in a side yard behind the required front-year setback shall be eight (8) feet.

**E. Dimensions – Industrially Zoned Fences.**

1. Rear, side, and front yards: The maximum fence height in an industrial zone shall be eight (8) feet.

**Section 3.1.200(N) Vision Clearance:** No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) between two (2) feet and eight (8) feet in height shall be placed in “vision clearance areas” on streets, driveways, alleys, or mid-block lanes where no traffic control stop sign or signal is provided, as shown in Figure 3.1.200N. The minimum vision clearance area may be modified by the City Engineer upon finding that less sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). This standard does not apply to light standards, utility poles, trees trunks and similar objects.

