

ORDINANCE NO. O-2016-3573

AN ORDINANCE AMENDING CHAPTER 46, SECTION 46-134, SECTION 46-135, SECTION 46-136, SECTION 46-137 AND SECTION 46-138, CODE OF ORDINANCES (2010 EDITION), CITY OF ROUND ROCK, TEXAS, REGARDING FENCE REQUIREMENTS AND MAINTENANCE; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That Chapter 46, Section 46-134(c), Code of Ordinances (2010 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

**Sec. 46-134. – SF-R (Single-family-rural lot) district.**

- (c) *Density and development standards.* All development within the SF-R (Single-family-rural) district shall conform to the density and development standards described in this subsection.

(7) Fence Requirements and Maintenance.

a. These regulations shall apply only to fences that:

- 1) face a public street, a public park, a public recreation facility, a school, a library, or a government office; or
- 2) are adjacent to a public drainage facility and are visible from a public street.

b. Fences are not required in the SF-R district. However, the owners of fences subject to this section shall maintain fences in a safe condition and in good repair, with all components free from deterioration, dilapidation, rot, rust, loosening, or leaning. Fences shall be able to withstand the wind load for which they were designed. In addition, the following regulations shall apply:

- 1) A fence shall not be out of vertical alignment more than one (1) foot from the vertical measured at the top of the fence, with the exception of fencing measuring four (4) feet or less in height, which vertical alignment shall not be more than six (6) inches from the vertical measured at the top of the fence.
- 2) A fence shall not have any broken, loose, damaged or rotted components having a combined total area of twenty (20) square feet or more, said area being calculated over any 50 contiguous linear foot section of fence.
- 3) A fence shall not have any missing posts, panels, or pickets.

4) Painted fence components shall be regularly maintained to prevent rusting, peeling, or blistering surfaces.

5) If the city determines a fence is unsafe, dilapidated or a public nuisance, or otherwise in violation of this chapter, it shall be repaired, replaced or demolished within 60 days from the first notification of non-compliance. Repairs shall be made with materials comparable in composition, color, size, shape and quality to the original fence. Products not intended to be used as fencing are prohibited from being used in the repair of a fence.

## II.

That Chapter 46, Section 46-135(c), Code of Ordinances (2010 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

### **Sec. 46-135. – SF-1 (Single-family-large lot) district.**

(c) *Density and development standards.* All development within the SF-1 (Single-family-large lot) district shall conform to the density, development and special standards described below.

#### (7) Fence Requirements and Maintenance.

##### a. These regulations shall apply only to fences that:

- 1) face a public street, a public park, a public recreation facility, a school, a library, or a government office; or
- 2) are adjacent to a public drainage facility and are visible from a public street.

b. Fences are not required in the SF-1 district. However, the owners of fences subject to this section shall maintain fences in a safe condition and in good repair, with all components free from deterioration, dilapidation, rot, rust, loosening, or leaning. Fences shall be able to withstand the wind load for which they were designed. In addition, the following regulations shall apply:

- 1) A fence shall not be out of vertical alignment more than one (1) foot from the vertical measured at the top of the fence, with the exception of fencing measuring four (4) feet or less in height, which vertical alignment shall not be more than six (6) inches from the vertical measured at the top of the fence.
- 2) A fence shall not have any broken, loose, damaged or rotted components having a combined total area of twenty (20) square feet or more, said area being calculated over any 50 contiguous linear foot section of fence.
- 3) A fence shall not have any missing posts, panels, or pickets.
- 4) Painted fence components shall be regularly maintained to prevent rusting, peeling, or blistering surfaces.
- 5) If the city determines a fence is unsafe, dilapidated or a public nuisance, or otherwise in violation of this chapter, it shall be repaired, replaced or demolished within 60 days from the first notification of non-compliance. Repairs shall be made with materials comparable in composition, color, size, shape and quality to the original fence.

Products not intended to be used as fencing are prohibited from being used in the repair of a fence.

### III.

That Chapter 46, Section 46-136(c), Code of Ordinances (2010 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

**Sec. 46-136. – SF-2 (Single-family-standard lot) district.**

- (c) *Density and development standards.* All development within the SF-2 (Single-family-standard lot) district shall conform to the density, development, and special standards described below.

(14) Fence Requirements and Maintenance.

a. These regulations shall apply only to fences that:

- 1) face a public street, a public park, a public recreation facility, a school, a library, or a government office; or
- 2) are adjacent to a public drainage facility and are visible from a public street.

b. Fences are not required in the SF-2 district. However, the owners of fences subject to this section shall maintain fences in a safe condition and in good repair, with all components free from deterioration, dilapidation, rot, rust, loosening, or leaning. Fences shall be able to withstand the wind load for which they were designed. In addition, the following regulations shall apply:

- 1) A fence shall not be out of vertical alignment more than one (1) foot from the vertical measured at the top of the fence, with the exception of fencing measuring four (4) feet or less in height, which vertical alignment shall not be more than six (6) inches from the vertical measured at the top of the fence.
- 2) A fence shall not have any broken, loose, damaged or rotted components having a combined total area of twenty (20) square feet or more, said area being calculated over any 50 contiguous linear foot section of fence.
- 3) A fence shall not have any missing posts, panels, or pickets.
- 4) Painted fence components shall be regularly maintained to prevent rusting, peeling, or blistering surfaces.
- 5) If the city determines a fence is unsafe, dilapidated or a public nuisance, or otherwise in violation of this chapter, it shall be repaired, replaced or demolished within 60 days from the first notification of non-compliance. Repairs shall be made with materials comparable in composition, color, size, shape and quality to the original fence. Products not intended to be used as fencing are prohibited from being used in the repair of a fence.

1 IV.

2 That Chapter 46, Section 46-137(d), Code of Ordinances (2010 Edition), City of  
3 Round Rock, Texas, is hereby amended to read as follows:

4 **Sec. 46-137. – MH (Manufactured Housing) district.**

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6 (d) *Density and development standards.* All development within the MH (Manufactured Housing)  
7 district shall conform to the density, development and special standards described in this  
8 subsection.

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10 (9) Fence Requirements and Maintenance.

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12 a. These regulations shall apply only to fences that:

- 13  
14 1) face a public street, a public park, a public recreation facility, a school, a library,  
15 or a government office; or  
16  
17 2) are adjacent to a public drainage facility and are visible from a public street.

18  
19 b. Fences are not required in the MH district. However, the owners of fences subject to this  
20 section shall maintain fences in a safe condition and in good repair, with all components free  
21 from deterioration, dilapidation, rot, rust, loosening, or leaning. Fences shall be able to  
22 withstand the wind load for which they were designed. In addition, the following regulations  
23 shall apply:

- 24  
25 1) A fence shall not be out of vertical alignment more than one (1) foot from the  
26 vertical measured at the top of the fence, with the exception of fencing measuring four (4)  
27 feet or less in height, which vertical alignment shall not be more than six (6) inches from  
28 the vertical measured at the top of the fence.  
29  
30 2) A fence shall not have any broken, loose, damaged or rotted components having  
31 a combined total area of twenty (20) square feet or more, said area being calculated over  
32 any 50 contiguous linear foot section of fence.  
33  
34 3) A fence shall not have any missing posts, panels, or pickets.  
35  
36 4) Painted fence components shall be regularly maintained to prevent rusting,  
37 peeling, or blistering surfaces.  
38  
39 5) If the city determines a fence is unsafe, dilapidated or a public nuisance, or  
40 otherwise in violation of this chapter, it shall be repaired, replaced or demolished within  
41 60 days from the first notification of non-compliance. Repairs shall be made with  
42 materials comparable in composition, color, size, shape and quality to the original fence.  
43 Products not intended to be used as fencing are prohibited from being used in the repair  
44 of a fence.

45  
46 V.

47 That Chapter 46, Section 46-138(c), Code of Ordinances (2010 Edition), City of  
48 Round Rock, Texas, is hereby amended to read as follows:

1 **Sec. 46-138. – TF (Two-family) district.**

- 2  
3 (c) *Density and development standards.* All development within the TF district shall conform to the  
4 density, development and special standards described in this subsection.  
5

6 (7) Fence Requirements and Maintenance.

7  
8 a. These regulations shall apply only to fences that:

9  
10 1) face a public street, a public park, a public recreation facility, a school, a library,  
11 or a government office; or

12  
13 2) are adjacent to a public drainage facility and are visible from a public street.

14  
15 b. Fences are not required in the TF district. However, the owners of fences subject to this  
16 section shall maintain fences in a safe condition and in good repair, with all components free  
17 from deterioration, dilapidation, rot, rust, loosening, or leaning. Fences shall be able to  
18 withstand the wind load for which they were designed. In addition, the following regulations  
19 shall apply:

20  
21 1) A fence shall not be out of vertical alignment more than one (1) foot from the  
22 vertical measured at the top of the fence, with the exception of fencing measuring four (4)  
23 feet or less in height, which vertical alignment shall not be more than six (6) inches from  
24 the vertical measured at the top of the fence.

25  
26 2) A fence shall not have any broken, loose, damaged or rotted components having  
27 a combined total area of twenty (20) square feet or more, said area being calculated over  
28 any 50 contiguous linear foot section of fence.

29  
30 3) A fence shall not have any missing posts, panels, or pickets.

31  
32 4) Painted fence components shall be regularly maintained to prevent rusting,  
33 peeling, or blistering surfaces.

34  
35 5) If the city determines a fence is unsafe, dilapidated or a public nuisance, or  
36 otherwise in violation of this chapter, it shall be repaired, replaced or demolished within  
37 60 days from the first notification of non-compliance. Repairs shall be made with  
38 materials comparable in composition, color, size, shape and quality to the original fence.  
39 Products not intended to be used as fencing are prohibited from being used in the repair  
40 of a fence.  
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42  
43 **VI.**

44 **A.** All ordinances, parts of ordinances, or resolutions in conflict herewith are  
45 expressly repealed.

46 **B.** The invalidity of any section or provision of this ordinance shall not  
47 invalidate other sections or provisions thereof.

1           **C.**     The City Council hereby finds and declares that written notice of the date,  
2 hour, place and subject of the meeting at which this Ordinance was adopted was posted  
3 and that such meeting was open to the public as required by law at all times during  
4 which this Ordinance and the subject matter hereof were discussed, considered and  
5 formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas  
6 Government Code, as amended.

7           **READ** and **APPROVED** on first reading this the \_\_\_\_\_ day of  
8 \_\_\_\_\_, 2016.

9           **READ, APPROVED** and **ADOPTED** on second reading this the \_\_\_\_\_ day of  
10 \_\_\_\_\_, 2016.

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15 ALAN MCGRAW, Mayor  
16 City of Round Rock, Texas

17 ATTEST:

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19 \_\_\_\_\_  
20 SARA L. WHITE, City Clerk  
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