



FENCES (Zoning)

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinance governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

Issuing officer

Date

Applicant/Owner/Contractor

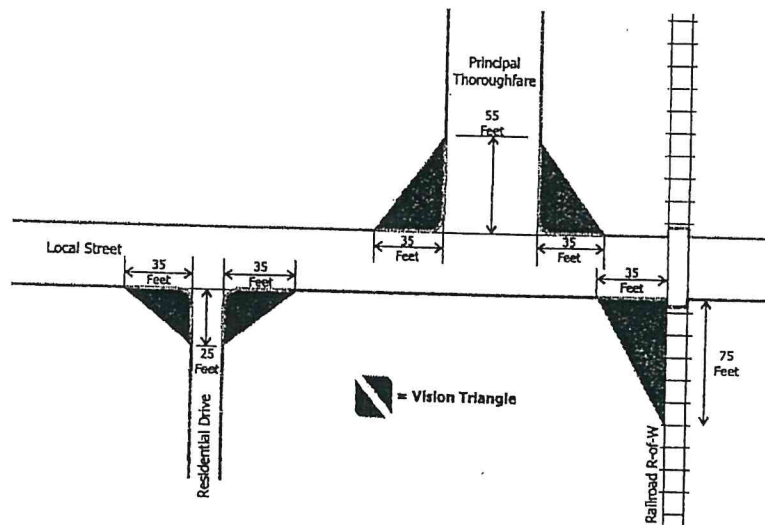
Date

Chapter Four - Supplementary Regulations

Section 1. Visibility at Intersections

To ensure sufficient vision at intersections, no fence, wall, hedge, shrub, structure, or other obstruction to view which exceeds 42-inches in height shall be erected, installed, or maintained within a triangle formed by the property line immediately adjacent to a residential drive, local street, principal thoroughfare, or railroad right-of-way according to the following distances.

Street / Road Type	Required Distance from Intersection
• Residential drive	25 feet
• Local street	35 feet
• Principal thoroughfare	55 feet
• Railroad right-of-way	75 feet



Section 2. Accessory Buildings

No accessory building shall be in any required front yard. Placement of an accessory building on any property shall comply with current building code.

Section 3. Principal Structures

In any district, more than one structure housing a permitted and customary accessory use may be erected on a single lot or tract of land, provided that yard and other requirements of this Code shall be met for each structure as though it were on an individual lot.

Section 4. Exceptions to Height Regulations

The height limitations contained in any district regulations do not apply to spires, belfries, cupolas, chimneys, water tanks, ventilators, elevator housing, grain elevators, or other agriculture buildings, except where prohibited by Federal Aviation Regulations.

Section 5. Structures to have Access

Every building hereafter erected or moved shall be on a lot adjacent to a public street, or with access to an approved private street, and all structures shall be located on lots as to provide safe convenient access for servicing, fire protection, and required off-street parking.

Section 6. Fallout Shelters

Fallout shelters to protect human life during periods of danger may be constructed in or under any required yard, except that if constructed in a front yard or side yard, none of it may protrude above the average grade of the lot.

Section 7. Outdoor Lighting

Outdoor lighting of trees, bushes, fountains, swimming pools, or grounds of residences shall not illuminate or be reflected upon any adjacent property.

Section 8. Outside Storage, Enclosure Required

All salvage dealers, or other persons accumulating, depositing, or storing salvage, raw material, manufacturing material, building material, or other materials within the City of Deer Lodge limits when the accumulating, depositing, or storing thereof shall be without a building or not within a building, either now stored, deposited, or accumulated, or hereafter so deposited, stored or accumulated, shall fence surrounding said materials with a sight obscuring fence at least six feet high, to enclose said materials from public view from outside the enclosure and must comply with all regulations within the district in which it is located.

Section 9. Corner Lots

When a lot faces more than one street and front yard setbacks have been established or in all probability will be established on both streets, corner lot setbacks shall be at least as great as established for each street.

When a lot faces more than one street in any residential zone, the yard setback established, in said respective zone by this Ordinance, the front yard setback shall exist on the primary street and the yard setback on the secondary or cross street shall be one-half that of the front yard setback. The determination of the primary street will be that of the street paralleling an existing alley, when no alley exists the primary street will be determined by the amount of daily road traffic of each street.

Section 10. Protection of Street Right-of-Way

No Building permit shall be issued in street right-of-way. City officials have the authority to issue approvals for the installation of public utilities and traffic control devices within street right-of-ways.

Section 11. Fences, Walls, and Hedges.

- (1) Fences, walls, and hedges in any district may be located on lot lines provided such fence, walls, and hedges do not exceed *six* feet in height. Fences exceeding *six* feet in height shall be subject to the minimum yard requirements of the district in such said fences are located. However, no fence, walls, and hedges shall exceed four feet in any front yard as defined in this Code. An exception to the height restriction located in Chapter Four (11) of this Ordinance shall be granted for fences used in an agricultural pursuit to retain stock animals in zoning district AS.
- (2) Except for AS Districts, no barbed wire or other sharp materials and no electrically charged fences shall be erected or maintained in any district created by this Code.

When electrically charged fences are used in AS District, such fence shall be posted with warning signs at intervals not to exceed 150 feet where such fences are adjacent to public rights-of-way.

- (3) In case of a fence erected on top of a retaining wall, the height shall be measured from the grade of the high-side of the wall.

Section 12. Lots in Two Districts

Where a district boundary line as established in this Code divides a lot, the more strict requirements applying to lot under this Code shall be considered as extending to the entire lot, the use so extended shall be deemed to be conforming.

Section 13. Swimming Pools

No public or private swimming pool in any district shall be located in any required front yard, however, if no more than six feet in height, such use may be located in any required side yard or rear yard.