

**CITY OF BEEVILLE  
ORDINANCE NO. 2090**

**AN ORDINANCE OF THE CITY OF BEEVILLE, TEXAS ESTABLISHING ADDITIONAL REGULATIONS FOR THE CONSTRUCTION OF FENCES WITHIN THE CITY; ESTABLISHING A FEE TO COVER COSTS OF PERMIT ISSUANCE AND INSPECTION; ACKNOWLEDGING FENCE REGULATIONS ALREADY ESTABLISHED; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR A PENALTY UPON CONVICTION FOR VIOLATION THEREOF.**

**BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEEVILLE, TEXAS:**

**SECTION 1: NECESSITY**

Pursuant to the provisions of City of Beeville Ordinance No. 1114, Section 2, under "PURPOSE" for the passage of a Zoning Ordinance, the City Council of the City of Beeville hereby deems necessary the passage of this ordinance to control the construction, workmanship, and material of fences erected by property owners on their properties, or other persons on property under their control, so as to safeguard the integrity of the particular neighborhoods where such fences will be constructed and to safeguard against undue physical depreciation imposed upon properties within a neighborhood for lack of these controls.

**SECTION 2: ISSUANCE OF PERMIT**

It shall be a requirement that all property owners, or persons wanting to construct a fence within the City, to first obtain a permit from the City's Building Inspection Department at a fee of \$30.00.

Issuance of said permit shall be contingent upon applicant assuring compliance of all regulations herein established and/or herein referred to.

At such time said permit is obtained, the Building Inspector shall inquire and note on said permit issued the proposed construction materials, location, height and time expected for completion.

**SECTION 3: REGULATIONS**

- A. With the exceptions only approved by the City's Board of Adjustment following due process, the only materials acceptable for fencing in all neighborhoods shall be limited to:

**Chain Link**  
*Woven Wire Fence*

**Split Rail**  
*Rough posts split to form horizontal fence*

**Board on Board**  
*Wood frame fence*

**Picket**  
*Narrow vertical wooden fence*

**Decorative Iron**  
*Ornamental Iron Sections*

**PVC Panels**  
*Ornamental man-made material fence*

**Stucco**  
*Cement Plaster*

**Block Tile**  
*Concrete Block*

**Shrub**  
*Vegetation*

**Brick**  
*(Self Explained)*

- B. Fences in neighborhoods shall not exceed eight(8) feet in height, in rear and side yards as established by a structure in compliance with the set building code setbacks or only beyond the zoning ordinance building lines pursuant to the individual zones on a vacant parcel**
- C. Fences in neighborhoods shall not exceed 42 inches in height in front yards or beyond the setback building lines for the particular property zone with the exception of corner lots addressed in City Ordinance No. 347 to prevent obscured traffic intersections.**
- D. Fences for front yards as permitted hereto shall be at least seventy-five percent (75%) open space for passage of light and air.**
- E. Fences extending across the back and side yards shall be at least five percent (5%) open space of light and air.**
- F. Gate access will be required for egress and ingress.**
- G. Fences surrounding swimming pools within the City must adhere to fencing regulations established by City Ordinance No. 1836.**
- H. Fences required whenever a zone change is granted for a business, commercial use, or for multiple dwelling in a residential zone shall adhere to specific fencing regulations established by City Ordinance No. 1796.**
- I. Double fencing, as known to the City, whereby two adjacent property owners wish to erect their fence on the same property line is herewith prohibited based on fact that growth vegetation between fences can become an abatement problem.**
- J. The fence permit is good for a sixty (60) day period and may be extended for an additional thirty (30) days only if the Building Inspector finds circumstances warranting such extension.**

**K. FENCES PROHIBITED**

**It shall be unlawful for any person to construct or cause to be constructed electrified fences or fences containing barbed wire within the City.**

**K1. EXCEPTION**

**Property within the City still undeveloped and used for agricultural purposes or qualified for agricultural tax exceptions may retain barb wire fencing until that time that development for single family, multiple family or light commercial use takes place on said property or adjacent to said property at which time perimeter fencing for said developed area shall comply with the regulations herein established.**

**SECTION 4: APPEAL PROCEDURE**

**Applicants aggrieved by the decision of the Building Inspector to deny a fence permit, by his/her application of the regulations herein adopted, may file an appropriate appeal procedure of said denial within thirty (30) days from the date said fencing permit is denied to the City's Board of Adjustment for final determination during which time all fence construction shall cease.**

**SECTION 5: EFFECTIVE DATE**

**The effective date of this ordinance shall be fifteen (15) days after formal approval by the City Council, and those existing fences found in violation of these regulations, upon formal written compliant from an adjacent or nearby property owner, shall have 180 days to come in compliance thereof or shall adhere to the provisions of Section 4 to appeal their existing fence before the City's Board of Adjustment.**

**SECTION 6: SEVERABILITY**

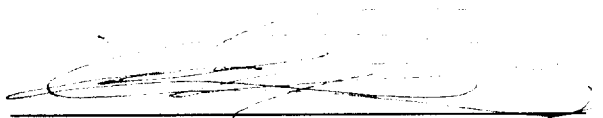
**All provisions of aforementioned Ordinances, not hereby repealed or amended, shall remain in full force and effect.**

**SECTION 7: PENALTY FOR VIOLATION THEREOF**

**Each daily violation will result in a fine and penalty to be imposed against those convicted for failure to comply not to exceed the maximum limit established by current State Statutes.**

**PASSED AND APPROVED this the 13th day of February A.D., 2007.**


**CITY OF BEEVILLE, TEXAS**

  
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**Kenneth Chesshir, Mayor**

**ATTEST:**

  
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**Tomas P. Saenz, City Secretary**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**Frank W. Warner, City Attorney**

**PUBLISHED AS REQUIRED BY CHARTER ON \_\_\_\_\_.**