

SECTION 2: Section 707, Chapter 7, Appendix A of the Code of Ordinances is hereby amended to read as follows:

Fences, including but not limited to those constructed of masonry, wood, or chain link may be erected to a height not exceeding 8 feet and may be placed along the boundaries of the lot with the following restrictions.

- A. In OT-1, Olde Town Residential, OT-2, Olde Town Mixed Use, R-6, Single-Family Residential, R-7, Single-Family Residential, R-8, Single-Family Residential, R-8D, Two-Family Residential and R-15, Townhouse Residential districts, fences shall not be constructed in front yard areas, nor project beyond an adjoining lot's front building setback line. Residential dwellings in the Olde Town districts (OT-1 and OT-2) may erect a thirty-six (36) inch high picket fence in the front yard area.
- B. Fences shall not be erected of chain link in OT-1, Olde Town Residential, on residential lots in OT-2, Olde Town Mixed Use, R-6, Single-Family Residential, R-7, Single-Family Residential, R-8, Single-Family Residential, R-8D, Two-Family Residential, and R-15, Townhouse Residential districts.
- C. Fences shall not be erected in side yard areas where there is double frontage in the OT-1, Olde Town Residential, OT-2, Olde Town Mixed Use, R-6, Single-Family Residential, R-7, Single-Family Residential, R-8, Single-Family Residential, R-8D, Two-Family Residential and R-15, Townhouse Residential districts. Exceptions may be made for fences in side yard areas where there is double frontage, but only if all of the following conditions are met:
 - 1. No fence shall be erected or maintained closer than five (5) feet to any side yard property line;
 - 2. No fence shall exceed a height of four (4) feet; and
 - 3. A ten (10) foot vision triangle created by an area using rear and side yard property lines shall be maintained.
 - 4. The fence shall be eighty (80) percent transparent and be constructed of decorative wrought iron, aluminum, or vinyl (chain link, wire, or other similar materials shall be prohibited).
- D. Multifamily residential and all nonresidential properties may erect a decorative fence made of wrought iron, masonry, or a combination of both, in the front yard area.
- E. Fences on corner lots shall not be built higher than four (4) feet when located in the vision triangle defined in Chapter 10. Definitions. Fences permitted by this Section shall not negatively affect the view of traffic at the entrance or exit to the subject property or adjoining properties.
- F. Prohibited materials. No person shall build and/or maintain any fence composed, in whole or in part, of:

1. Barbed wire or razor wire, except as regulated in this section;
2. Welded or woven wire such as chicken wire, hog wire, stockade panels and similar agricultural wires;
3. Used materials;
4. An electric fence, except as regulated in this section;
5. Galvanized sheet metal, corrugated metal, or corrugated fiberglass; or
6. Materials not approved for exterior exposure.

G. Exceptions to prohibited materials.

1. On property used for agricultural purposes, provided that the fence is not otherwise prohibited by any other ordinance or law, a fence may be composed of barbed wire, welded wire or woven wire, or both and may include an electric fence if the electric fence charging device is approved by a nationally recognized testing laboratory.
2. In a district zoned industrial or commercial, barbed wire may be used as a component of a fence provided that the fence is composed only in part of barbed wire and that portion of the fence is at least six (6) feet from the nearest grade. The barbed wire portion of the fence shall be a maximum height of three (3) feet vertically or horizontally from the main portion of the fence. The barbed wire portion shall consist of individual strands of wire placed parallel to the ground and shall not be placed in a coiled or wrapped position.
3. In a residential zone, installation of electrically-charged fencing for the purpose of security, animal containment and other similar uses shall be in accordance with a nationally recognized testing agency. Upon installation such fencing shall be clearly identified with signage legible to each adjacent property owner and at each gate or section of fence facing a street. The signage shall be legible from a distance of five (5) feet and shall be properly maintained while fence is in use.
4. This section does not prohibit the use of corrugated metal material with a minimum twenty-six (26) gauge and one (1) inch corrugation when commercially designed and engineered as a fencing material as a component of a modular, prefabricated fence.

H. All fences required by this Ordinance shall be maintained in good repair.

1. All portions of fences that face a public area shall not be allowed to lean so that the fence's axis is more than ten (10) degrees out of perpendicular alignment with its base.
2. Fences shall be self supporting except that horizontal braces shall be allowed as long as the braces are mounted inside the property boundaries and are not visible from a public area.
3. Fences that face a public area shall not have missing, loose or broken pickets, slats or panels in a fence.

4. It shall be unlawful to allow symbols, writings and other graffiti to remain on a fence except for those which are permitted as signs under this Code or which pertain to the address or occupancy of a property.
- I. All swimming pool enclosures shall comply with the International Swimming Pool and Spa Code, as adopted in Chapter 4, Article II, Section 4-11 of the Code of Ordinances.

SECTION 3: Subsection C, Section 711, Chapter 7, Appendix A of the Code of Ordinances is hereby amended to read as follows:

C. Parking Design Standards.

1. An off-street parking space is a paved surface not in a street or alley and having a minimum dimension of nine (9) by eighteen (18) feet, exclusive of driveways, permanently reserved for the temporary storage of one automobile and connected with a street or alley by paved driveway which affords unobstructed ingress and egress to each space.
2. Minimum aisle widths shall be provided in accordance with the angle of parking they serve. The same aisle width shall be used for either a single row or two rows of head-in parking sharing an aisle. Where two-way aisles with non-perpendicular opposite-facing stalls are used, the City shall determine the appropriate additional aisle width necessary.

Parking Angle	Stall Length	Aisle Width
30° Parking	19 feet	12 feet
45° Parking	19 feet	14 feet
60° Parking	20 feet	20 feet
90° Parking	18 feet	24 feet

SECTION 4: Subsection F, Section 711, Chapter 7, Appendix A of the Code of Ordinances is hereby amended to read as follows:

F. Maintenance of Off-Street Parking Lots, Driveways, Access Aisles, and Loading Areas. All off-street parking lots, driveways, access aisles, and loading areas shall be permanently maintained in safe, sound, usable condition. Minimum maintenance standards follow:

1. All paved areas shall be free of potholes, standing water, mud, and litter.

2. Parking spaces shall be reflectively striped and, when reserved for handicapped persons, properly signed.
3. Driveways, sidewalks, curbs, and storm sewer inlets shall be maintained in good repair.
4. Parking lot lights shall be maintained in good repair and properly illuminate parking as well as loading areas.
5. Fire zones and other areas where parking is prohibited shall be properly designated by painted curbs and signs.
6. On-site traffic signs shall be maintained in good repair.

SECTION 5: Section 713. Exterior Lighting., Chapter 7, Appendix A of the Code of Ordinances is hereby created to read as follows:

A. Nonresidential and Multifamily Exterior Building Lighting.

1. Exterior lighting shall be aimed and shielded to prevent glare.
2. Lots abutting residential dwellings or residential zoning districts shall use low-level lighting, as defined by the Illuminating Engineering Society of North America (IESNA), to minimize light visibility on adjoining properties.
3. Exterior lighting fixtures shall be full cut-off fixtures as defined by the Illuminating Engineering Society of North America (IESNA) in order to direct light downward.
4. Incandescent, fluorescent, color-corrected high-pressure sodium, or metal halide lighting are acceptable fixtures. The use of solar-powered lighting and LED lighting is encouraged where feasible. Exterior lighting installations shall include timers, dimmers, sensors, or photocell controllers that turn the light off during daylight hours or hours when lighting is not needed.
5. The following shall be exempt from this subsection:
 - a. Lighting or illumination required by the building code.
 - b. Holiday and temporary lighting.
 - c. Athletic field lighting.
 - d. Low voltage landscape lighting.

B. Parking Lot Lighting.

1. Parking lot lighting shall be aimed and shielded to prevent glare.
2. Lots abutting residential dwellings or residential zoning districts shall use low-level lighting and a maximum pole height of 12 feet to minimize light visibility on adjoining properties.
3. Lighting fixtures serving parking lots shall be full cut-off fixtures as defined by the Illuminating Engineering Society of North America (IESNA) in order to direct light downward.
4. Incandescent, fluorescent, color-corrected high-pressure sodium, or metal halide lighting are acceptable fixtures. The use of solar-powered lighting and LED

lighting is encouraged where feasible. Exterior lighting installations shall include timers, dimmers, sensors, or photocell controllers that turn the light off during daylight hours or hours when lighting is not needed.

SECTION 6: Section 1003, Chapter 10, Appendix A of the Code of Ordinances is hereby amended to read as follows:

25. *Community Home.* A community-based residential home containing not more than 6 disabled persons and 2 supervisors that reside in the home and which otherwise meets the requirements of the Community Homes for Disabled Persons Location Act, Chapter 123, Texas Human Resources Code.

Fence. Any structure which exceeds twelve (12) inches in height above the nearest grade and which encloses, partitions or divides any yard. Planter boxes no taller than thirty six (36) inches are excluded. A picket fence is thirty six (36) inches tall with a horizontal top rail and bottom rail attached to fence posts, which are installed upright into the ground. Evenly spaced boards are affixed vertically to the rails.

SECTION 7: Section 4-2, Article I, Chapter 4 of the Code of Ordinances is hereby repealed and replaced as follows:

(a) All fences shall be constructed and maintained in accordance with Unified Development Ordinance Section 707. Fences.

SECTION 8: If any provision, section, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is, for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof, or provisions or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this Ordinance are declared severable for that purpose.

SECTION 9: Any previously adopted ordinance, resolution, rule, regulation or policy in conflict with this Ordinance is hereby repealed.

SECTION 10: Any person who violates this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine not exceeding five hundred dollars (\$500.00). Each and every day that a violation of this Ordinance occurs shall constitute a separate offense.

SECTION 11: This Ordinance shall be published after second reading hereof by publishing the caption thereof in the official newspaper with a statement the public may view the Ordinance in the Office of the City Secretary. This Ordinance shall be effective from and after the publication provided herein.

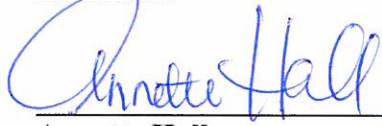
PASSED and APPROVED on second reading this 6th day of May 2014.

CITY OF PORTLAND



David Krebs
Mayor

ATTEST:



Annette Hall
City Secretary