

State of Georgia  
Clayton County  
City of Riverdale

Adopted by the Governing Body this 28<sup>th</sup> day of May 2013

**ORDINANCE NO. 05-2013**

**AN ORDINANCE BY THE RIVERDALE MAYOR AND CITY COUNCIL, AMENDING APPENDIX A, ARTICLE V, SECTION 5.4, ENTITLED “YARD FENCING AND WALLS,” OF THE CODE OF THE CITY OF RIVERDALE, GEORGIA, AS AMENDED, TO INCLUDE LANGUAGE TO RESTRICT THE HEIGHT AND LOCATION OF FENCES IN THE FRONT YARD AND RESTRICT THE TYPES OF MATERIALS FENCES CAN BE CONSTRUCTED.”**

**WHEREAS**, State law permits the Mayor and City Council of the City of Riverdale to establish zoning districts and related regulations of same; and

**WHEREAS**, the City of Riverdale Zoning Code already defines and regulates certain types of fences in Appendix A, Article V, Section 5.4; and

**WHEREAS**, the Mayor and City Council wish to revise the ordinance to add language to “restrict the height and location of fences in the front yard and restrict materials fences and walls can be constructed;” and

**WHEREAS**, the Code of the City of Riverdale, Appendix A, Article V, Section 5.4 must be amended to reflect these changes.

**BE IT RESOLVED AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVERDALE AND BY THE AUTHORITY OF SAME THAT APPENDIX A, ARTICLE V, SECTION 5.4, ENTITLED “YARD FENCING AND WALLS,” OF THE CODE OF THE CITY OF RIVERDALE, GEORGIA, BE AMENDED TO INCLUDE LANGUAGE TO RESTRICT THE HEIGHT AND LOCATION OF FENCES IN THE FRONT YARD AND RESTRICT THE TYPES OF MATERIALS FENCES CAN BE CONSTRUCTED,” AS FOLLOWS:**

**Section 1:** By adding Appendix A, Article V, Section 5.4 “Yard Fencing and Walls,” the full text of which is labeled as Exhibit A and attached hereto.

**Section 2.** All laws and ordinances, or parts thereof, which conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

**Section 3:** This Ordinance shall become effective upon its approval by the Mayor and Council.

**Section 4:** In the event any section, subsection, sentence, clause or phrase of this Ordinance or its attachment shall be declared or judged invalid or unconstitutional, such adjudication shall in no matter affect the other sections, subsections, sentences, clauses or phrases of this ordinance, which shall remain in full force and affect, as if the section, subsection, sentence, clause or phrase so declared or judged invalid or unconstitutional was not originally a part hereof.

## **EXHIBIT A**

### **Article V, Section 5.4**

No fence or walls in excess of (8) eight feet in height shall be installed. Residential fences must be located in the side and rear yards and must not exceed the front façade of the building structure. Fences shall not exceed 6 feet in height in the front yard and shall be constructed of transparent materials. No barbed wire or field fence or electric fences are allowed in a subdivision or in residentially zoned areas. Instead, all fences, walls or enclosures of any type shall be constructed of decorative or conventional fence material only, such material being in the nature of chain link, wood, privacy, split rails, or solid fence consisting of brick or masonry block. It shall be unlawful to erect a fence or other enclosure or to repair an existing fence or other enclosure with slatted chain-link materials, PVC and like materials or with non-fence materials including, but not limited to, sheet metal, plywood, tin roofing material, plastic roofing material, doors, or automobile parts.

All fences shall be maintained in a sound, well maintained condition. No dilapidated or otherwise unsound, unsafe or unsightly fence or portion of a fence shall be allowed to exist on any property.

A yard fence shall not be placed any closer to a street than the front building line setback of any lot. In the case of corner lots the fence shall meet both setbacks.

It shall be unlawful to erect a fence or wall without first obtaining a permit to do so from the director of community development and general services department.