

ORDINANCE 1079

AN ORDINANCE AMENDING CHAPTER 18 - BUILDINGS AND  
BUILDING REGULATIONS, ARTICLE XI. – FENCES, DIVISION 3.  
– STANDARDS., SECTIONS 18-401, 18-402, AND 18-403

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INGLESIDE,  
COUNTY OF SAN PATRICIO, STATE OF TEXAS:

**SECTION 1. AMENDMENT.** Chapter 18 – Buildings and Building Regulations, Article XI. - Fences, Division 3. – Standards., Sections 18-401, 18-402, and 18-403. Ingleside Code of Ordinances is hereby amended to read as follows, new matter being indicated by underscoring and deleted matter by interlineations and brackets.

Sec. 18-401. - Solid fences.

Solid fences must be constructed of wood, stone, or masonry and may be erected to a height ~~not exceeding six feet~~ of six feet with the addition of no more than one 2x8 rot board at the base, measured within 18 inches adjacent to the fence and on the owner's side of the fence along the boundaries of the lot behind the lot's front building line. A ~~six-foot~~ fence can be built on side street property lying behind the property's front building line with the same height requirements as above. The front yard can be fenced but shall be no more than four feet high and meet the requirements of section 18-403. There must be a minimum of two, three-foot gates, one in the front and one in the back of property if there is an alley or an easement.

Sec. 18-402. - Wire fences.

Wire fences and any other fences in which the open space between the construction material represents more than 70 percent of the total fence area may be erected to a height of seven feet, but not in a front yard. A wire fence height of ten feet for exotic breeding done with all required certifications and permits may be erected on land greater than two and one half (2 ½) acres under single ownership.

Sec. 18-403. - Height restrictions.

In a residential property zone, between the front property line and the property's building line, no person shall erect any wall, fence or other structure to a height greater than four feet ~~above the level of the crown of the roadway~~ measured within 18 inches adjacent to the fence and on the owner's side of the fence; maintain or permit the existence of any such wall, fence, or other structure of a height greater than four feet ~~above the level of the crown of the roadway~~ measured within 18 inches adjacent to the fence and on the owner's side of the fence; plant any hedge or tree shrub as a fence having a growth of a height greater than four feet ~~above the level of the crown of the roadway~~ measured within 18 inches adjacent to the fence and on the owner's side of the fence; or maintain or permit the existence of any such wall, fence or other structure of a height greater than four feet ~~above the level of the crown of the roadway~~ measured within 18 inches adjacent to the fence and on the owner's side of the fence upon his property or on property under his control. Where such property is bounded on two adjacent sides by public rights-of-way for road, street, boulevard, or other public way, the area so restricted, being the area of the corner of such property, more particularly described as being that area of two intersecting boundaries of the public rights-of-way, the fence must stop back a distance of 20 feet back on each of the boundaries from the point of intersection, and will be connected by the drawing of a straight line from the two points that are back 20 feet of the intersection point. However, the existence of a tree shall not be unlawful so long as such tree is free of branches and foliage for a height of at least seven feet above the level of ~~the crown of the roadway~~ the adjacent grade.

**SECTION 2. EFFECTIVE DATE.** As provided by Article III, Section 3.11.C of the Charter of the City of Ingleside, this ordinance shall be effective upon adoption and, in addition, if any penalty, fine or forfeiture is imposed by this ordinance, then this ordinance shall be effective only after publication of this ordinance in its entirety or in summary form once in the official newspaper of the City of Ingleside.

**SECTION 3. READING.** As provided by Article III, Section 3.11.B of the Charter of the City of Ingleside, this ordinance or the caption of it shall be read at two city council meetings with at least two weeks elapsing between each reading.

**SECTION 4. SEVERANCE.** If any part of this ordinance is invalid or void or is declared to be so, then said part shall be severed from the balance of this ordinance and said invalidity shall not affect the balance of this ordinance, the balance of the ordinance to be read as if said invalid or void portion thereof were not included.

**SECTION 5. PUBLICATION.** If and as required by Article III, Section 3.11.C of the Charter of the City of Ingleside, the caption of this ordinance shall be published one time in the official newspaper of the City of Ingleside, San Patricio County, Texas.

**PASSED, ORDAINED, APPROVED AND ADOPTED** this 23 day of

July, 2013.

**CITY OF INGLESIDE**

**BY:**

  
Pete Perkins, Mayor

**ATTEST:**

  
**CITY SECRETARY**

**First Reading:** 7-9-13

**Second Reading:** 7-23-13