

ORDINANCE NO. 20-21

AN ORDINANCE PERTAINING TO BUILDING, CONSTRUCTION AND HOUSING BY AMENDING SECTION 6-1-5-182, CHAPTER 6, LAWTON CITY CODE, 2015, BY AMENDING THE REGULATIONS FOR ELECTRICAL FENCING TO BE PERMITTED WITHIN THE CITY LIMITS; PROVIDING FOR SEVERABILITY; RENUMBERING; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED by the Council of the City of Lawton, Oklahoma, that:

Section 1. Sections 6-1-5-182 is hereby amended to read as follows:

6-1-5-182 - Barbed wire and electrical fences prohibited—Removal—Exceptions.

- A. No person shall build, construct, erect or maintain any electrical or barbed wire fencing within the city.
- B. Any barbed wire or electrical fencing not in accordance with this section shall be deemed unlawful shall be removed within ten (10) days after notice by the city manager or his designee has been given to the owners or occupants of lots on which such fences are constructed or maintained. If the fencing is not removed, the city is authorized to remove the fencing and the costs to be charged as taxes and become a lien against the property.
- C. This section shall not apply to:
 1. Electrical fencing when used on any farmlands; provided that such fencing be at least six (6) feet from any public street right-of-way or sidewalk and be the power supply of the electric fencing shall not exceed ~~charged with not~~ more than twelve (12) volts of ~~electricity~~ direct current;
 2. Electrical fencing for security and alarm purposes in the C-5 General Commercial District, I-1 Restricted Manufacturing and Warehouse District, I-2 Industrial Park District, I-3 Light Industrial District, and I-4 Heavy Industrial District, provided that the following provisions are met:
 - a. The electrical fencing shall be constructed or installed in conformance with the specifications set forth in International Electrotechnical Commission (IEC) Standard No. 60335-2-76, with the energizer characteristics set forth in paragraph 22.108 and depicted in Figure 2 of said standard;
 - b. The electrical fencing shall be at least six (6) feet from any public street right-of-way or sidewalk;
 - c. The power supply of the electrical fencing shall not exceed more than twelve (12) volts of direct current. The storage battery is allowed to be charged by a solar panel;
 - d. The electrical fencing shall be completely surrounded by a non-electrical perimeter fence or wall that is not less than four (4) feet in height;

- e. The maximum height of the electric fencing will be eight (8) feet when located within the front yard setback, otherwise the maximum height of the fence will be ten (10) feet;
 - f. The electrical fencing shall be clearly identified with warning signs that read: "Warning- Electric Fence" at regularly spaced intervals not to exceed fifty (50) feet;
 - g. The perimeter fence or wall shall be electrically isolated from the electrical fencing;
 - h. The electrical fencing, when installed as a component of a security/burglar alarm system and installed within a non-electric perimeter fence or wall, shall not be considered a fence as defined in Chapter 18 of this code;
 - i. The electrical fencing shall have at all times a means of emergency operation for emergency personnel access and such means shall be approved by the Fire Marshal.
- 3. Barbed wire when strung on extension arms at the top of a fence; provided that such barbed wire be at least six feet from the ground and not extend beyond the property line upon which such fence is situated; or
 - 4. Barbed wire when used on any land in excess of five acres to retain large animals as defined in Section 5-101. However, such fencing shall be at least six feet from a street or sidewalk and shall not create a hazard to the area.

Section 2. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

Section 3. Renumbering. The provisions of Section 6-1-5-182, Chapter 6, Lawton City Code, 2015, shall be renumbered consecutively to reflect the new numbering of paragraphs of said section as amended by this ordinance as to avoid duplication or omission of numbers and/or letters in said section.

Section 4. Effective Date. The provisions of this ordinance shall become effective thirty days after passing of the ordinance.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma, this 10th day of November, 2020.

STANLEY BOOKER, MAYOR

ATTEST:

TRACI L. HUSHBECK, CITY CLERK

APPROVED as to form and legality this _____ day of _____, 2020.

TIMOTHY WILSON, INTERIM CITY ATTORNEY