



1           **WHEREAS**, the Town Council finds that this Ordinance is in the best interest of  
2 the health, safety, and welfare of its residents.

3           **NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE**  
4 **TOWN OF SOUTHWEST RANCHES, FLORIDA:**

5           **Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed  
6 as being true and correct, and are hereby incorporated herein and made a part hereof.

7           **Section 2.** Article 45, Agricultural and Rural Districts, Section 045-030,  
8 General Provisions, is hereby amended as follows:

9           (A) *Fences, walls and hedges.* Fences and walls, not including entrance  
10 features, shall be permitted to a maximum height of eight (8) feet  
11 above the established grade within any required yard, and in any  
12 location on a residential or agricultural plot; provided that a fence  
13 enclosing a tennis court or other customary enclosure may be higher  
14 if located outside of a required yard. Fences on farms shall be  
15 governed by F.S. ch. 588.

16           (1) Hedges and all natural vegetation shall not be subject to height limits  
17 except as provided in section 075-060(E)(3), "Plant material; shrubs  
18 and hedges."

19           (2) Decorative lighting mounted on posts as an integral part of any fence  
20 or wall shall not be counted in determining fence height, and shall  
21 comply with the requirements of article 95, "Outdoor Lighting  
22 Standards."

23           (3) Barbed wire and razor wire are prohibited for use as fencing material  
24 and as any part of any fence or wall. Low voltage electrical wire,  
25 a.k.a. hot wire, shall be permitted for use as fencing material on all  
26 plots.

27           (4) Every fence that is installed or replaced subsequent to the enactment of  
28 this Ordinance, shall be erected with a finished side facing outward toward  
29 other properties and rights-of-way, such that all posts, rails and other  
30 structural members are contained on the inside of the fence, and the  
31 exterior of the fence is equal to or better than the inside of the fence in the  
32 quality of its appearance. The Town may waive this provisions for the  
33 portion of a fence that is to be installed along an interior property line if the  
34 abutting property owner consents to such waiver. This provision shall not

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1 be applicable to fences being installed to maintain livestock when best  
2 management practices dictate that the unfinished side of the fence should  
3 face outward to help to ensure that the livestock is maintained.

4  
5 \* \* \* \*

6 **Section 3.** Article 50, Commercial Districts, Section 050-030, General  
7 Provisions, is hereby amended to read as follows:

8 \* \* \* \*

9 (H) *Fences, walls and hedges.* Maximum height shall be eight (8) feet within  
10 required yards. The use of barbed wire, razor wire or electrified fencing is  
11 prohibited. Every fence that is installed or replaced subsequent to the  
12 enactment of this Ordinance, shall be erected with a finished side facing  
13 outward toward other properties and rights-of-way, such that all posts, rails  
14 and other structural members are contained on the inside of the fence, and  
15 the exterior of the fence is equal to or better than the inside of the fence in  
16 the quality of its appearance. This provision shall not be applicable to  
17 fences being installed to maintain livestock when best management  
18 practices dictate that the unfinished side of the fence should face outward  
19 to help to ensure that the livestock is maintained.

20 \* \* \* \*

21 **Section 4.** Article 55, M Manufacturing and Industrial District, Section 055-  
22 030, General Provisions, is hereby amended to read as follows:

23 \* \* \* \*

24 (F) *Fences, walls and hedges.* Maximum height of fences and walls is ten  
25 (10) feet, except for penal institutions or detention facilities, which shall  
26 not be subject to a maximum fence or wall height limitation.

27 (1) The use of barbed wire, razor wire or electrified fencing abutting  
28 existing zoning districts other than industrial and utility districts is  
29 prohibited.

30 (2) Fences, walls and hedges may be required for buffering and  
31 screening purposes under article 75, "Landscaping Requirements,"

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1 and as otherwise required herein. There shall be no height  
2 limitation for hedges.

3 (3) Every fence that is installed or replaced subsequent to the  
4 enactment of this Ordinance, shall be erected with a finished side  
5 facing outward toward other properties and rights-of-way, such  
6 that all posts, rails and other structural members are contained on  
7 the inside of the fence, and the exterior of the fence is equal to or  
8 better than the inside of the fence in the quality of its appearance.

9 (4) This section shall not be applicable to fences being installed to  
10 maintain livestock when best management practices dictate that  
11 the unfinished side of the fence should face outward to help to  
12 ensure that the livestock is maintained.

13  
14 \* \* \* \*

15 **Section 5.** Article 60, CF Community Facility District, Section 060-020,  
16 General Provisions, is hereby amended to read as follows:

17 \* \* \* \*

18  
19 (H) *Fences, walls and hedges.* Fences, walls and hedges may be erected or  
20 planted and maintained to a maximum height of eight (8) feet.

21 (1) The use of barbed wire, razor wire or electrified fencing shall be  
22 prohibited.

23 (2) Fences on farms shall be governed by F.S. ch. 588.

24 (3) Every fence that is installed or replaced subsequent to the enactment  
25 of this Ordinance, shall be erected with a finished side facing outward  
26 toward other properties and rights-of-way, such that all posts, rails  
27 and other structural members are contained on the inside of the fence,  
28 and the exterior of the fence is equal to or better than the inside of  
29 the fence in the quality of its appearance.

30 (4) This section shall not be applicable to fences being installed to  
31 maintain livestock when best management practices dictate that the  
32 unfinished side of the fence should face outward to help to ensure that  
33 the livestock is maintained.

34 \* \* \* \*

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1           **Section 5.** Article 65, Recreation and Open Space District, Section 060-  
2 020, General Provisions, is hereby amended to read as follows:

3           \* \* \* \*

4           (G) *Fences, walls and hedges.* Fences, walls and hedges may be erected or  
5 planted and maintained to a maximum height of eight (8) feet.

6           (1) The use of barbed wire, razor wire or electrified fencing shall be  
7 prohibited.

8           (2) Every fence that is installed or replaced subsequent to the  
9 enactment of this Ordinance, shall be erected with a finished side  
10 facing outward toward other properties and rights-of-way, such that  
11 all posts, rails and other structural members are contained on the  
12 inside of the fence, and the exterior of the fence is equal to or better  
13 than the inside of the fence in the quality of its appearance. This  
14 provision shall not be applicable to fences being installed to maintain  
15 livestock when best management practices dictate that the  
16 unfinished side of the fence should face outward to help to ensure  
17 that the livestock is maintained.

18           **Section 6: Codification.** The Town Clerk shall cause this ordinance to  
19 be codified as a part of the ULDC during the next codification update cycle.

20           **Section 7: Conflicts.** All Ordinances or parts of Ordinances, Resolutions or  
21 parts of Resolutions in conflict herewith, be and the same are hereby repealed to the  
22 extent of such conflict.

23           **Section 8: Severability.** If any word, phrase, clause, sentence or section of  
24 this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof  
25 shall not affect the validity of any remaining portions of this Ordinance.

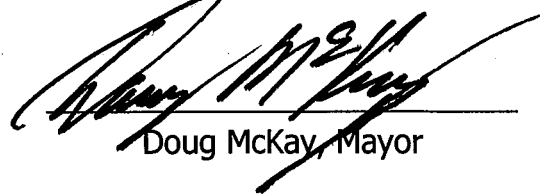
26           **Section 9: Effective Date.** This Ordinance shall take effect immediately upon  
27 passage and adoption.

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1 **PASSED ON FIRST READING** this 13<sup>th</sup> day of September, 2017 on a motion  
2 made by Vice Mayor Breitkreuz and seconded by Council Member Schroeder.

3 **PASSED AND ADOPTED ON SECOND READING** this 28<sup>th</sup> day of September,  
4 2017, on a motion made by Vice Mayor Breitkreuz and seconded by  
5 Council Member Fisikelli.

7	McKay	<u>Yes</u>	Ayes	<u>5</u>
8	Breitkreuz	<u>Yes</u>	Nays	<u>0</u>
9	Fisikelli	<u>Yes</u>		
10	Jablonski	<u>Yes</u>	Absent	<u>0</u>
11	Schroeder	<u>Yes</u>	Abstaining	<u>0</u>

12  
13  
14  
15  
  
Doug McKay, Mayor

16 ATTEST:  
17  
18   
19 Russell Muñiz, Assistant Town Administrator/Town Clerk

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21 Approved as to Form and Correctness:

22  
23   
24 Keith Poliakoff, J.D., Town Attorney

25 114370197.1

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