

SEC. 27-604. FENCES, WALLS AND HEDGES

- A. Fences, walls and hedges may be erected or maintained in any zoning district provided the height, setback, and material provisions outlined below are followed and a permit is secured. "Fence" for the purposes of this section means any fence wall or hedge. No fence shall be erected or maintained in a public right-of-way.
- B. Height. Height for the purposes of this section shall be defined as the vertical distance from the top rail, board or wire to the ground directly below.
- C. Setbacks Required. Fences, walls or hedges of up to three (3) feet may be erected or maintained in the required front yard setback as defined in Sections 27-308 or 27-309. Fences, walls or hedges between a height of three (3) and six (6) feet may be erected or maintained anywhere outside of the front yard setback, except as described in subsection D. below. (See Figure 6, Section 27-618). Any fence, wall or hedge in excess of six (6) feet shall meet all of the yard setback requirements for structures as defined in Sections 27-308 or 27-309. None of the above setback requirements shall apply to lands located in the Agricultural-Open Space (A-1), Central Business District (CBD), Controlled Industrial (CI), or Heavy Industrial (HI) zones.
- D. Setbacks for Clear Vision Zones. No fence, wall or hedge greater than three (3) feet in height may be erected or maintained in any zoning district within a clear vision zone pursuant to Section 27-615 and as illustrated in Figures 1, 2, and 3 of Section 27-618.
- E. Material Permitted—Residential and Commercial Zones. All fences in residential, agricultural and commercial zoning districts shall be constructed from materials which are commonly used for fencing and shall not be constructed from railroad ties, wood pallets, tires, rubble or salvaged material. Commonly used fence materials include wood, brick, stone, split railing, chain-link, wire, vinyl, ornamental iron work. Materials not listed are subject to Special Review.
- F. Material Permitted –Industrial Zones. All fences in industrial zoning districts shall be constructed from materials commonly used for fencing and shall not be constructed from railroad ties, wood pallets, rubble, or salvaged material. Commonly used fence materials include wood, brick, stone, split railing, chain-link, wire, vinyl, ornamental iron work, finished or coated steel or aluminum building panels. Materials not listed are subject to Special Review.
- G. Material Exception – Barbed Wire or Electric Fence. In the Billings City Limits, no barbed wire or electrical fencing shall be permitted in any residential zoning district. Barbed wire and electrically charged fencing is allowed in the A-1 and A-S districts within Yellowstone County. When electrically charged fences are used in an A-1 or A-S district, such fences shall be posted with warning signs or fluorescent markings at intervals not to exceed one hundred and fifty (150) feet, where such fences are adjacent to public rights-of-way.

In the Billings City Limits, no electrical fencing shall be permitted in any commercial or industrial zoning district. Electrically charged fencing is allowed in commercial or industrial districts within Yellowstone County provided that such fences shall be posted with warning signs or fluorescent markings at intervals not to exceed one hundred and fifty (150) feet, where such fences are adjacent to public rights-of-way. Barbed wire fencing is allowed in commercial or industrial zoning districts both within the Billings City Limits and Yellowstone County when such material is located not less than eight (8) feet above grade.

- H. Permit Required. Any fence between a height of three (3) feet and six (6) feet shall require a permit from the Planning Department. Any retaining wall exceeding a height of four (4) feet or any fence exceeding a height of six (6) feet shall require a permit from the Building Department.