

VII. FENCING- AND ANIMAL CONTROL BARRIERS

A. General

1. Definition: A fence shall be defined as any upright, self supporting barrier for the purpose of enclosure, decoration or boundary marking ~~or used to contain domestic animals, as detailed in this section.~~ **Animal control barriers shall be defined as barriers intended to redirect animals and prevent animals from causing damage to home gardens and landscaping, acting as a physical barrier to keep animals out of an area.**

2. Materials

Fences may be constructed of wood, shrubbery, vinyl, **poly netting**, or other materials approved in advance by the ECC. Finished sides of fences shall face LMOA streets and adjacent properties.

Materials limitations include:

a. **Fences shall not be constructed solely of posts and welded or woven wire.**

Woven wire fencing material consists of smooth horizontal (line) wires held apart by vertical (stay) wires. Welded wire fencing material consists of horizontal and vertical wires ~~which are welded at their intersections.~~ ~~Fences shall not be constructed solely of posts and welded or woven wire.~~ ~~‘Poultry wire’ or ‘chicken wire’ is are excluded fromnot allowed for fencing materials,-~~ ~~[CC: not consistent; should be Animal Control Barriers (D).]~~

b. Chain link fencing shall be utilized only for dog kennels, which shall not exceed one hundred square feet in area or eight feet in height. These dog kennels shall be ~~totally~~-screened from **neighbor** view by latticework or shrubbery.

c. Solid fence surfaces with less than one inch of separation between slats are not permitted except as specifically provided for in [Ref:] Section VII. E. of this policy.

d. Living fences consist of hedges, shrubs, or trees planted to define the boundaries of a property **are permitted.**

e. "Invisible fencing" may be utilized to contain pets within a lot. Above ground flags or wire used in conjunction with installation of invisible fencing shall be removed within six weeks after the installation is completed.

f. Neither electric nor barbed wire fences **or for use in animal control barriers** are permitted.

B. Enclosure Fencing

Enclosure fencing shall be constructed to fully restrict movement into or out of an area, and shall meet the following criteria:

1. It shall not be installed closer to any Lake Monticello street, lake, pond, or golf course than the wall(s) of the house closest to that street, lake, pond or golf course.

2. It shall not exceed five feet in height except as specifically provided for in [Ref:] Section VII. **C, D & E.** of this policy.

3. It may be supplemented with welded or woven wire applied against the interior surface of the fence (side away from the street or adjoining property).

C. Decorative Fencing

When the purpose and design of a fence is part of a landscaping plan or is to mark the property lines or corners, the fencing shall be referred to as "Decorative Fencing" and must meet the following criteria:

1. Installation

a. It may be installed along the entire length of the property lines not bordering a Lake Monticello street, lake, pond or golf course.

b. No decorative fencing shall be installed on greater than thirty five percent (35%) of any property line which adjoins Lake Monticello common property (street, lake, pond, golf

course, etc.)

2. Fabricated **decorative** fences shall not exceed three feet in height; living fences shall have no height limitation.

3. Living fences shall have no height limitation.

34. Not less than fifty percent of the face area of a fabricated ~~Decorative~~ **decorative Fence fence** shall be open.

D. Animal Control Barriers

~~General: Animal control barriers are intended to redirect animals and prevent damage to home gardens and landscaping.~~ **1. Animal control barriers may be placed on any location on the property where needed to exclude animals.**

~~2. As such, animal control barriers are not intended to be as permanent as fences.~~ Animal control barriers may be placed directly on the plants to be protected; ~~;~~ may encircle individual plants or groups of plants **and are generally temporary to protect the plants during early growth or fruit production.**

3. Permanent installations of animal control barriers ~~or~~ may encircle a larger area **to protect gardens or landscaping** as provided below.

~~4. Permanent~~ ~~They may be placed on any location on the property.~~ ~~a~~ Animal control barriers shall meet the following requirements:

a. Animal control barriers shall be installed consistent with recommended guidelines published by LMOA.

b. Animal control barriers shall be constructed of inconspicuous material specifically designed for the purpose.

~~4c.~~ ~~They~~ **Animal control barriers** shall not be used on any unimproved property unless that property is contiguous to the owner's improved property **and the property is owned by the same owner.**

d. Animal control barriers may be up to 7 feet in height.

~~2. They shall be constructed of inconspicuous material such as welded or woven wire, commercial deer netting or monofilament lines. [CC: not consistent; what about chicken wire; should not allow chicken wire at all because previously this wire became rusty; also not included in Animal Barrier Guide.]~~

~~3. They shall not present an unsightly appearance from the road.~~

~~4. They shall be attached to living plant material or may be supported by natural colored wood poles not greater than 2"x2" in cross section, or inconspicuous dark metal or plastic rods.~~

E. Fencing Adjacent to Public Highways or Commercial Business Properties

General: The following policy shall apply along the full length of those property lines which abut public roads, which shall be defined as any roads or highways with assigned route numbers; and those property lines which are immediately adjacent to properties zoned for commercial or business use:

1. There shall be no restrictions on the height of live evergreen trees or shrubbery planted on the owner's property when used as living fencing. Plantings may be supplemented with fences **as described below which comply with the rest of this policy section.**

2. Fabricated fences shall meet the following criteria:

a. Fences shall not be constructed within the road right-of-way, but shall be totally within the owner's property line.

b. Materials shall be wood or simulated wood, stained or maintained to fall within a narrow range of natural colors, for which ECC shall maintain actual samples.

c. Solid Fences shall meet the following criteria:

i. Style shall consist of vertical boards no less than two inches or greater than six inches in width, and spaced no greater than one inch apart;

- ii. Height shall be a consistent six feet above ground level, measured at each post;
- iii. Posts, rails and other support members shall ~~not be visible from the public road or adjacent commercial property.~~ **be on the home side (interior) of the fence.**
- d. Fences which are not solid shall meet the following criteria:
 - i. Style shall consist of three horizontal boards no greater than six inches in width, spaced equidistantly;
 - ii. Height shall be a consistent thirty-six inches above ground level, measured at each post;
 - iii. Posts and other support members shall ~~not~~ be on the **interior** side of the fence ~~which faces the public road or the adjacent property;~~
 - iv. Fences may be supplemented with welded or woven wire material, which shall be applied to the inside (owner's side) of the fence.