



Date Completed: _____

Permit #: _____

APPLICATION FOR: FENCE PERMIT

Mail: City of Live Oak - 101 White Ave. S.E. - Live Oak, FL 32064
Office: City Hall Annex - 416 Howard Street E - Live Oak, FL 32064
Phone: 386.362.2276 ofc. - 386.330.6507 fax

Date Stamp:

Received by: _____

All fence permit applications must be submitted to the Building Official and approved prior to any work commencing.

PERMIT FEE: _____
DATE PAID: _____
RECEIPT #: _____

NOTE – PLEASE SEE CITY ORDINANCE NO. 1255 – FENCE CODE REGULATIONS

THESE SECTIONS TO BE COMPLETED BY APPLICANT

Property Type: **COMMERCIAL** **RESIDENTIAL**

If Commercial Property, please indicate the purpose for the fence. (Check all that apply)

- Establish property line along street frontage Establish property line with neighboring property
- Solid buffer or privacy fence Screening around dumpster
- Outdoor storage area (list what is proposed to be stored) _____
- Protective Measure Fencing (**For the purpose of protection of an area or building on the property, or to deter the crossing of the fence onto or off of the property**)
- Requesting a review for security / barbed wire to be included?
- Other: _____

Applicant is the property: owner (*on deed*) tenant/contractor* (*If non-owner, have owner sign a letter of authorization form*)

Name: _____ Email: _____

Address: _____ City: _____ State: _____ Zip: _____

Home Phone: _____ Cell Phone: _____

Contractor/Hired Company

Please check box if applicant is doing in installation work by self.

Name: _____ Email: _____

Address: _____ City: _____ State: _____ Zip: _____

Work Phone: _____ Contractor License #: _____
(please also provide a copy of your license in the application submittal)

Property/Job Location

Address: _____ City: Live Oak State: FL Zip: 32064

Parcel ID #: _____

- Type of fence material:
- Wood Vinyl/PVC/Fiberglass
 - Chain Link Wrought Iron
 - Metal Tubing Stone/Masonry
 - Other: _____

NOTE: Field/Wire Fence is prohibited in Commercial and restricted to side/rear yards in Residential areas. Many other types of non-fence materials are also prohibited – see Ordinance No. 1255 for details.

If work is being done by the applicant, please indicate where the fence materials will be purchased from:

Proposed fence height(s):

Please check box if all height(s) are the same.

Front (street side) _____ Side 1 _____ Side 2 _____ Rear _____

Will this fence be located on a corner lot? Yes No

Will this fence be located within 25 feet to either a street intersection or driveway connection? Yes* No

If yes, vehicular visibility and line of sight codes will be applied. Any fence found, once erected, to be a safety or visibility obstruction will be required to be altered to the City's satisfaction, in order for a permit final passing inspection to be done.

This fence is new replaces existing fence*

If replacing an existing fence, please specify the currently existing fence material and location:

Are any fences going to be removed and not replaced? Yes* No

If yes – show those portions on the site-plan.

Will the new fence tie into an existing fence? Yes* No

If yes, is the fence on your property or a neighbor's property? _____

If neighbor's, please have them write a letter authorizing you to tie into their fence.

Is any portion of the proposed fence along any property line? Yes No

Do you have a survey of the property? Yes* No

If yes, please provide a copy, or bring the survey in for a copy to be made.

If no, are you certain where your property lines are? Yes No

If you are not sure, the City is not able to locate property lines for you, and to be certain, we recommend you have a survey done.

The property owner is responsible to ensure the proposed fence is wholly located on their property. Issuance of a permit does not constitute the City of Live Oak being responsible if in any fashion the fence is found in the future to encroach on the right of way or adjacent private property. In that event, any required future removal or relocation will be at the owner's expense.

Are there any trees proposed for removal to make way for the proposed fence? Yes* No

If yes, are they on your property or the City right of way? _____

If yes, are any of them Live Oak Species trees which have a trunk diameter greater than 30 inches? Yes No

If a Live Oak tree, it may be protected and would require a vote by the City Council to be removed.

What type of posts will the fence be supported by? _____

How deep will the posts go into the ground? _____

What type of support will the posts have (compacted soil, compacted rock, cement)? _____

Are there any gates proposed for the fence? Yes No

If yes, is any gate intended for a vehicle to drive through? Yes No (*If yes, see below*)

- **If gates are proposed, and they face the adjacent street right of way, and the intent is to allow vehicle access from the street to the property through the gate – the application must also include a proposed cement or asphalt driveway from the edge of the street to the property line. There are code standards for all driveways – number, location and size/width. An evaluation will need to be done to determine if what is proposed can be approved.**

NOTE: If your property is in the FEMA flood zone, certain types of fences may not be allowed unless they are placed in a manner which will not affect floodwater flows.

NOTE: If you are proposing a wood or vinyl fence, etc. where one side is different than the other – code requires the finished side of the fence to face out towards your neighbor or street, and the unfinished side facing into your yard.

Submittal Requirements

Please include with this application:

- **Site Plan is Required** – A survey or an aerial map image of the property, with the proposed location of fence and other details drawn in (if no survey is available, please see Planning Staff for a property map printout).
- Show on the site plan the length in feet of each leg of fencing that is proposed.
- Show on the site plan where the fence will change in height (if applicable).
- Show on the site plan all locations of gates and the sizes of each gate.
- Please also submit a photo, brochure or elevation drawing of the type of fence you are proposing.
- Please also show on your drawing the post depth, and what type of material will go around the posts and in what quantity and dimension.

Approximate valuation of work: _____

Applicant Acknowledgement

I (we) do hereby certify that to the best of my (our) knowledge and belief, that all of the above statements and information, and the statements contained in any papers or plans submitted herewith, are true and correct. I (we) authorize the Building Official, Fire Chief, Public Works Director or City Development Manager or his designee to enter and inspect the site and premises which is the subject of this application.

I (we) also understand that it is the owner’s responsibility to ensure that structures are properly located and used within allowances on the property to meet various code requirements, setbacks and without encroachments. Once approved, permits issued and inspections done, if found to be a violation in the future, subsequent Code Enforcement actions may occur to bring about compliance.

I (we) also understand and agree that no digging will take place until 811 has been called and locates done and marked for all utilities which may be present in the areas proposed for a fence.

By utilizing these allowances, any person owning or operating such structure or use agrees to indemnify, defend, save and hold harmless the City, its officers, agents and employees from any and all claims, liability, lawsuits, damages and causes of action which may rise out of such activity, use or structure.

_____	_____	_____
<i>Printed Name</i>	<i>Signature</i>	<i>Date</i>
_____	_____	_____
<i>Printed Name</i>	<i>Signature</i>	<i>Date</i>
_____	_____	_____
<i>Printed Name</i>	<i>Signature</i>	<i>Date</i>

TO BE COMPLETED BY CITY STAFF

Property Zoning: _____

Flood Zone: _____

Approvals and Permit Issuance:

Zoning Dept. _____

Building Official: _____

LIVE OAK - Fence Regulations:

Only certain types of fence materials are allowed in the city. Please see the attached Ordinance for more information. (*) Commercial Buffer fencing may have additional requirements for double-facing.

Please see George Curtis, Development Manager for additional information or to answer any questions.

Fences erected in violation of the code, even with a permit, will be required to be removed, rebuilt or replaced in order to meet the standards.

BOARD AND VINYL FENCE REQUIREMENTS

“Finished Side” **must face out to neighbors or street** – See example to right/below.

(All posts and supports must be hidden, and on the inside - facing your yard and house, etc. The “good” side faces your neighbors or the street, etc.)

If you want ‘finishing’ to face in – you must put the same boards **on both sides** – inside **and** outside. Finished Boards on the inside and lattice on the outside **does not meet** the ‘finishing’ requirement and will fail inspections.



“Supports” must face in towards your inside yard/house.



As an **alternative** – decorative wood style fences which incorporate “framing” as part of the design – and which have the **same appearance** on **both sides** – may be erected – see examples to right and below. Exposed posts will need “dog-earring” or metal “post-tops” to finish them off at top.



“Shadow Box” style is also permitted – so long as vertical posts are not visible.

(*) For Commercial Buffer Fences, the boards must overlap (front to back), for a solid – opaque appearance which cannot be seen through.

(See example to right)



Vinyl Fences – must meet same ‘finished’ requirement, with posts on the ‘inside’,

or must be ‘like-kind’ on both sides – with posts between panels. (*) No gaps between boards are permitted for Commercial Buffer Fences, but are OK for fences between residences.



ORDINANCE NO. 1255

AN ORDINANCE ADDING ARTICLE V. "FENCE REGULATIONS" TO CHAPTER 14 OF THE CITY OF LIVE OAK CODE OF ORDINANCES PERTAINING TO: APPLICABILITY, DEFINITIONS, PERMIT REQUIREMENTS, GENERAL REGULATIONS, REGULATIONS ACCORDING TO ZONING DISTRICT, MAINTENANCE, NONCONFORMING FENCES, ENFORCEMENT AND PENALTIES; AND PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LIVE OAK, FLORIDA:

Section 1. That Article V is added to Chapter 14 of the Code of Ordinances, City of Live Oak, Florida to read as follows:

Sec. 14-121 Applicability.

1. This Ordinance shall apply to all lands within the corporate city limits, as amended, of the City of Live Oak, Florida.
2. It shall be unlawful for any person to: erect, construct, enlarge, alter, repair, replace, remove, maintain, demolish, or permit the ongoing utilization of any fence regulated by this Ordinance, in a manner which is in violation of any part of this Ordinance, unless otherwise provided for herein.

Sec. 14-122 Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. Barrier: Shall mean a fence, wall or other structure built to bar passage.
2. Commercially Utilized: Shall mean that commercial activity on the parcel is taking place by evidence of the issuance of a current City Occupational Tax License, except in the case where the activity is considered a Home Business or Home Occupation.
3. Corner: Shall mean the space between intersecting streets, the intersection of a street and an alley, the intersection of a driveway and an alley or the intersection of a street and a driveway.
4. Curb Break or Curb Cut: Shall mean a driveway or other opening for vehicles entering from or to a public street.
5. Fence: Shall mean an enclosing barrier that prohibits through passage.
6. Fence face: Shall mean the finished side having no structural posts or supports.
7. Fence, protective measures: Shall mean all fencing greater than 4 feet in height, proposed to be installed at a non-residential location, erected for the purpose of the protection of an area or building on the property, and its contents, or to prevent or deter the crossing of the fence onto or off of said property. Opaque fencing, erected on a property boundary with an abutting parcel, which contains no security, barbed or razor wires, which is to serve the purpose of a buffer as required in the Land Development Regulations, shall not be construed to be a protective measures fence.
8. Intersection: Shall mean a point where streets, roads, highways, alleys and driveways meet or cross.
9. Member: Shall mean a structural component part of a fence.
10. Visibility range: Shall mean distance required to afford proper vision for pedestrian and vehicular traffic at intersections and/or corners.

11. Yard: Shall mean a required open space unoccupied and unobstructed from the ground upward provided, however, that fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any yard, subject to requirements herein.
12. Yard, front: A front yard extends between side lot lines across the front of a lot adjoining a public street. Through lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, have front yards on all frontages. Corner lots and reverse frontage lots have two front yards of the required depth.
13. Yard, rear: A rear yard extends across the rear of the lot between inner side yard lines. Through and corner lots have no rear yards but only front and side yards.
14. Yard, side: A side yard extends from the rear line of the required front yard to the rear lot line or, in the absence of a clearly defined rear lot line, to the point on the lot farthest from the intersection of the lot line involved with a public street. Side yards of through lots extend from the required rear lines of front yards. Corner lot yards remaining after front yards have been established on both frontages are considered side yards.
15. Zoning atlas map or districts: Shall mean the district lines as shown on the Official Zoning Map of the City of Live Oak, as amended.

Section 14-123 Permit Requirements.

1. It shall be unlawful for any person to erect, construct, enlarge, alter, or replace any fence regulated by this article without first obtaining a separate permit for each fence from the City Building Official. A fence permit shall not be required if it is determined by the Building Official that only minor repair or painting is necessary.
2. Permits shall be applied for on forms provided by the City.
3. Proposed fences shall be subject to the prior review and approval of a minor site plan and building plan.
4. The fee for permits issued regarding fences shall be \$30.00 for any residentially zoned or utilized property and \$50.00 for any non-residentially zoned or utilized property.
5. Permits for any fences over 6 feet in height shall also require the submittal of sealed engineered plans for construction and wind loads.
6. Required plans shall be drawn to scale and shall include the following:
 - a. Building locations and area to be fenced.
 - b. Legal description of land to be fenced.
 - c. Height of fence and type of materials to be used.
 - d. Intersections of streets, roads, highways, alleys and driveways.
 - e. Zoning.
 - f. Corner "visibility range," when required, shall be shown.
7. In cases where a fence is to be erected within 10 feet of a property line, or of an adjacent public right-of-way, and said property line cannot be substantiated by the property owner by method of existing property boundary markers, rods, monuments, or other acceptable measures, at the discretion of the Building Official, a certified survey of the property shall be a requirement as part of the necessary documents in order to secure a permit.
8. The Building Official may require the applicant to provide the manufacture's standards to establish the intended use of a proposed fencing material.
9. Prior to the submission of an application for a fence permit, the property owner shall indicate with flags, string, paint or other acceptable method, the proposed location of the fence on the property.
10. An application for a fence permit shall be evidence and certification that the applicant has or will notify all required utility owners who may have under-ground or above-ground wires, pipes or other improvements, giving required notice for location and marking, prior to any construction commencing.

11. The issuance or granting of a permit under this article, or approval of plans shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this article or any other code or ordinance of the city.
12. Every permit issued by the Building Official under the provisions of this article shall expire by limitation and become null and void if the authorized work is not commenced within 60 days from the date of permitting, or if the authorized work is not completed within 90 days from permit issuance, or is abandoned for a period of 90 days from permit issuance. Before the work can be recommenced, a new permit shall be first obtained.

Section 14-124 General Regulations.

1. No fence, fence component, or guy wire, shall be constructed upon, or extend over, property that the City or has control over, owns as an easement over or under, or which is designated as any public, utility or transportation right-of-way.
2. In all zoning districts where additional criteria regarding buffers, outside storage of material, equipment, goods and supplies, or other applicable requirements exist, all fencing shall further comply with the general Land Development Regulations.
3. That side of any fence considered to be its face shall always be directed towards and seen from abutting or adjacent properties or all public rights-of-way.
4. No person shall construct a fence out of used, damaged or unsafe materials.
5. All fences shall have a minimum of one gate for emergency ingress and egress and a curb-break and driveway approach shall be required for all vehicle gates or vehicle access within 50 feet of the right-of-way.
6. All fences shall be constructed to be no higher than the height restrictions for the associated location where it is proposed to be located. Height measurements shall be from normal grade of the land, exclusive of any retaining walls or berming which may have taken place. If fill material has been removed, the new grade shall be the lowest point along the area which has been excavated.
7. No physical damage of any kind shall occur to abutting or adjacent property during construction.
8. Provisions shall be made for gas, water or other utility meters or sources to be readily accessible for examination, reading, replacement or necessary maintenance as required by: the Code of Federal Regulations, the National Fuel Gas Code, or any necessary action by City staff or contracted designees.
9. Any property, neighborhood or association deed restrictions which are in effect, which are more restrictive than this Ordinance, shall be followed by any person seeking to erect a fence on property covered by those applicable restrictions or regulations.
10. Any existing or future fence which may be located across an easement or other publically controlled area, if said area requires maintenance or construction by the controlling private or public entity, said fence and any related components shall be removed and subsequently replaced at the expense of the individual or agency, who erected, owns or controls the fence.
11. All applicants for, and/or recipients of, a fence permit, property owners or occupants thereof, whose property a fence permit is issued for, adjacent, abutting or other property owners, home owners associations and similar entities, or agents thereof, shall indemnify and hold the City harmless from any and all liability or damages which may occur or result from any construction of or on a fence, or related components, within the Corporate City Limits.
12. Any instance where the intent, scope or applicability of the Land Development Regulations is to be determined shall be evaluated and decided by, and at the discretion of, the Development Manager for the City.
13. All fences, or instances where a fence may be a requirement, such as around a pool structure, shall adhere and conform to all applicable State of Florida Building Codes in effect at the time of construction. Instances where codes require a fence, and no satisfactory fence was erected, shall be enforced as a violation as provided for in all applicable regulations, codes, ordinances or statutes.

14. Protective measure fencing: The permit for such a fence shall only be granted after demonstration of the need of such a fence and through approval by the City Development Manager. The Development Manager shall consider the current zoning, future land use, current and proposed utilization of the property, the location and height of the proposed fence and the adjacent land uses and character of the area. Approval shall only be granted if such a fence at the proposed location would not be inconsistent with the intent of the City Comprehensive Plan, Land Development Regulations and general character of the area. Whenever said protective measures fence employs barbed wire, said fence shall only be permitted in a side or rear yard area, said barbed wire shall be located along the uppermost edge of such fence. The minimum height for such fence below the barbed wire extension shall be 6 feet, provided that security barbed wire installed at an angle shall not extend over or beyond any portion of the public walkways or public streets. All protective measure fences and associated materials, where said fence shall be in the front yard or within 200 feet of a public right-of-way, shall be constructed of the type which is the commercially available brown or green coated chain link. Areas within the side or rear yards may also be vinyl, PVC, or composite materials specifically manufactured as fencing.
15. Fence allowances proposed on Conservation and Public Zoning Districts, as well as on all publically held or controlled lands shall be determined at the discretion of the Development Manager in comparing the current and proposed land use with the intent of the Comprehensive Plan and the adjacent land uses.
16. All fences and associated materials proposed or required around publically owned, controlled or operated structures, compounds, or sites, where said fence shall be within 200 feet of a public right-of-way, shall be constructed of the type which is the commercially available brown or green coated chain link.
17. All fences and associated materials proposed or required around privately owned or operated: communications tower sites, lift-stations, detention or retention ponds, power grid stations or sites, pump stations, or other similar utility, stormwater, sanitary, solid waste, groundwater, or transportation structures, compounds or sites, or recreational or sports complexes, where said fence shall be within 200 feet of a public right-of-way, shall be constructed of the type which is the commercially available brown or green coated chain link.

Section 14-125 Regulations according to zoning district.

1. All zoning districts:

a. Visibility at intersections and curb breaks.

(1) Visibility at intersections: No fence shall be erected on a corner lot in such a manner as to obstruct vision between a height of 2 1/2 feet and six feet above the centerline grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines 25 feet from the point of intersection of the public right-of-way line.

(2) Visibility at curb breaks: No fence shall be erected where a curb break intersects a public right-of-way in such a manner as to obstruct cross-visibility between a height of 2 1/2 and six feet within the areas of property on both sides of the curb break formed by the intersection of each side of the curb break and public right-of-way lines with two sides of each triangle being ten feet in length from the point of intersection and the third being a line connecting the end of the two other sides.

2. Residentially zoned parcels, unless otherwise provided for:

a. Permitted materials are: wood, metal tubing, wrought iron, stone, masonry, and chain link. Vinyl, PVC or fiberglass composite materials may be utilized if the material is listed, designed and constructed for fencing materials. Woven metal field-fence 14 or thicker gauge shall be permissible within any side or rear yard area.

b. Prohibited materials are: rope; string; wire products not otherwise permitted, including: chicken or poultry netting, barbed wire, razor ribbon; chain, netting, cut or broken glass, paper, metal panels, corrugated metal panels, galvanized sheet metal, plywood, fiberglass panels or plastic panels or any other materials, not listed as permitted, including any that are not designed and manufactured specifically as fencing materials.

c. No fence shall be permitted to be electrified or otherwise modified in such a way as to cause harm to any living thing which may come into contact with it.

d. Except in areas bounded by the intersection of street lines of right-of-way intersections, or by the intersection of a driveway curb-break and a street right-of-way, fences shall be limited in height to 8 feet along side or rear yard areas and 4 feet in all front yard areas.

3. **Commercially zoned or utilized parcels, unless otherwise provided for:**

a. Permitted materials are: wood, metal tubing or wrought iron, stone, masonry and chain link. Vinyl, PVC or fiberglass composite materials may be utilized if the material is listed, designed and constructed for fencing materials.

b. Protective measure fences: when proposed and approved as provided for herein, shall be permitted only in CG, CI and CSC zoning districts.

c. Prohibited materials, unless otherwise permitted, are: rope; string; wire products not otherwise permitted, including: chicken or poultry netting, woven metal field-fence, barbed wire, razor ribbon; chain, netting, cut or broken glass, paper, metal panels, corrugated metal panels, galvanized sheet metal, plywood, fiberglass panels or plastic panels or any other materials, not listed as permitted, including any that are not designed and manufactured specifically as fencing materials.

d. No fence shall be permitted to be electrified or otherwise modified in such a way as to cause harm to any living thing which may come into contact with it.

e. Except in areas bounded by the intersection of street lines of right-of-way intersections, or by the intersection of a driveway curb-break and a street right-of-way, fences shall be limited in height to 10 feet along side or rear yard areas and 6 feet in all front yard areas.

4. **Industrially zoned parcels, unless otherwise provided for:**

a. Permitted materials are: wood, metal tubing or wrought iron, stone, masonry and chain link. Vinyl, PVC or fiberglass composite materials may be utilized if the material is listed, designed and constructed for fencing materials.

b. Protective measure fences: when proposed and approved as provided for herein.

c. Prohibited materials, unless otherwise permitted, are: rope; string; wire products not otherwise permitted, including: chicken or poultry netting, woven metal field-fence, barbed wire, razor ribbon; chain, netting, cut or broken glass, paper, metal panels, corrugated metal panels, galvanized sheet metal, plywood, fiberglass panels or plastic panels or any other materials, not listed as permitted, including any that are not designed and manufactured specifically as fencing materials.

d. No fence shall be permitted to be electrified or otherwise modified in such a way as to cause harm to any living thing which may come into contact with it.

e. Except in areas bounded by the intersection of street lines of right-of-way intersections, or by the intersection of a driveway curb-break and a street right-of-way, fences shall be limited in height to 12 feet along side or rear yard areas and 8 feet in all front yard areas.

5. **Agriculturally zoned parcels, unless otherwise provided for:**

For the purposes of this section, any residentially zoned parcel, 2 or more acres in size, which is an existing nonconforming agriculturally utilized parcel, shall be allowed fencing as allowed in this sub-section.

a. Permitted materials are: wood, metal tubing or wrought iron, stone, masonry and chain link, wire products including: chicken or poultry netting, woven metal field-fence, hog and horse wire; chain, netting, Vinyl, PVC or fiberglass composite materials may be utilized if the material is listed, designed and constructed for fencing materials. Barbed wire may be utilized so long as it is located a minimum of 10 feet from: all shared property lines with residentially zoned property and from all public rights-of-way.

b. Protective measure fences: when approved as provided for herein.

c. Prohibited materials, unless otherwise permitted, are: wire products not otherwise permitted, including: razor ribbon; cut or broken glass, paper. Fencing materials within 25 feet of a public right-of-way or a property zoned residential or commercial, shall be limited to only that listed under the permitted materials Sec. 14-125(5) (a).

d. An electrified fence may be utilized, so long as a commercially produced fence energizer is utilized and must be listed by a national testing agency such as UL or ETL. Said fence must be located a minimum of 10 feet from: all shared property lines with residentially zoned property and from all public rights-of-way and 300 feet from any church, school, playground or park, or day care facility, otherwise, no fence shall be permitted to be otherwise modified in such a way as to cause harm to any living thing which may come into contact with it.

e. Except in areas bounded by the intersection of street lines of right-of-way intersections, or by the intersection of a driveway curb-break and a street right-of-way, fences shall be limited in height to 12 feet alongside or rear yard areas and 8 feet in all front yard areas.

Section 14-126 Maintenance.

1. All fences, both existing and new, and all parts or sides thereof, shall be maintained in a safe and aesthetically pleasing condition, and shall not be allowed to become and remain in a condition of disrepair or danger, or constitute a nuisance, public or private. Graffiti and other ornamentations or signage shall be removed immediately upon notification. All devices or safeguards which are required by this article shall be maintained operable.
2. The owner or his designated agent shall be responsible for the maintenance of the fence, and to determine compliance of this section; the Building Official may cause any fence to be re-inspected.

Sec. 14-127 Nonconforming fences.

1. It is the intent of this section to allow the continuation of such nonconforming fences until they are discontinued as provided herein. However, it is not the intent of this section to encourage the survival of nonconforming fences as such fences are declared to be incompatible with permitted fences within the city. Such fences shall be regulated by the following:
 - a. An existing fence which was legally erected and permitted, if required at the time, in the past, which would not be permitted by this Ordinance, except when required to do so by law, shall not be enlarged, extended, relocated, reconstructed, replaced or structurally altered, unless such fence is applied for, reviewed, approved, and permitted to be altered in a manner which would bring the entire structure into conformance with the current regulations.
 - b. Maintenance of a nonconforming fence will be allowed, however, limited to necessary repairs and incidental alterations which do not expand or intensify the non-conforming nature of the fence.

Sec. 14-128 Enforcement and Penalties.

1. Any person, firm or corporation erecting or maintaining any fence within the city who shall neglect or refuse to comply with the provisions of this ordinance, or who erects or maintains any fence which does not comply with the provisions set forth, shall be enforced and punishable as is provided for in all local, state and federal ordinances and statutes, including Florida Statute 162.06.

Secs. 14-129 - 14-154 Reserved.