

ORDINANCE NO. 2025-23

AN ORDINANCE MODIFYING THE PERMITTED HEIGHT OF FENCING ASSOCIATED WITH SPORTS COURTS.

WHEREAS, there is an increase deemed for private sports courts in the city.

WHEREAS, The City Council finds that it is in the public interest to permit taller fencing and netting around sports courts to maintain personal property within the sports courts and to protect surrounding properties from potential damage or conflicts related to sports courts.

BE IT ORDAINED by the City Council of Heber City, Utah, that Section 18.68.120 Heights Of Fences And Walls is AMENDED, as described in Exhibit A.

This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED and ORDERED TO BE PUBLISHED BY THE HEBER CITY COUNCIL this 2nd day of September 2025.

	AYE	NAY	ABSENT	ABSTAIN
Yvonne Barney	<u>X</u>	_____	_____	_____
Aaron Cheatwood	<u>X</u>	_____	_____	_____
Michael Johnston	<u>X</u>	_____	_____	_____
Sid Ostergaard	<u>X</u>	_____	_____	_____
D. Scott Phillips	<u>X</u>	_____	_____	_____

APPROVED:

Heidi Franco
Mayor Heidi Franco



ATTEST:

Mina W. Loebe Date: 9/2/2025
RECORDER

Exhibit A

18.68.120 Heights Of Fences And Walls

A. Fences and Walls in Residential Zones. No fence or wall shall be constructed to a height greater than four (4) feet in any front yard. Any fence or wall along a side yard or rear yard shall be not be constructed to a height greater than six (6) feet. However, a fence along a side or a rear property line of a residential lot, which side or rear property line borders a non-residential zone, may be constructed to the height allowed in the non-residential zone. The "thirty foot" setback may be reduced to the front wall line for legally non-conforming homes which are closer than thirty feet to the street right-of-way line.

1. New subdivisions must have Covenants, Conditions, and Restrictions for the subdivision approved by the City through the subdivision process and recorded with the subdivision plat, addressing standardized fence height, materials, and color for fences constructed within the subdivision.

B. Fences and Walls in Non-Residential Zones. No fence or wall shall be constructed to a height of greater than eight (8) feet in any non-residential zone. The permitted fencing materials for non-residential zones are as follows:

Zone	Barbed or Razor Wire	Chain Link	Vinyl	Wood	Decorati Metal
C-3	N	N	N	P	P
C-2	N	N	N	P	P
C-4	N	N	N	P	P
MURC	N	N	C	P	P
NVOZ	N	N	C	P	P
MBP	P	P	P	P	P
I-1	P	P	P	P	P
I-2	P	P	P	P	P
CMP	N	N	P	P	P

(P) Permitted (N) Not Permitted (C) Conditional **Conditions:** Welded Wire is only permitted when used with another permitted material in the applicable zone. Field Fence is only permitted for properties with an agricultural use or in keeping of grazing animals. CMU Block must be split face, honed, or covered with a decorative veneer. Vinyl, where conditional, is only permitted for residential uses. * **Where these provisions conflict with individual zones, the stricter shall apply.**

C. The provisions of 18.68.150 shall apply to all fences on all corner lots.

D. Outdoor swimming pools shall be completely enclosed by a six (6) foot tall fence.

E. Sports Courts, in all zones, may have fencing or netting not to exceed ten (10) feet in height. Such fencing and netting shall be black in color, transparent, and not extend beyond the area or extent of the Sports Court.

FE. All private fences, regardless of fence height or property zoning classification, shall be constructed upon private property and not within the street right-of-way.

GF. No fence shall be constructed near any driveway which would interfere with the visibility triangle required in Section 18.68.155.

HG. Fences and walls may be extended to eight (8) feet in height with the top two (2) feet constructed of barb-wire in the following institutional use areas: around culinary wells and springs, pump houses, airport, sewer facilities and electrical transmission and telecommunication facilities. When institutional fences are adjacent to residential zones, residential fences immediately adjacent to an institutional fence may be extended to eight (8) feet in height. However, no part of an institutional fence may hang over a residential lot

IH. Any fence constructed on top of or along a retaining wall, which is legitimately retaining, shall have their regulated height measured from the highest point of the top of the retaining wall. However, any fence constructed within a driveway visibility triangle or street visibility triangle as regulated by Section 18.68.155 and 18.68.150 shall not exceed the height limits for those respective code sections, with such height measured along street grade for street visibility triangles and driveway grade for driveway visibility triangles.

J. All fences constructed prior to May 19, 2011, which conform to Sections 18.68.155 and 18.68.150, shall be considered legal.