

MANTI CITY ORDINANCE NO. 2025-1

Fence Regulations

AN ORDINANCE CREATING REQUIREMENTS FOR THE PERMITTING AND CONSTRUCTION OF FENCES.

RECITALS

WHEREAS, pursuant to Utah Code Ann. § 10-1-201 Manti City (“the City”) is a Utah municipal corporation and political subdivision of the State of Utah;

WHEREAS, pursuant to Utah Code Ann. § 10-3b-401 the Manti City Council (“the City Council”) is the legislative and governing body of the City;

WHEREAS, pursuant to Utah Code Ann. § 10-9a-103(31) the City Council, in addition to being the legislative and governing body of the City, is also the Land Use Authority vested with the power to enact all Land Use Regulations and make all Land Use Decisions within the City unless the latter administrative power is delegated to another body or person;

NOW THEREFORE, be it ordained by the Manti City Council, in the State of Utah, as follows:

Additions to Manti Code Municipal Code

17.40.065 Fence Regulations

- A. *Permit Required.* Prior to erecting a fence, a permit must be obtained. Applications are available at the Manti City office or on the Manti City website.
- B. *Side Yards and Rear Yards.* In any required side or rear yard on lots, the total height of fences shall not exceed seven (7) feet, including base, unless otherwise allowed herein (See Figure #1)
- C. *Front Yards.* Fences in front yards shall be allowed provided that solid type fences shall not exceed three (3) feet, and open type fences shall not exceed four (4) feet. (See Figure #1).

Fence Figure #1: Interior Lot Fence Height Restrictions

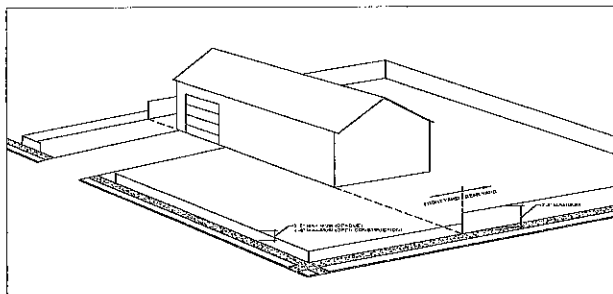


FIGURE #1
(NOT TO SCALE)

D. Corner Lots. In addition to the other provisions contained in this section, fences located on corner lots shall be subject to the following provisions (See Figures #2 & #4):

1. Any fence, wall, and/or hedge on the front yard setback, assuring there is a clear view zone, shall not exceed three (3) feet if solid construction or four (4) feet if open construction.
2. To maintain a clear zone of visibility in the side yard setback that fronts on a street, height up to seven (7) feet shall be allowed beyond thirty-five (35) feet from the intersection measured from the intersecting extended of curb property lines. Height within the thirty-five (35) foot area shall conform to the requirements of a front yard setback.

Fence Figure #2: Illustration of a Common 35-Foot Sight Visibility Triangle

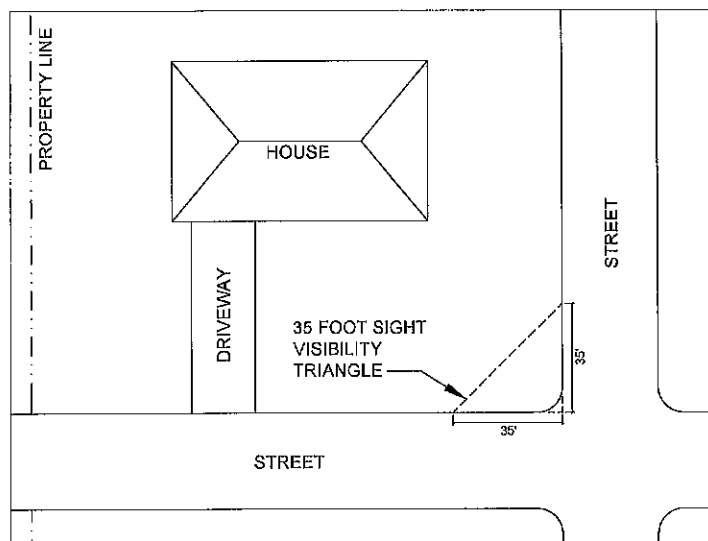


FIGURE #2
(NOT TO SCALE)

3. When a driveway exists on an adjoining lot, a clear view zone shall be maintained free of fencing, except an open type fence or a view solid fence no higher than three (3) feet in height when a driveway exists on the adjacent lot within ten feet of the shared property line. The clear view zone refers to the portion of the corner lot lying within a triangular area formed by measuring back ten (10) feet from the point where the interior property line shared with the adjacent lot meets the property line along the public right-of-way (see figure #3).

Fence Figure #3: Clear View Zone

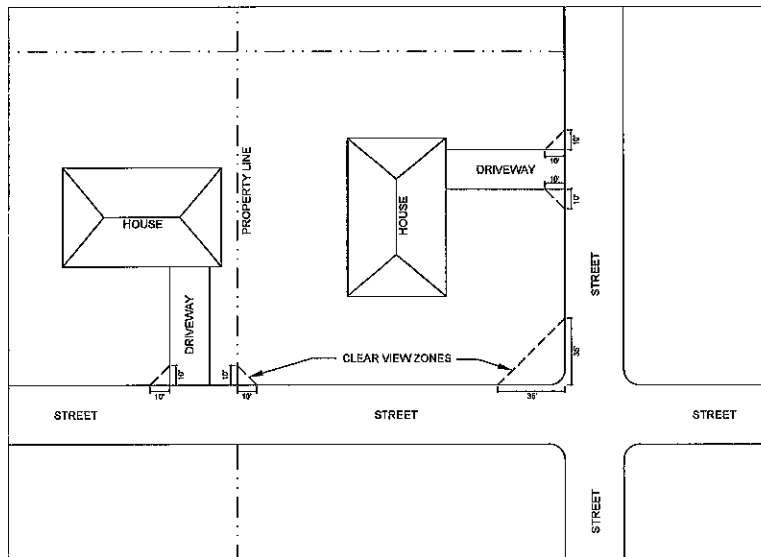


FIGURE #3
(NOT TO SCALE)

E. Heights on the rear yard setback and interior side yard setback shall not exceed seven (7) feet, unless otherwise allowed herein.

Exception: the following fences are exempt from these requirements so long as they do not constitute a safety hazard for vehicular and/or pedestrian traffic.

1. Fences needed for safety purposes, such as utility areas, water ways, swimming pools, etc.
2. Fences used for Government purposes.
3. Fences used for basketball, tennis, or other sports related play areas.
4. Certain other fences, such as patio enclosures, etc., may be approved if they do not create a hazard or violation of this or other ordinances.
5. In new residential development that adjoins commercial/industrial zone, the placement of a fence is the responsibility of the commercial/industrial property owner.
6. Fence heights between commercial/industrial and residential zones shall be a minimum of seven (7) feet in height and shall be constructed of sight obscuring material. A fence exceeding seven (7) feet in height shall require a building permit.

Fence Figure #4: Corner Lot Fence Height Restrictions

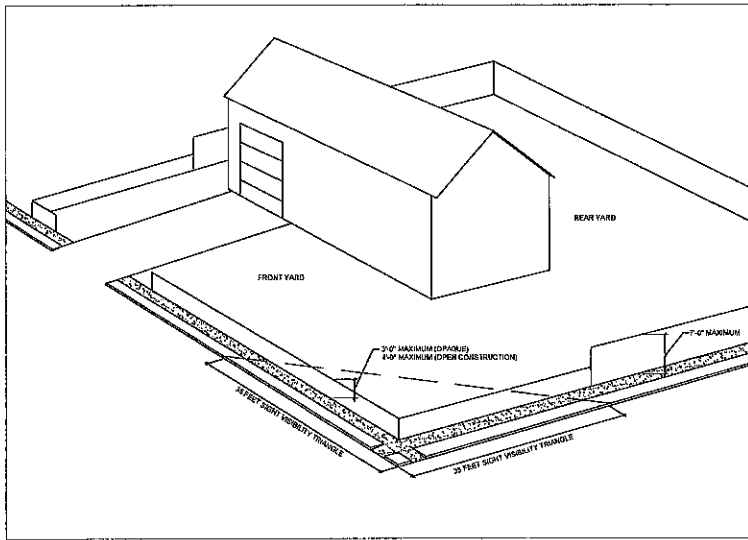


FIGURE #4
(NOT TO SCALE)

F. Fences on slopes. Fences on slopes may be a maximum of seven (7) feet if the average height of such fence is no greater than six (6) feet six (6) inches, unless otherwise allowed herein (see Figure 5).

Fence Figure #5: Slopes

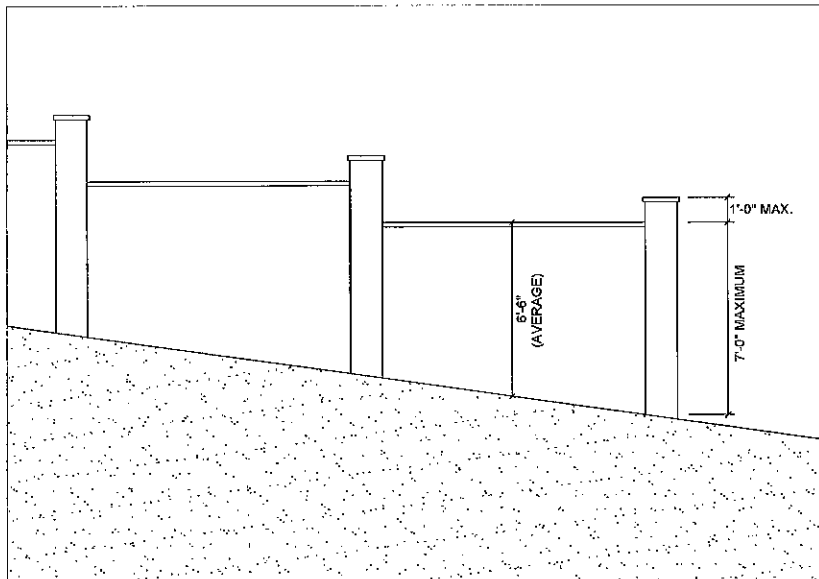


FIGURE #5
(NOT TO SCALE)

G. Measurement of Fence Height.

1. The height of a fence shall be measured from the highest grade.
2. The combined height of a fence and retaining wall shall not exceed eleven (11) feet, unless otherwise allowed herein (see Figure #6).

Fence figure #6: Height

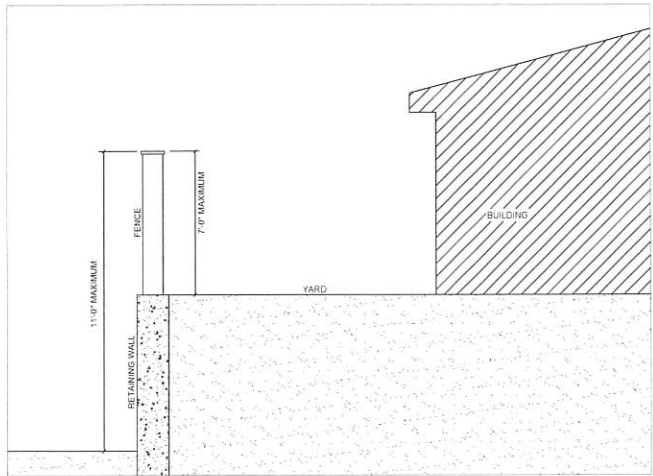


FIGURE #6
(NOT TO SCALE)

Severability Clause: Should any part or provision of this ORDINANCE be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ORDINANCE as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Effective Date: This Ordinance shall be in full force and take effect on February 20, 2025

Repealer Clause: All Manti City ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

PASSED AND APPROVED this 8th day of January, 2025.

Al Bigelow
Alfred C. Bigelow, Mayor

Attest:
JoAnn Otten
JoAnn Otten, City Recorder

City Council Member Jennifer Christiansen
 City Council Member Jeff Killian
 City Council Member AJ Mower
 City Council Member Mary Pipes
 City Council Member Mary Wintch

Yea Nay Absent
 Yea Nay Absent
 Yea Nay Absent
 Yea Nay Absent
 Yea Nay Absent

RECORDED this 8th day of January, 2025.

PUBLISHED OR POSTED this 20 day of February, 2025.