



Town of Ocean Isle Beach

Resolution No. 2015 - 01

Date Adopted: February 10, 2015

RESOLUTION

WHEREAS, the Town has enacted an ordinance that controls land development within both the Town's incorporated areas and within extraterritorial areas; and

WHEREAS, the Board of Commissioners of the Town of Ocean Isle Beach support measures to assure safety, enjoyment and well-being of guests and residents of the Town,

WHEREAS, the Board of Commissioners of the Town of Ocean Isle Beach has responsibility to serve the general needs of the community by making appropriate revisions to the Town's ordinance; and

WHEREAS, the application is both reasonable and in the public interest;

WHEREAS, the Planning Board has considered this matter and is recommending amendments to the Town's Ordinance regarding fencing for consideration by the Board of Commissioners, and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF OCEAN ISLE BEACH to modify the Town's Ordinance as follows:

1. That Section 10-125 Fencing be amended to read as follows:

(a) Fencing must have at least 50 percent open construction and will be limited to split rail, lattice, picket and noncorrosive aluminum types. Maximum height allowed will be four feet from ground level to the highest point of the fencing. The following types of fencing are prohibited: above-ground electric fences, chain-link fencing and metallic-type fencing. Replacement or repair of any existing fence must comply with these requirements. A building permit will be required prior to installation of fencing.

(b) Owners of residential structures who construct in-ground or above-ground pools can completely enclose the pool structure with a fence provided that said fence be designed to collapse or break way. Above and in-ground pool fencing shall meet a five-foot maximum height limitation and shall utilize the split rail, lattice, picket, shadow box or a closed design fence. The definition of a pool is any structure intended for swimming or recreational bathing that could contain 24 inches of water. This depth includes both in-ground and above-ground pools, hot tubs and spas.

(c) Commercially zoned lots which also contain commercial uses may install solid or open construction fencing up to a height of five feet measured from ground level to the highest point of the fencing, subject, however, to the following requirements:

- (1) Fences shall not extend closer than ten feet to the front property line.*
- (2) In no case shall fencing be allowed across a front property boundary or to completely enclose a property.*

Multi-family structures do not constitute a commercial use for the purpose of this ordinance, however, hotels and motels shall.

(d) No fence shall impede the visual locating of 911 emergency street addresses.

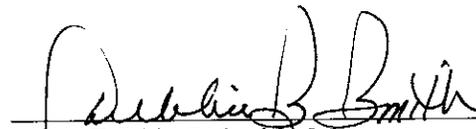
Town of Ocean Isle Beach

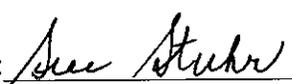
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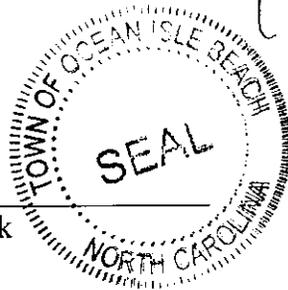
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- (e) *No fence shall block access from doors or windows. Fences must have a clearance of at least two feet from building walls, except where fences project to or from a building wall.*
- (f) *Fences shall not alter or impede the natural flow of water in any stream, creek, drainage swale or ditch.*
- (g) *The finished side of the fence shall face off site.*
- (h) *Pedestrian connections through fences that connect to adjoining neighborhoods or other uses are encouraged.*
- (i) *Government facilities (i.e. water towers, sewer treatment facilities, storage yards, etc.) are exempt from these requirements.*
2. That, except as may be modified herein, all other terms and conditions contained in said ordinance shall remain in full force and effect. That this modification shall take place immediately.
3. A copy of the complete text as it relates to these amendments is attached and made part of this resolution.
4. That the clerk shall place a copy of this ordinance in the Town's ordinance book and shall provide a copy to the codification company when modifications are made in the future.

This the 10th day of February, 2015.


Debbie S. Smith, Mayor

ATTEST: 
Sue Stuhr, Town Clerk



Edits to remove strikethrough and add underscored

Sec. 10-125. - Fencing.

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Exemption: Government facilities (i.e. water towers, sewer treatment facilities, storage yards, etc.) are exempt from this requirement. A building permit will be required prior to installation of fencing.

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(g) The finished side of the fence shall face off site.

(h) Pedestrian connections through fences that connect to adjoining neighborhoods or other uses are encouraged.

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