

CITY OF BROWNSBORO FARM

Ordinance No. 5, Series 2009

**AN ORDINANCE REGULATING THE EXISTENCE AND CONSTRUCTION OF FENCES WITHIN THE CITY**

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WHEREAS, The City of Brownsboro Farm, in Jefferson County, Within the Commonwealth of Kentucky, is a city of the sixth class, organized pursuant to Chapter 88 of the KRS; and

WHEREAS, the Commission of said City may pass ordinances not in conflict with the Constitution or laws of this Commonwealth or of the United States; and

WHEREAS, said Commission finds that in order to protect property and property values in the City, it is now necessary to regulate and control fences within the City limits.

NOW, THEREFORE, THE COMMISSION OF THE CITY OF BROWNSBORO FARM DOES ORDAIN AS FOLLOWS:

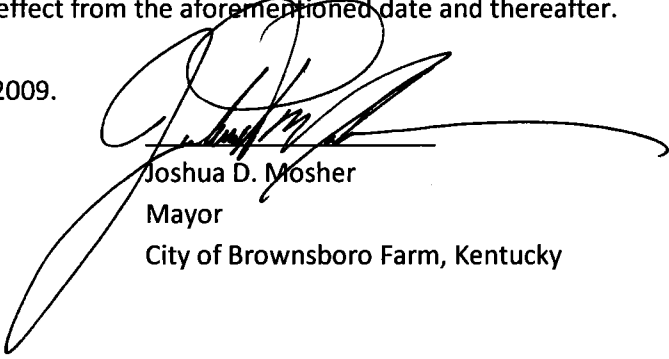
- (1) It shall be unlawful to erect or maintain a fence on a vacant and/or unimproved lot within the City, except for the purposes of the City itself such as, but not limited to, street-name indicators.
- (2) It shall be unlawful for any person to erect a fence or modify an existing fence without the approval of the City Commission. At least one (1) week prior to beginning the construction or modification of any fence in the City, the person or persons so doing shall contact the City Commission and inform him by way of written plans, pictures or illustrations or verbally of the design and location of the planned fence modification or construction.
  - a. In the event of damage to an existing fence due to weather, negligence, act of God or other unforeseeable accidents, the property owner must contact a City Commissioner for emergency approval for the required repairs. The repair or replacement must be identical in scope to the previous fence AND follow the specifications set in following Sections 3 – 6.
- (3) Any and all fences, landscape walls, or decorative posts and modifications thereof shall meet the following criteria:
  - a. Be erected as to locate visible supports and other structural components toward the subject property and away from the street and neighboring properties.
  - b. Built not to exceed six (6) feet in height.
- (4) It shall be unlawful to erect or maintain any fence in the front yard of any property within the City other than a decorative fence. The definitions of the words “front yard” and “decorative” shall be those as ordinarily used with respect to a residential area, and understood to be

reasonable and equitable. The location of a residence on a particular lot, especially corner lots, shall be taken into consideration when deciding the appropriateness of any proposed fence, or modification to an existing one.

- (5) The City Commission shall be the judge of the appropriateness of proposed fences, or modification of existing ones.
- (6) The City Commission shall take into consideration when judging any particular fence the surrounding mode of architecture, types of nearby, pre-existing fences and the general affect upon property value the proposed construction or modification will have.
- (7) The City Commission may, for records, issue a written permit for the construction or modification of a fence; but, in either case, no fee shall be charged for said permit.
- (8) Violation of this Ordinance shall be deemed a misdemeanor. Upon conviction, a violator shall be fined not less than Ten Dollars (\$10), nor more than Forty Dollars (\$40) for each offense, plus Court costs as may be imposed. Each day a fence is maintained which is improper may constitute a separate offense. A court of equity may enjoin or restrain the erection or maintenance of any fence violating this Ordinance; and said court may order the removal or proper modification of any offending fence. Failure to pay the fine on part of the violator may result a lien placed on said property.

ADOPTED by the Commission of the City of Brownsboro Farm at a regular meeting held on the 8 day of December, 2009: on the same occasion signed by the Mayor, attested under Seal by the City Clerk and declared to be in full force and effect from the aforementioned date and thereafter.

DATED: This 8 day of December, 2009.



Joshua D. Mosher  
Mayor  
City of Brownsboro Farm, Kentucky

ATTESTATION

I, \_\_\_\_\_, Clerk of the City of Brownsboro Farm, Jefferson County, in the Commonwealth of Kentucky, hereby certify that the foregoing is a true copy of an Ordinance adopted by the Commission of the aforementioned City at a regular meeting held on the \_\_\_ day of December, 2009, as shown by the official records in my custody and under my control.

WITNESS my signature and the Seal of the City this \_\_\_ day of December, 2009.

Clerk  
City of Brownsboro Farm, Kentucky

HISTORY: Amended December 2009, effective March 1972.