ORDINANCE NO. 1927

AN ORDINANCE ADDING SECTION 17-04-467, SOUND WALL, TO THE BROOMFIELD MUNICIPAL CODE AND AMENDING BROOMFIELD MUNICIPAL CODE SECTION 17-04-500, SWIMMING POOL AND SECTION 17-32-140, FENCES, HEDGES, AND WALLS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY AND COUNTY OF BROOMFIELD, COLORADO:

Section 1. A new Section 17-04-467, Sound wall, is hereby added to the Broomfield Municipal Code, to read as follows:

17-04-467 Sound wall.

***Sound wall* means a solid fence constructed of concrete, stone, brick, or similar material, the intent of which is to limit visibility, light, and sound from passing through.**

Section 2. Section 17-04-500, Swimming pool, of the Broomfield Municipal Code is hereby amended, to read as follows:

17-04-500 Swimming pool.

Swimming pool means any ~~water surface which has both a surface area greater than ten square feet and a depth of more than eighteen inches~~ **structure intended for swimming or recreational bathing that contains water over 24 inches (610 mm) deep. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.**

Section 3. Section 17-32-140, Fences, hedges, and walls, of the Broomfield Municipal Code is hereby amended, to read as follows:

17-32-140 Fences, hedges, and walls.

Fences, hedges, and walls may be permitted in the various districts as accessory uses in accordance with the following limitations:

(A) No fence in any district shall exceed six feet in height, except:

(1) As necessary to comply with subsection (F) of this section concerning the enclosure of outdoor swimming pools;

(2) Fences adjacent to the state highways may be up to eight feet in height;

(3) Fences in the B-1, B-2, I-1, I-2, and I-3 districts may be up to eight feet in height except as required in section 17-32-140(4), B.M.C.; and

(4) Fences are required for screening outdoor storage of equipment, machinery and vehicles and any permitted outdoor operations in the I-1, I-2, and I-3 districts. Said fences must be between six feet and ten feet in height depending on

site conditions such as topography and views to the site. The specific fence height shall be determined through the permit review process. The intent is to maximize screening of outdoor equipment, machinery, and vehicle storage from adjacent properties and public streets.

(5) Sound walls along arterial roadways up to ten feet in height or as approved by the City Manager or his/her designee.

(B) No fence, hedge, wall, shrubbery, or sign shall interfere with the vision of motorists at any intersection.

(C) Only ornamental fences not more than two and one-half feet in height shall be permitted in the front yard in any E-1, E-2, R-1, R-3, or R-5 district.

(D) All fences and walls located in a required front yard in any business or industrial district shall be set back from the front lot line two feet for each foot of fence height.

(E) Fences installed within street rights-of-way shall comply with chapter 12-08, B.M.C.

(F) All outdoor swimming pools**, hot tubs, and spas** shall be enclosed by a ~~fence or wall at least six feet but not more than eight feet in height, with a gate or gates which can be securely locked~~ **barrier as required by International Residential Code Appendix G.**

(G) Electrified, razor wire, and barbed wire fences are prohibited in all zone districts, except as provided in subsection (H) and (I) below.

(H) Fences in industrial districts:

(1) When required for screening outdoor storage or operations, fencing must be one of the following: chain link with inserted slates; mesh privacy or wind screen material with opaque screening levels of 80 percent or greater; wood privacy; vinyl privacy; or a solid material. Solid materials may include stucco, brick, stone, including veneers, vinyl, or comparable material providing a fully opaque screening level. When screening is required along arterial streets or highways, the enclosure must be of a solid material listed above.

(2) May include up to four strands of barbed wire. This barbed wire must be a minimum of six feet and a maximum of eight feet from the ground. The barbed wire segment may be placed at a forty-five-degree angle.

(I) Fences installed in RR districts are subject to the following requirements:

(1) Open fences of not more than forty-two inches in height are permitted in front yards.

(2) Barbed wire fences of not more than seventy-two inches in height are permitted in side and rear yards.

(3) Electric fences are permitted as internal fences but not as external fences.

Section 4. This ordinance shall be effective seven days after publication following final passage.

INTRODUCED AND APPROVED after first reading on January 25, 2011, and ordered published in full.

INTRODUCED A SECOND TIME and approved on February 22, 2011, and further ordered published.

THE CITY AND COUNTY OF BROOMFIELD, COLORADO

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Mayor

ATTEST:

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City & County Clerk

APPROVED AS TO FORM:

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City & County Attorney

First Publication:

Second Publication: