



Planning & Development Department Department Directive



DD Number:	DD-2001-21	Initiator:	
Supersedes:		Manager:	Tom Ewers <i>TE</i>
Date Initiated:		Director:	Joy Rich <i>JR</i>
Effective Date:	07/10/01	Responsible Authority:	Department-wide

PURPOSE: To clarify fence and pool barrier requirements.

REFERENCE: Maricopa County Zoning Ordinance - Sections:
 402.18,402.19,402.20,702.12,702.13,1202.3,1302.5,1609-
 A.2,1708.4,1808.4,1908.1,2008.4,2108.3,2208.3,2206-
 A.2,2308.4,2310.7, 2317.12, 2602.2, 2704-A.2,2704-A.3

1997 Uniform Building Code Appendix Chapter 4 as amended
 by TA 98-04 and Sections 106.2, 1007.3.11, 3303.7.3

POLICY/PROCEDURE:

1. Drainage clearance permits for fences and walls must be obtained from the Flood Control District.
2. Effective January 19, 2001, per Text Amendment 2000007, all fences and walls must be installed and maintained in accordance with county regulations, and a building permit/zoning clearance will no longer be required unless any part of the fence or wall
 - a) exceeds six feet in height;
 - b) establishes a principal use (i.e. corral)
 - c) is in a hillside area;
 - d) includes a retaining wall more than 18 inches in height; and / or,
 - e) is a new pool barrier.
3. Fence regulations will apply whether or not a permit is required and include, but are not limited to, the following:
 - a) A fence is a permitted principal or accessory use in all rural and residential zoning districts.
 - b) A fence may not exceed six feet in height outside of the building setback lines.
 - c) Fences in residential zoning districts may not exceed a height of three feet, six inches in any required front yard, and should not exceed a height of six feet in required side or rear yards on the lot. An exception is when a corner lot abuts a key lot, the fence or freestanding wall over three feet, six inches shall meet the required building side setback. Corrals in residential zoning districts must be located in rear yards, setback at least 40 feet from all property lines and contain at least 1,200 square feet of area for each horse kept therein.
 - d) A fence is a permitted accessory use in all commercial and industrial zoning districts and may not exceed six feet in height. Fences are required to screen adjacent properties and to screen parking lots from the street. In the IND-1 zoning district, landscaping may be used for screening if approved by the Planning Commission and the Board of Supervisors.
 - e) A six foot high screen fence, through Conditional Use procedures, may be required for model homes and is required for construction yards.

- f) Fences greater than two feet in height may not be located in the visibility triangles at street inter-sections and commercial driveways as required by zoning code section 2308.4.
- g) Fence permit applications must include seven site plans, drawn to scale, with a North arrow showing all existing and proposed structures and two elevation drawings to show fence construction and baluster spacing. Plans for any fence / wall over six feet in height (or any fence used as a retaining wall) must be sealed by a Registered Engineer.
- h) Fence / walls may not be located in roadways, private access easements or certain public utility easements. Always check deed and private covenants and restrictions.

4. Pool Barrier Requirements

- a) The top of barrier should be at least 60 inches above finished grade (exterior side of barrier).
- b) The maximum gap between the bottom of the barrier and finished grade shall be two inches. For a solid base grade, such as concrete, the gap may be four inches.
- c) If a barrier is constructed with horizontal member less than 54 inches apart, such members must be placed on the interior side of the barrier.
- d) The owner will ensure that the entire barrier is maintained. No section may be altered or removed except to reconstruct, repair or replace the barrier.
- e) Barrier openings are restricted to one and three quarter inches. **Exception:** For fencing composed of vertical and horizontal members, if the distance between horizontal members is 54 inches or more, the spacing between vertical members may be increased up to four inches.
- f) If chain link fencing is used as a barrier, it must be eleven gauge or greater.
- g) Access gates will comply with all pool barrier requirements and will be equipped with self-closing, self-latching devices. All access gates must open away from the pool.
- h) When the latching mechanism is less than 54 inches above the ground, it must be on the poolside of the gate and at least three inches below the top of the gate.
- i) If a building wall comprises a part of the pool barrier and the subject wall contains a door providing direct access to the pool area, a separate barrier shall be installed between the door and the pool. **Exception:** The building official may approve the substitution of a self-closing, self-latching device with a release mechanism at least 54 inches above ground. Or, an alarm that sounds continuously for a minimum of 30 seconds at a level not less than 85 decibels, within seven seconds of the door or the screen being opened is also acceptable.
- j) A window facing a pool enclosure shall be equipped with a mesh screen and lock and key that restricts opening the window to no more than four inches or a latching device 54 inches above the floor (including "doggie doors" or other openings).
- k) Emergency escape or rescue windows must be equipped with a latching device at least 54 inches from the floor.