

CITY OF ROCKWALL

ORDINANCE NO. 20-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SECTION 08.03(B), *FENCE STANDARDS FOR EXISTING AND INFILL SINGLE-FAMILY AND DUPLEX PROPERTIES*, OF ARTICLE 08, *LANDSCAPE AND FENCE STANDARDS*, AS DEPCITED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 20-02*] has been initiated by the City Council of the City of Rockwall to amend Section 08.03(b), *Fence Standards for Existing and Infill Single-Family and Duplex Properties*, of Article 08, *Landscape and Fence Standards*, of the Unified Development Code [*Ordinance No. 20-02*]; and,

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 20-02*] should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

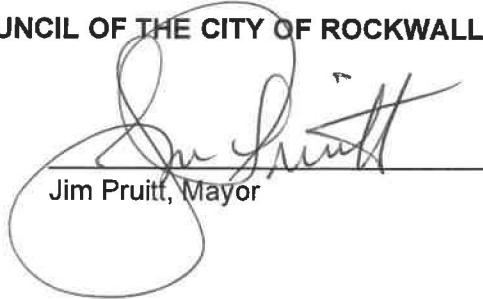
**SECTION 1.** That Section 08.03(b), *Fence Standards for Existing and Infill Single-Family and Duplex Properties*, of Article 08, *Landscape and Fence Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance;

**SECTION 2.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

**SECTION 3.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [*Ordinance No. 04-38*], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

**SECTION 4.** That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 6<sup>TH</sup> DAY OF APRIL, 2020.**

  
Jim Pruitt, Mayor

**ATTEST:**

  
Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

  
Frank J. Garza, City Attorney



1<sup>st</sup> Reading: March 16, 2020

2<sup>nd</sup> Reading: April 6, 2020

**Exhibit 'A'**

*Section 08.03(B), Fence Standards for Existing and Infill Single-Family and Duplex Properties, of  
Article 08, Landscape and Fence Standards, of the  
Unified Development Code (UDC)*

Additions: **Highlighted**

Deletions: ~~Highlighted, Strikeout~~

All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side and all posts and/or framing shall be placed on the private side when adjacent to a public street (*excluding alleyway*), open space, public park, and/or neighboring properties. ~~(i.e. facing streets, alleys, open space, parks, and/or neighboring properties)~~. All posts and/or framing shall be placed on the private side ~~(i.e. facing towards the home)~~ of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited. All solid fences shall incorporate a decorative top rail and/or cap detailing the design of the fence.