

**ORDINANCE NO. 2004-03**

**AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF SOUTHWEST RANCHES, SUBSECTIONS 39-245(1) AND 39-260(1), ENTITLED, "GENERAL PROVISIONS," "FENCES, WALLS AND HEDGES," TO INCREASE THE MAXIMUM HEIGHT OF FENCES, WALLS AND HEDGES IN THE AGRICULTURAL, RURAL AND ESTATE ZONING DISTRICTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 39 of the Code of Ordinances of the Town of Southwest Ranches permits fences and walls to be a maximum height of six (6) feet in the Agricultural, Rural and Estate districts; and

**WHEREAS**, the varied nature of permitted uses in the Town, including agricultural uses and the keeping of wild animals necessitates taller screening between properties; and

**WHEREAS**, taller screening is in scale with the large plots required in, and typical of, the Town; and

**WHEREAS**, the Town Council of the Town of Southwest Ranches desires to increase the maximum allowable height of fences, walls and hedges in the Agricultural, Rural and Estate districts consistent with the Town's unique and rural character;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:**

**Section 1:** That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

**Section 2:** That Sections 39-245 and 39-260, subsections (1) the Town Code of Ordinances are hereby amended as follows:

(1) *Fences, walls and hedges:* Fences, walls and hedges, not including entrance features, shall be permitted to a maximum height of ~~six (6)~~ eight (8) feet above the established grade along any street line, except that at the intersection of any two public or private streets, no fence, wall or hedge shall be placed or maintained within 25 feet of the intersection of the two public or private streets. Fences and walls along any plot line not adjacent to a street or within any required yard shall be limited to a height of ~~six (6)~~ eight (8) feet above the established grade; however, hedges and all natural vegetation shall not be subject to height limits. Decorative lighting mounted on posts as an integral part of any fence or wall shall not be counted in determining fence height. Any such lighting must be shaded, hooded or translucent fixtures.

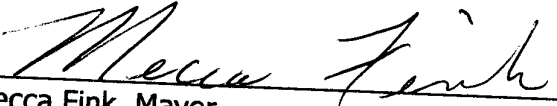
**Section 3: Conflicts.** All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

**Section 4: Severability.** If any word, phrase, clause, sentence or section of this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.


**Section 5: Effective Date.** This Ordinance shall be effective immediately upon its adoption.

**PASSED ON FIRST READING** this 15<sup>th</sup> day of January, 2004


**PASSED AND ADOPTED ON SECOND READING** this 12 day of February, 2004

  
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Mecca Fink, Mayor

Attest:

  
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Shari Canada, Town Clerk

Approved as to Form and Correctness:

  
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Gary A. Poliakoff, J.D., Town Attorney

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