



ORDINANCE NO. 2022-XX

AMENDMENT TO ARTICLE 6, SECTION H OF ORDINANCE NO. 2010-06

AN ORDINANCE AMENDING ORDINANCE NO. 2010-06, ADOPTED BY THE TOWN OF MAGNOLIA SPRINGS ON THE 22ND DAY OF JUNE 2010.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MAGNOLIA SPRINGS, ALABAMA AS FOLLOWS:

WHEREAS, the Town Council adopted the Town's Zoning Ordinance, Ordinance No. 2010-06 on June 22, 2010.

WHEREAS, the Town Council wishes to amend Article 6, Section H, Ordinance No. 2010-06 titled Fences by adding a new Section H.

NOW, THEREFORE BE IT RESOLVED, by the Council of the Town of Magnolia Springs as follows:

1. Article 6, Section H shall read as follows:

H. Fences:

Fences are permitted in every zoning district subject to the following:

1. **Historic Districts:** Fences proposed in the Historic District must have a certificate of appropriateness prior to submission for a building permit.
2. **Residential:** In all districts, fences shall be a maximum of 6 feet tall. Fences forward of the front of the house line shall be no more than 4 feet tall. Street side sight obscuring or privacy fences on corner lots shall have a setback of 10 feet, not the property line and shall adhere to the height requirements above. Fences for the purposes of privacy, regardless of the type, are permitted on property lines for interior lots and 10-foot set-back lines only on the street side for corner lots. Decorative fences are not sight obscuring or a privacy fence are allowed to follow the property line on interior and corner lots.
3. **Materials:** In all districts the following materials are expressly prohibited:
 - a. Corrugated metal, solid sheets of plywood, particleboard, or metal,
 - b. Razor or barbed wire, except in agricultural applications
 - c. Broken glass

- d. Solid masonry fences without finishes or architectural detailing
- e. Fences forward of the house:
 - i. chain link
 - ii. stockade
 - iii. split rail
 - iv. solid masonry type materials

- 2. The Town Council hereby adopts these amendments to Ordinance No. 2010-06.
- 3. The Town Clerk is directed to note that Ordinance No. 2010-06 has been amended by this Ordinance.
- 4. This Ordinance shall become effective immediately upon is approval, adoption, and publication as required by law.

Adopted this ____ day of _____, 2022.

Kim Koniar, Mayor

ATTEST:

Hannah Driskell, Town Clerk

I, Hannah Driskell, Clerk of the Town of Magnolia Springs, Alabama, hereby certify that no newspaper is published in the Town of Magnolia Springs and that the above-noted ordinance was published by posting copies thereof at the Mayor’s Office in the Town Hall, Magnolia Springs Post Office, and United Bank beginning _____ and became in full force and effect five (5) days thereafter.

Hannah Driskell, Town Clerk