

**CITY OF DECATUR, TEXAS
ORDINANCE NO. 2025-08-31**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS AMENDING APPENDIX "B," "ZONING," OF THE CITY OF DECATUR'S CODE OF ORDINANCES, CONTAINING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF DECATUR ("ZONING ORDINANCE"), TO PROVIDE FOR AMENDMENTS TO ARTICLE 3, "DEFINITIONS", TO SUBSECTION 3.2, "DEFINITIONS", TO SECTION 7.5, "SCREENING, FENCING, AND BUFFERING REGULATIONS," TO SUBSECTION 7.5.2 "SCREENING OF NONRESIDENTIAL AND MULTI-FAMILY AREAS WITH SCREENING WALLS." AND TO SUBSECTION 7.5.3, "FENCES IN RESIDENTIAL AREAS"; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING AMENDMENTS; PROVIDING A SAVINGS AND REPEALER CLAUSE; PROVIDING SEVERABILITY; PROVIDING A PENALTY FOR VIOLATIONS OF THIS ORDINANCE UPON CONVICTION IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR PUBLICATION AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Decatur is a Home Rule Municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and has established a Planning and Zoning Commission ("Commission") to regulate zoning and subdivisions within the City; and

WHEREAS, the Commission complied with all requisite notices and held a public hearing to receive public input to consider amending Appendix B, "Zoning," of the Code of Ordinances, including amendments to Article 3, "Definitions," Subsection 3.2, "Definitions," Section 7.5, to be renamed "Screening, Fencing, and Buffering," Subsection 7.5.2, "Screening of Nonresidential and Multi-Family Areas with Screening Walls," Subsection 7.5.3, "Fences in Residential Areas," and amendments to other sections made necessary by the proposed amendments set forth herein; and

WHEREAS, the Commission determined it appropriate and necessary to recommend APPROVAL of such amendments of the Zoning Ordinance; and

WHEREAS, the City Council finds that such amendments substantially further the preservation of property values and the promotion of economic development within the City and are consistent with the City's Comprehensive Plan; and

WHEREAS, after the holding of a public hearing and considering the comments and recommendation by the Commission, as well as comments from the public, the City Council of the City of Decatur, Texas, considered all appropriate factors and determined

that the amendments as recommended by the Commission serve the intent of the Decatur 2050 Comprehensive Plan; considered the interest of orderly development including the public health, safety, and welfare; and approves such requested amendments to the City's Zoning Ordinance;

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

**SECTION 1.
INCORPORATION OF PREMISES/ FINDINGS**

The foregoing recitals are the findings of the City Council and are hereby incorporated into this Ordinance as if set forth fully herein.

**SECTION 2.
AMENDMENTS**

2.1 Subsection 3.2, "Definitions" of Article 3, of Appendix B, "Zoning," of the Code of Ordinances of the City of Decatur, Texas, is hereby amended to add the following definitions with all other provisions of Subsection 3.2 not expressly amended hereby remaining in full force and effect. The following added definitions should be placed within the existing definitions in alphabetical order. *(New text is shown with underline and deleted text is shown in strikethrough. In the published Code of Ordinances, underlines and strikethroughs should not appear.)*

"Section 3.2 Definitions

The terms for fences from Article 7, Section 7.5.3, and all other related terms are defined below:

Fence: Any artificially constructed barrier of any approved material or combination of materials constructed along the full length, or portion thereof, of any or all property line(s), or within the property for the purpose of protection or confinement or as a boundary or for the purpose of blocking part of the property from view or access that is not a privacy wall.

Fence, Agricultural Grade: A fence that is used in agriculture to confine and protect livestock and crop areas, including but not limited to hog panels, chicken wire, barbed wire, and welded wire.

Fence, Chain-Link: A fence made of steel wire woven to form a diamond-shaped mesh.

Fence, Ornamental: A fence with an open design that has a ratio of solid material to open space of not more than one to four.

Fence, Picket: A fence constructed of upright pickets or pales attached to horizontal stringers between upright posts made of finished wood, vinyl, or metal, with the distance between each picket equaling or exceeding the width of each picket to create visibility between each picket.

Fence, Stockade/Privacy: A fence constructed of vertical wood strips or material similar in appearance, placed close together so that it is opaque.

Gate: A movable frame or solid structure that swings, slides, or rolls, controlling ingress and egress through an opening in a fence, wall, or vegetation.”

2.2 Subsection 7.5.2, “Screening of Nonresidential and Multi-Family Areas with Screening Walls” of Section 7.5, to be renamed “Screening, Fencing, and Buffering” of Article 7, “Development Standards,” of Appendix B, “Zoning,” of the Code of Ordinances of the City of Decatur, Texas is hereby amended to be read in its entirety as follows, with all other provisions of Section 7.5.2 not expressly amended hereby remaining in full force and effect. *(New text is shown with underline and deleted text is shown in strikethrough. In the published Code of Ordinances, underlines and strikethroughs should not appear.)*

“7.5.2 Buffering and Screening of Nonresidential and Multi-Family Areas with Screening Walls

~~A. *Adjacent to a Single-Family or Residential Planned Development District.* In the event that multi-family and nonresidential uses side or back upon a single-family or residential PD district, or in the event that any nonresidential district sides or backs upon a multi-family district, a solid masonry wall of not less than six feet (6’), nor more than eight feet (8’), in height shall be erected in conjunction with landscaping elements on the property line separating these districts. The purpose of the screening wall is to provide a visual and protective barrier between the properties.~~

~~(1) *Multi-Family Uses.* The owner of the multi-family property shall be responsible for and shall build and maintain the required wall on the property line dividing the property from the single-family residential district. This construction requirement applies only when multi-family is adjacent to residential uses.~~

~~(2) *Nonresidential Uses.* When screening is required between nonresidential and residential uses, it shall be the responsibility of the nonresidential use to construct and maintain the screening wall.~~

A. *Buffer Area.* A buffer area shall be required along all boundaries of any lot containing any use which is more intensive than the uses permitted by the Zoning Classification(s) abutting.

(1) The buffer area shall be located within the boundaries of the higher intensity use property.

(2) The buffer area shall consist of a combination of privacy wall(s), privacy style fencing, trees, and shrubs of such a type, height, spacing, and arrangement to effectively transition the activity on the lot from the neighboring area. At a minimum, the planting shall consist of:

- a. 10-foot buffer area: 4 trees and 35 shrubs per 100 linear feet
- b. 15-foot buffer areas: 6 trees and 40 shrubs per 100 linear feet
- c. 20-foot buffer areas: 10 trees and 50 shrubs per 100 linear feet
- d. 25-foot buffer area: 20 trees and 60 shrubs per 100 linear feet

(3) An earthen berm, fence, or wall of a location, height, design, and material approved by the Planning Director or their designee may be substituted to offset a portion of the required planting and/or buffer. Fences and walls, if substituted, shall be a minimum of 6 feet in height and constructed of materials approved by the Planning Director or their designee. Trees and shrubs shall supplement earthen berms, fences, or wall areas at a minimum of 50 percent of the approved landscape material. The landscaping shall be installed along the outside fence or wall. Landscape material shall form a continuous screen of at least six (6) feet in height within two (2) years of installation.

(4) The minimum width of a buffer area shall follow the matrix below:

<u>Proposed Land Use</u>	<u>Adjacent Land Uses</u>			
	<u>Single-Family</u>	<u>Multiple-Family</u>	<u>Mixed-Use/C-1 Commercial</u>	<u>C-2 Commercial/Industrial</u>
<u>Single-Family</u>	=	=	=	=
<u>Multiple-Family</u>	<u>10'</u>	=	=	=
<u>Mixed-Use/C-1 Commercial</u>	<u>10'</u>	<u>10'</u>	=	=
<u>C-2 Commercial/Industrial</u>	<u>25'</u>	<u>20'</u>	<u>15'</u>	=

The existence of an easement shall not exempt property from the buffer requirements of this Article.

~~B. *Placement of a Screening Wall.* In nonresidential and multi-family zoning districts, no wall shall be erected in any front yard or side yard which is adjacent to a public street unless the wall is required to screen the development from an adjacent residential area. If required to screen a residential area, the screening wall shall be extended out to the street right-of-way line by the developer of the non-residential or multiple-family development. The wall shall be finished on both sides in a manner and color that is compatible to the exterior finish of the non-~~

~~residential or multiple-family building(s). Screening fences or walls shall be placed such that they do not impede visibility for vehicles entering or exiting the nonresidential or multi-family development, as required by this section.~~

B. *Permits*. All walls four (4) feet or more in height require permits.

C. *Sight Distance and Visibility*. See Section 7.5.6 for sight visibility requirements for screening walls.

D. *Open Storage*.

(1) In districts permitting open storage, screening shall be required for those areas used for open storage. Open storage of materials, commodities, or equipment shall be screened with a minimum six-foot (6') fence or wall and shall not be visible from the street or from adjacent property. (See definition of Outdoor Storage in Article 3. Definitions.) ~~A six-foot-(6') foot screening fence or wall shall be provided and maintained at the property line adjacent to the area to be screened by one (1) or a combination of the following methods:~~

~~(a) Solid masonry consisting of rock, stone, or other material that is equivalent, visually and qualitatively; A combination of privacy wall(s), privacy style fencing, trees, and shrubs;~~

~~(b) Wrought iron in conjunction with solid landscape screening; and,~~

~~(c) Alternate equivalent screening may be approved through the Site Plan approval process under Section 4.5.2A.~~

~~(c) Landscape material to form a continuous screen of at least six feet in height within two (2) years of installation; and~~

~~(d) All landscaping shall be maintained in perpetuity.~~

(2) No outside storage may exceed the height of the fence. Outside storage exceeding eight (8') feet shall require a Specific Use Permit.

E. *Refuse Storage Areas*. All new buildings and uses, except for single-family and two-family dwellings, shall provide facilities for the central storage of solid waste/refuse within the lot. Where such facilities are provided outside of a building, they shall be screened from adjacent property and streets by an enclosure constructed of materials congruous with the materials on the exterior wall of the main building. A gate for the front of the enclosure shall be required. Refuse storage areas which ~~that~~ are not within a screened rear service area and which are visible from a public right-of-way shall be visually screened by a minimum six-foot (6') foot solid masonry wall on at least three (3) sides. The fourth side, which is to be used for garbage pickup service, may provide an optional gate to secure the refuse storage area. Alternate equivalent screening methods may be approved through the Site Plan approval process, Section 4.5.2A. Each refuse facility shall be located so as to facilitate pickup by refuse

collection agencies. Reinforced concrete paved areas shall be provided for refuse facilities and their approaches for loading and unloading.

F. Required Materials and Construction for Screening Walls. Any screening wall required under the provisions of this Section or under a Specific Use Permit, PD District, or other requirement shall be constructed of masonry, reinforced concrete, or a combination of privacy style fencing, trees, and shrubs ~~or other similar suitable permanent materials that do not contain openings~~. All wall openings shall be equipped with gates equal in height and screening characteristics to the wall itself.

G. Irrigation.

Prior to the installation of any irrigation, the applicant shall submit an irrigation plan to the City. The plan shall be drawn at the same scale as the landscape plan and indicate main, valve, and pump locations, pipe sizes and specifications, controller locations and specifications, backflow preventer and rain-sensing devices, and include a typical sprinkler zone plan indicating type, specifications, spacing, and coverage. If drip irrigation or soaker hoses are proposed, their layout shall be shown.

(1) Irrigation systems shall be designed to avoid impacts with existing vegetation. Field changes may be made to avoid disturbances of such vegetation, such as line routing, sprinkler head placement, and spray direction adjustments.

(2) Within all multi-family and non-residential uses, mechanical irrigation systems are required. Underground sprinkler systems are not required in all other residential single-family areas, unless required by an approved Planned Development.

H. Maintenance Responsibilities: All Development.

The property owner shall be responsible for the installation, preservation, and maintenance of all plantings and physical features required by this Ordinance, in a healthy growing condition, for replacing them when necessary, and for keeping the area free of refuse and debris. Any dead, unhealthy, or missing vegetation, or vegetation disfigured by pruning, shall be replaced with locally adapted vegetation that conforms to the standards of this Section and the approved site or subdivision plan. In the event that any vegetation or physical element functioning to meet the standards of this Ordinance is severely damaged due to an unusual weather occurrence or natural catastrophe, the owner shall have one growing season to replace or replant after reconstruction is complete.

I. Replacement of Disturbed and Damaged Vegetation.

The disturbance of any landscaped area or vegetation required by this Ordinance shall constitute a violation of the site or subdivision plan and shall be required to be replaced within ninety (90) days of citation. All disturbed landscaped areas and vegetation shall be replanted to meet the standards of this Ordinance as well as the approved site plan. Where the vegetation that has been disturbed or damaged existed on the site at the time the development was approved, all replacement vegetation shall meet the standards set forth in this Ordinance, taking into account any unique site conditions and significant vegetation remaining within the landscaped area.

(1) *Dead and Distressed Trees or Vegetation.* Trees or landscape vegetation that die or are severely stressed shall be removed and replaced with new vegetation consisting of one or a combination of any of the following measures.

(a) Replant according to the requirements of this Ordinance. A replanting plan denoting the proposed installation shall be submitted to the City for approval.

(b) Replace damaged vegetation with an equal amount of new vegetation according to the size of vegetation removed. Any tree with a DBH (diameter breast height) of at least 12 inches that is damaged or removed shall be replaced with one or more trees that have a cumulative DBH equal to or greater than the original tree. A revegetation plan denoting the proposed installation shall be submitted to the Planning Director or designee for approval.

(c) For all other cases where existing vegetation is damaged or removed, the type and amount of replacement vegetation required shall be of the type and amount that is necessary to provide the type of landscaping required under this Article.

(2) *Location of Replacement Trees.* Replanting of trees should be located within the vicinity of the removed tree. If the area is too small for sufficient growth, a more suitable location on the site may be selected as permitted by the Planning Director or designee.

(3) *Stop Work Orders.* Stop work orders shall be applied for damaging and/or destroying significant vegetation, interior specimen significant vegetation, landscape, or tree save areas.

J. *Native and Approved Non-Native Trees.*

The species listed below shall constitute an approved native or non-native tree. Native and non-native tree species not listed herein may be considered by the

Planning Director or designee for inclusion in a landscape plan to meet the landscape requirements of this article.

(1) Approved Tree List For Required Landscaping on Public Right-of-way:

<u>Scientific Name</u>	<u>Common Name</u>	<u>Size at Maturity</u>
<u>Pinus nigra</u>	<u>Austrian Pine (Non-Native)</u>	<u>>25 ft. (30 ft.)</u>
<u>Pinus eldarica</u>	<u>Afghan Pine (Non-Native)</u>	<u>>25 ft. (40 ft.)</u>
<u>Pyrus calleryana 'Aristocrat'</u>	<u>Aristocrat Pear (Non-Native)</u>	<u>25 ft.</u>
<u>Pyrus calleryana 'Bradford'</u>	<u>Bradford Pear (Non-Native)</u>	<u>25 ft.</u>
<u>Quercus macrocarpa</u>	<u>Bur Oak (Native)</u>	<u>>25 ft. (80 ft.)</u>
<u>Quercus virginiana</u>	<u>Live Oak (Native)</u>	<u>>25 ft. (50 ft.)</u>
<u>Quercus shumardii/texana)</u>	<u>Shumard/Texas Red Oak (Native)</u>	<u>>25 ft. (80 ft.)</u>
<u>Quercus muhlenbergii</u>	<u>Chinkapin Oak (Native)</u>	<u>>25 ft. (80 ft.)</u>
<u>Ulmus crassifolia</u>	<u>Cedar Elm (Native)</u>	<u>>25 ft. (80 ft.)</u>
<u>Ulmus parvifolia</u>	<u>Lacebark Elm (Non-Native)</u>	<u>>25 ft. (50 ft.)</u>
<u>Pistacia chinensis</u>	<u>Chinese Pistachio (Non-Native)</u>	<u>>25 ft. (50—70 ft.)</u>
<u>Pinus thunbergii</u>	<u>Japanese Black Pine (Non-Native)</u>	<u>>25 ft. (30 ft.)</u>
<u>Carya illinoensis</u>	<u>Pecan (Native)</u>	<u>>25 ft. (100 ft.)</u>
<u>Cercis candensis</u>	<u>Eastern Redbud (Native)</u>	<u><25 ft. (20 ft.)</u>
<u>Taxodium distichum</u>	<u>Bald Cypress (Native)</u>	<u>>25 ft. (80 ft.)</u>

(2) Recommended Tree List For Required Landscaping on Private Property:

<u>Scientific Name</u>	<u>Common Name</u>	<u>Size at Maturity</u>
<u>Chilopsis linearis</u>	<u>Desert Willow (Native)</u>	<u>>25 ft. (30 ft.)</u>
<u>Diospyrus texana</u>	<u>Texas Persimmon (Native)</u>	<u><25 ft. (10—30 ft.)</u>
<u>Fraxenis texensis</u>	<u>Texas Ash (Native)</u>	<u>>25 ft. (50 ft.)</u>
<u>Liquidambar styraciflua</u>	<u>Sweetgum (Native)</u>	<u>>25 ft. (70 ft.)</u>
<u>Pinus nigra</u>	<u>Austrian Pine (Non-Native)</u>	<u>>25 ft. (30 ft.)</u>
<u>Pinus eldarica</u>	<u>Afghan Pine (Non-Native)</u>	<u>>25 ft. (40 ft.)</u>
<u>Pyrus calleryana 'Bradford'</u>	<u>Bradford Pear (Non-Native)</u>	<u>25 ft.</u>
<u>Pyrus calleryana 'Aristocrat'</u>	<u>Aristocrat Pear (Non-Native)</u>	<u>25 ft.</u>
<u>Quercus macrocarpa</u>	<u>Bur Oak (Native)</u>	<u>>25 ft. (80 ft.)</u>
<u>Quercus virginiana</u>	<u>Live Oak (Native)</u>	<u>>25 ft. (50 ft.)</u>
<u>Quercus shumardii/texana</u>	<u>Shumard/Texas Red Oak (Native)</u>	<u>>25 ft. (80 ft.)</u>
<u>Quercus muhlenbergii</u>	<u>Chinkapin Oak (Native)</u>	<u>>25 ft. (80 ft.)</u>
<u>Ulmus crassifolia</u>	<u>Cedar Elm (Native)</u>	<u>>25 ft. (80 ft.)</u>
<u>Ulmus parvifolia</u>	<u>Lacebark Elm (Non-Native)</u>	<u>>25 ft. (50 ft.)</u>
<u>Pistacia chinensis</u>	<u>Chinese Pistachio (Non-Native)</u>	<u>>25 ft. (50—70 ft.)</u>
<u>Pinus thunbergii</u>	<u>Japanese Black Pine (Non-Native)</u>	<u>>25 ft. (30 ft.)</u>
<u>Carya illinoensis</u>	<u>Pecan (Native)</u>	<u>>25 ft. (100 ft.)</u>
<u>Magnolia grandiflora</u>	<u>Southern Magnolia (Native)</u>	<u>>25 ft. (60 ft.)</u>
<u>Acer saccharum "Caddo"</u>	<u>Caddo Maple (Non-Native)</u>	<u>>25 ft. (60 ft.)</u>
<u>Quercus acutissima</u>	<u>Sawtooth Oak (Non-Native)</u>	<u>>25 ft. (50 ft.)</u>
<u>Taxodium accendens</u>	<u>Pond Cypress (Native)</u>	<u>>25 ft. (70 ft.)</u>
<u>Taxodium distichum</u>	<u>Bald Cypress (Native)</u>	<u>>25 ft. (80 ft.)</u>

(3) Recommended Shrubbery List:

<u>Scientific Name</u>	<u>Common Name</u>	<u>Spacing</u>
<u>Berberis thunbergii</u>	<u>Barberry, Red (Native)</u>	<u>2'—3'</u>
<u>Ilex cornuta 'Burfordii Nana'</u>	<u>Dwarf Burford Holly (Native)</u>	<u>2'—3'</u>
<u>Elaeagnus macrophylla</u> <u>Elaeagnus,</u>	<u>Silverberry (Ebbenji') (Native)</u>	<u>3'—4'</u>
<u>Myrica pusilla</u>	<u>Myrtle, Dwarf Wax (Native)</u>	<u>2'—3'</u>
<u>Rhapiolepis indica</u>	<u>Indian Hawthorn (Non-Native)</u>	<u>2'—3'</u>
<u>Juniperus Sabina 'Tamariscifolia'</u>	<u>Tam Juniper (Native)</u>	<u>3'</u>
<u>Anisacanthu quadrifidus var. wrightii</u>	<u>Flame Acanthus (Native)</u>	<u>2' – 3'</u>
<u>Leucophyllum frutescens</u>	<u>Texas Sage/Cenizo (Native)</u>	<u>2' – 3'</u>
<u>Lantana urticoides</u>	<u>Texas Lantana (Native)</u>	<u>4'</u>
<u>Sophora secundiflora</u>	<u>Texas Mountain Laurel (Native)</u>	<u>10'</u>

[end quotation mark]

2.3 Subsection 7.5.3, "Fences in Residential Areas," of Section 7.5, to be renamed "Screening, Fencing, and Buffering," of Article 7, "Development Standards," of Appendix B, "Zoning," of the Code of Ordinances of the City of Decatur, Texas is hereby amended to be read in its entirety as follows, with all other provisions of Section 7.5.3 not expressly amended hereby remaining in full force and effect. (*New text shown with underline and deleted text shown in strikethrough*)

"7.5.3 Fences in Residential Areas

A. Location Criteria and Height.

- 1) Any fence or wall located in a residential district shall not exceed eight feet (8') in height in the permitted location on the property. All fences shall be installed with the posts or structural supports inside and the finished surface facing the adjacent properties and public rights-of-way.

~~Except as provided herein, no fence or wall shall be permitted within the front yard facing a public street to which a residential lot is addressed, of any single-family residential lot that is adjacent to a public street, except on lots with multiple street frontages in which a side yard has not been established by a plat. In such instances, no fence or wall greater than six feet (6') shall be permitted within the front yard facing a public street to which a residential lot is addressed, of any single-family residential lot that is adjacent to a public street. A residential fence within the front yard of any single-family residential lot with multiple street frontages shall be set back at least ten feet (10') from the street or alley or five feet (5') from the sidewalk, whichever is greater. Notwithstanding the foregoing, in cases where the side or rear building line of the yards on continuous corner lots adjoin, the fence may be constructed out to the property line of the side yard such that the street side yard may be included as part of the lot's back yard area. See Figure 23 for an example of continuous corner lots.~~

- 2) Side yard fences may be up to six feet tall under certain conditions:
 - a. For corner lots and continuous corner lots, fences shall be permitted to a height of six feet when the fence is located behind the architectural rear of the house on the secondary street frontage, provided that visibility triangles are not obstructed.
 - b. Fences located in side yards, between all properties, may be up to six feet in height but must be held back a minimum of twenty-five (25) feet from the secondary street frontage, unless otherwise permitted in a Planned Development. In no case shall a fence six feet in height extend beyond the architectural front of the structure without City Council approval.
- 3) The following materials are prohibited for all fencing:

- a. Unfinished or bare wood, chicken wire, or agricultural grade welded wire, lattice; Chain link and slatted chain link fencing along street frontages.
 - b. Electrically charged, barbed wire, razor wire, and other similar fencing materials capable of inflicting significant physical injury.
- 4) Fences shall be allowed in front yards of any residential property within the following regulations:
- a. No fence in the front yard shall exceed thirty-six (36) inches in overall height, including fences on properties with multiple street frontages.
 - b. Front yard fences shall provide fifty (50) percent visibility through the fence.
 - c. Fence height shall be measured from the adjacent grade to the highest point of the fence. If the fence is placed on a concrete curb, not exceeding six inches in height, for structural support, the supporting curb shall not be calculated into the fence height, including support posts.
 - d. Front yard fences must be a minimum of ten (10) feet from the property line, or five (5) feet inside the sidewalk, whichever is greater.
 - e. No fence shall be placed in any right-of-way, easement, fire lane, required parking space, or obstruct any visibility sight lines or triangles.
 - f. The following materials are permitted for front yard fencing:
 - i. Aluminum, vinyl, finished wood picket, wrought iron picket, decorative/ornamental metal, decorative post with rope, or split rail. No solid panel or privacy fences are permitted in a front yard.
 - ii. Masonry fences/walls not exceeding eighteen (18) inches in height. If decorative fence panels are added to the top of the masonry fence/wall, the height of the masonry fence/wall is included in the overall height regulations of thirty-six (36) inches.
 - iii. All wood fencing shall be constructed using new decay-resistant or pressure-treated material and shall be finished with either a clear coat, wood stain, or be painted and maintained without discolored or rotting wood and shall not be missing pieces.
 - g. The following materials are prohibited for front yard fencing:
 - i. Unfinished or bare wood, chicken wire, or agricultural grade welded wire, solid panel, lattice, shadowbox;
 - ii. Chain link and slatted chain link fencing along street frontages.
 - iii. Electrically charged, barbed wire, razor wire, and other similar fencing materials capable of inflicting significant physical injury.
- 5) All fences shall be maintained in sound condition and good repair, no matter when they were constructed. Any fence or privacy wall found to be in disrepair must be repaired or removed within fourteen (14) days of written notification to the property owner.
- 6) All vegetation along any fence line must be properly maintained and must meet the requirements below to be considered compliant:

- a. Vegetation and landscaping must be actively managed so that no area or plants appears overgrown or unsightly.
- b. Appropriate pruning practices are being used to ensure the health of the plants.
- c. Landscape beds are clearly defined.
- d. Landscaping, vegetation, and household debris is properly disposed of or recycled.

~~B. Residential Fence Materials on Single-Family Lots. Any fence shall be constructed of masonry, wrought iron, wood or other suitable permanent materials. Section 7.5.5 below provides an exception to this requirement.~~

~~C. Barbed Wire, Electrical, and Chain Link Fencing. Barbed wire, electrical, and/or chain link fencing that is visible from a public right-of-way is prohibited as perimeter fencing except for containment of farm animals on parcels of one (1) or more acres.~~

B. *Vehicular Access Gates.* Gates designed for vehicular access shall be set back from the front the property line a minimum of twenty-five (25') feet.

C. *Swimming Pool Fences.* Fences around swimming pools shall comply with the City's standards in Chapter 4, Article IV of this code.

D. *Sight Distance and Visibility.* See Section 7.5.6 for the sight visibility requirements for fences and screening walls.

E. *Other Types of Fencing.* Special-purpose fencing, such as fencing around tennis courts, ~~is permitted~~ may be permitted by approval of the Planning Director or their designee.

**SECTION 3.
SAVINGS AND REPEALER**

That this Ordinance shall be cumulative of all other ordinances of the City of Decatur and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to any such ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of such ordinance and for that purpose the ordinance shall remain in full force and effect.

**SECTION 4.
SEVERABILITY**

That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any

phrase, clause, sentence, paragraph or section of this ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 5.
PENALTY**

It shall be unlawful for any person, corporation, or other entity to violate any provision of this Ordinance, and any person violating or failing to comply with any provision of this Ordinance shall be fined, upon conviction, an amount not to exceed Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

**SECTION 6.
PUBLICATION/ EFFECTIVE DATE**

This Ordinance shall take effect on its final passage and publication as required by Charter and Texas law, and it is so ordained.

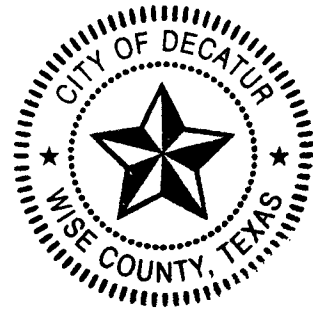
PRESENTED ON FIRST READING THIS 11th day of August 2025.

PASSED AND APPROVED by the City Council of the City of Decatur, Texas this 25th day of August 2025, by a vote of 6 ayes, 0 nays, and 0 abstentions, at a regular meeting of the City Council of the City of Decatur.

APPROVED:



Mike McQuiston, MAYOR



ATTEST:



Asucena Delgado, TRMC, CMC, CITY SECRETARY

APPROVED AS TO FORM:



Pam Liston, CITY ATTORNEY