



**Development** CITY OF AUSTIN  
SERVICES DEPARTMENT

*Building a Better and Safer Austin Together*

# **Safe Fencing Regulations**

## **Resolution No. 20211104-039**

### **January 2023**



# Resolution No. 20211104-39

- Initiated code amendments to address dangerous fence design including spiked elements that protrude above the top horizontal bar of a fence
- Resolution found that City Code currently allows some spiked fence styles that can pose significant risk to humans and animals
- Directed the City Manager to evaluate:
  - ☐ Requiring flat top styles on new fences of all lengths
  - ☐ Applying flat top fence requirements to all new fences of six feet tall or lower
  - ☐ Applying flat top fence requirements to substantial fence repairs or remodeling of 50% or more of an existing fence



# Engagement

## Early Engagement Series (April-June 2022)

- Goal was to gather feedback
- Opportunities for questions/ comments in-person, online and virtually
- Feedback incorporated into current language

## Final Engagement Series (January – February 2023)

- Goal is to gather feedback on final draft of the code amendment
- Opportunities to provide input in-person, online, or virtually
- Feedback will be incorporated where possible and included in presentation to boards, commissions and Council



# Proposed Ordinance

- Proposal includes **prohibition** of the following features in **all new fences six feet in height or less**:
  - ☐ Spiked pickets, spiked bars or other spiked decorative elements above the top horizontal backer rail
  - ☐ Vertical picket spacing between 2 – 9 inches above the top horizontal backer rail
- Fences that create a substantial risk of entrapment or impalement as determined by the City also prohibited



# Proposed Ordinance

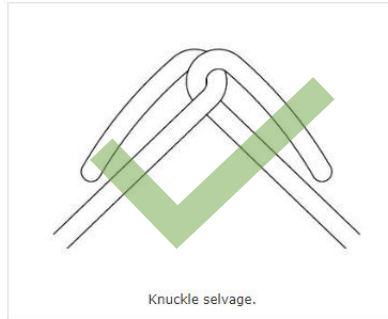
- Proposed **exemptions**:
  - ☐ Repair/ replacement of existing fences where less than a 100% is being repaired or replaced
  - ☐ Fences over six feet in height
  - ☐ Fences classified as historic by the Historic Landmark Commission



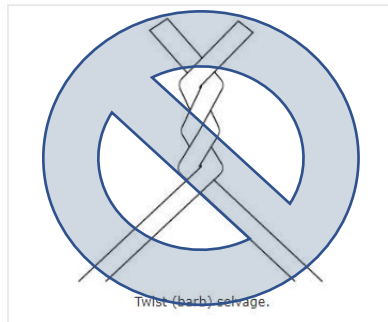


# Proposed Ordinance

**Solid chain link fences will be required to use knuckle selvage**



Knuckle selvage.



Twist (barb) selvage.

**Fences used as pool barriers shall comply with Chapter 25-12, Art. 14**





# Fencing Elements to be Prohibited





# Fencing Elements to be Prohibited



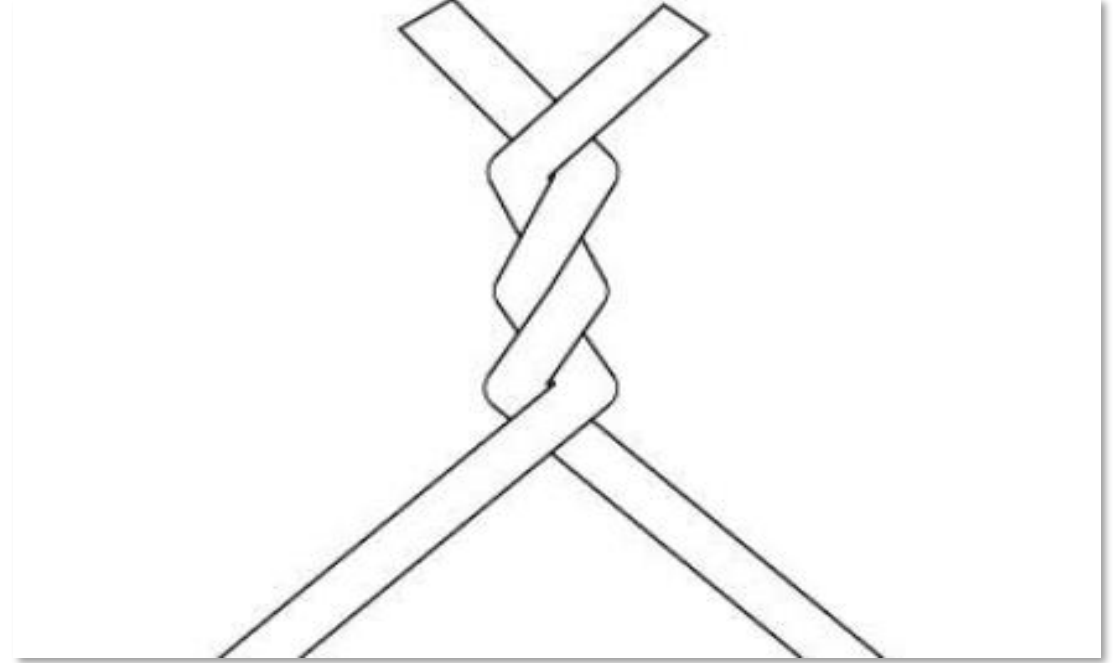


# Fencing Elements to be Prohibited





# Fencing Elements to be Prohibited





# Compliant Fencing Elements





# Compliant Fencing Elements





# Compliant Fencing Elements

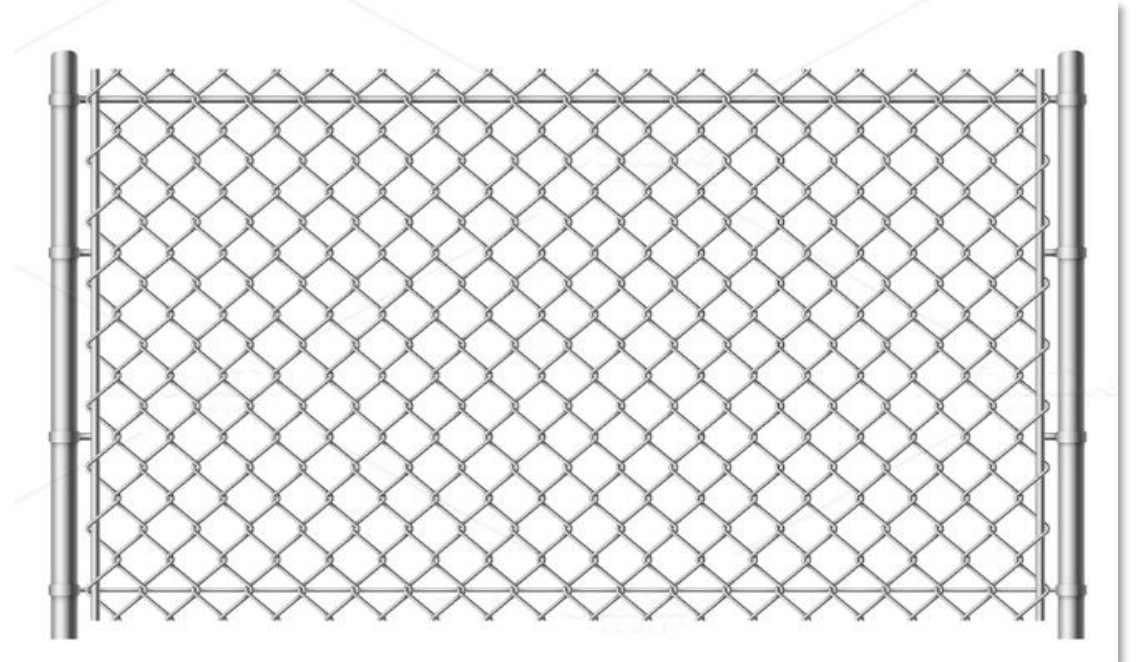


**\*If picket spacing is less than 2"**





# Compliant Fencing Elements





# Outreach

## Broad Outreach

- Boosted Social Media
- NextDoor
- El Mundo
- Austin American Statesman
- Austin Chronicle
- DSD Newsletter
- Community Impact
- Univision

## Targeted Outreach

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>• American Fence Association</li><li>• American Institute of Architects</li><li>• American Society of Landscape Architects</li><li>• Asian Contractor's Association</li><li>• Associated General Contractors</li><li>• Austin Apartment Association</li><li>• Austin Association of Builders</li><li>• Austin Board of Realtors</li><li>• Austin Contractors and Engineers Association</li><li>• Austin Home Builders Association</li><li>• Austin Hotel and Lodging Association</li><li>• Austin Infill Coalition</li><li>• Austin Tenant's Association</li><li>• Black Contractor's Association</li></ul> | <ul style="list-style-type: none"><li>• Capital Metro</li><li>• Certified Building Designers</li><li>• Community Registry</li><li>• Fence Contractors/ Companies</li><li>• Fence/ Pool permit applicants</li><li>• Hispanic Contractor's Association</li><li>• Historic Preservation stakeholders</li><li>• Habitat for Humanity</li><li>• Housing Authority of the City of Austin</li><li>• National Association of Remodeling Industry Pool Contractors/ Companies</li><li>• Pool and Hot Tub Alliance</li><li>• Real Estate Council of Austin</li><li>• School Districts</li><li>• Texas Hotel and Lodging Association</li></ul> |
|---|---|





# Next Steps

- Incorporation of community input (January 2023)
- Building and Fire Code Board of Appeals (January 2023)
- City Council review and consideration (1<sup>st</sup> quarter 2023)





**Development** CITY OF AUSTIN  
SERVICES DEPARTMENT