



Development CITY OF AUSTIN
SERVICES DEPARTMENT

Building a Better and Safer Austin Together

Safe Fencing Regulations

Resolution No. 20211104-039

April 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

- We are incorporating all Fence Requirements into one code section, LDC 25-2-899, by deleting an existing section of LDC 9-4-41 and adding to 25-2-899 and also adding safe fence requirements as outlined in the draft Ordinance. We are not making any modifications to 25-2-899 as it exists.



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



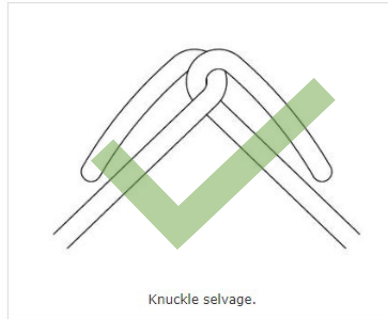
Proposed Ordinance

- Proposed **exemptions**:
 - ☐ Fences over six feet in height
 - ☐ Fences classified as historic by the Historic Landmark Commission

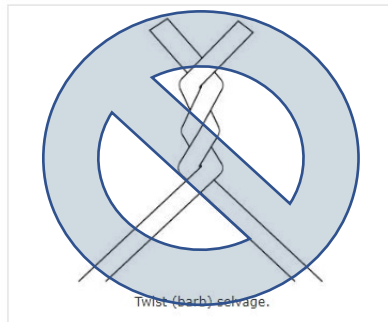


Proposed Ordinance

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



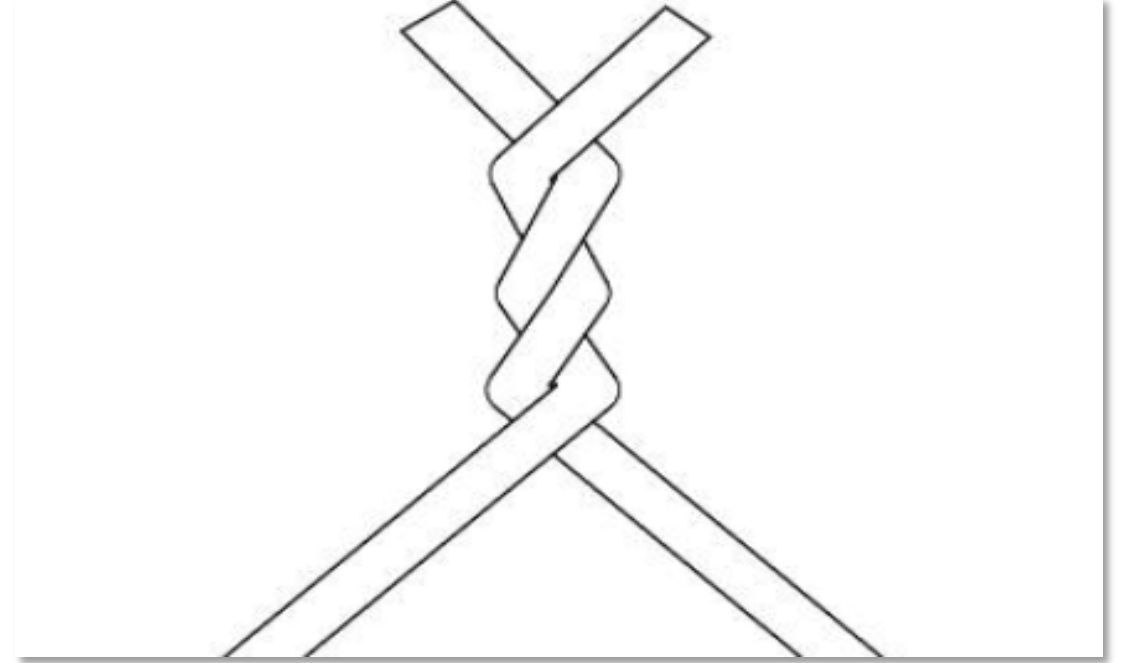
Fencing Elements to be Prohibited



Fencing Elements to be Prohibited



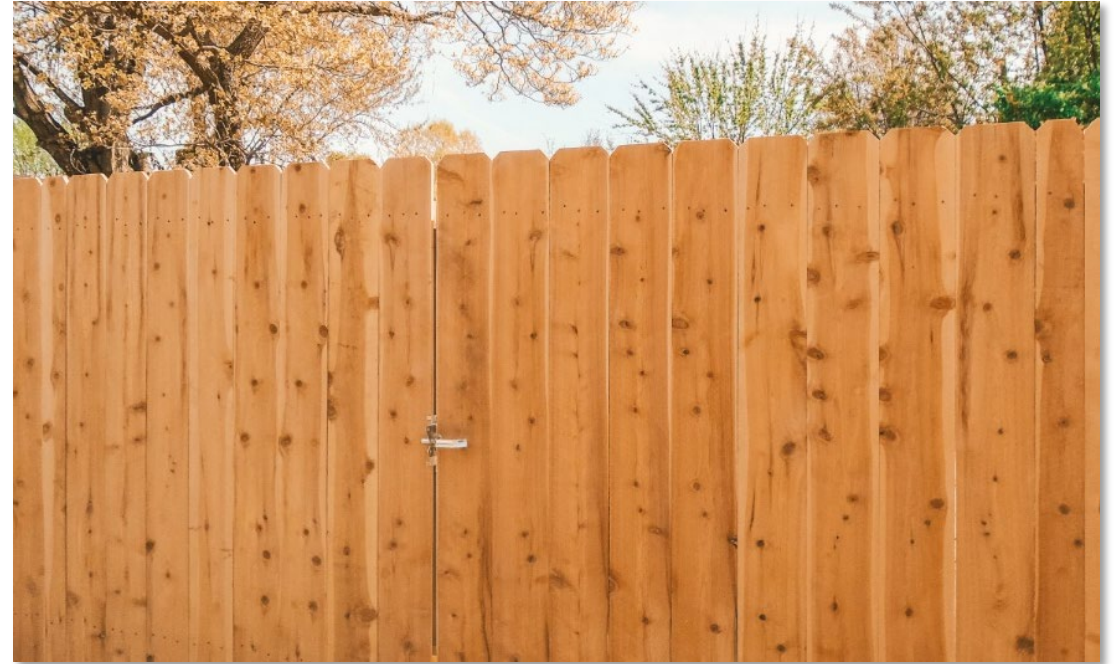
Fencing Elements to be Prohibited



Compliant Fencing Elements



Compliant Fencing Elements



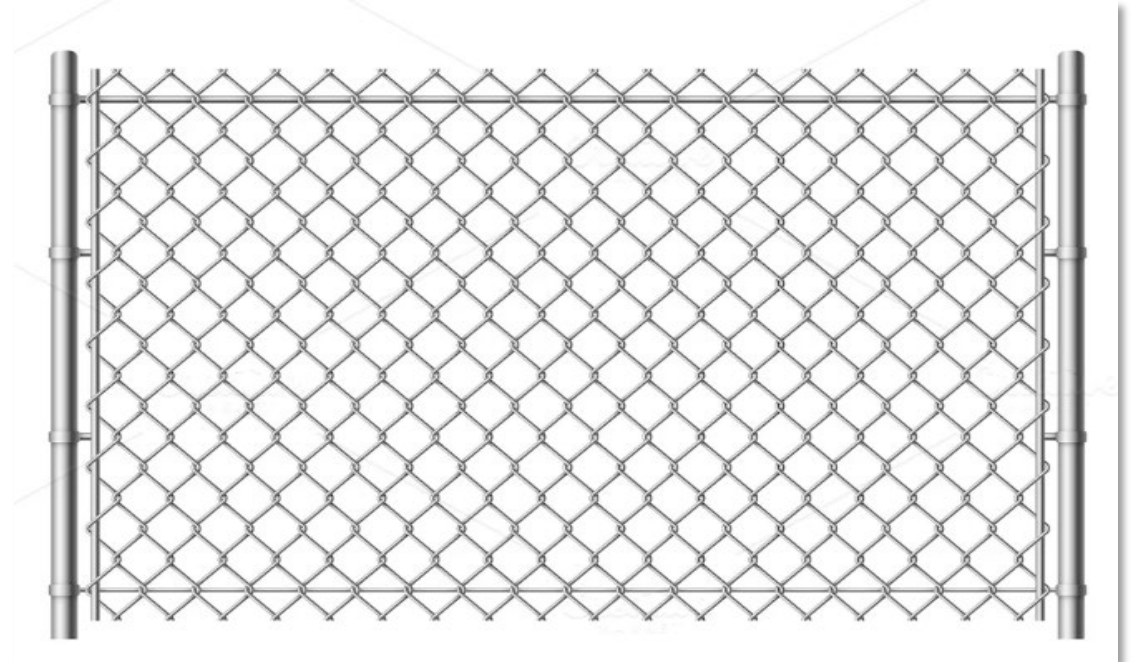
Compliant Fencing Elements



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

- Codes and Ordinances Joint Committee (2nd quarter 2023)
- Planning Commission Hearing (2nd quarter 2023)
- City Council review and consideration (2nd quarter 2023)



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JW MARRIOTT