

## 2023 Safe Fencing Regulations

### Engagement Summary (English)

Type of Engagement	Date of Engagement	Number of People Registered	Number of Unique Visitors/Participants	Number of Questions/Comments Received
PublicInput	04-Jan-2023 to 20-Jan-2023	N/A	331	9
Zoom Webinar	18-Jan-23	15	11	31
In-Person Engagement	19-Jan-23	0	0	0
DSD Communications Email	04-Jan-2023 to 20-Jan-2023	N/A	1	1
<b>Total</b>	<b>04-Jan-2023 to 20-Jan-2023</b>	<b>15</b>	<b>343</b>	<b>41</b>

## 2023 Safe Fencing Regulations

### Engagement Summary (Spanish)

Type of Engagement	Date of Engagement	Number of People Registered	Number of Unique Visitors/Participants	Number of Questions/Comments Received
PublicInput	04-Jan-2023 to 20-Jan-2023	N/A	110	0
Zoom Webinar	18-Jan-23	0	0	0
In-Person Engagement	19-Jan-23	0	0	0
DSD Communications Email	04-Jan-2023 to 20-Jan-2023	N/A	0	0
<b>Total</b>	<b>04-Jan-2023 to 20-Jan-2023</b>	<b>0</b>	<b>110</b>	<b>0</b>

## 2023 Safe Fencing Regulations

### Outreach Summary (English)

Type of Outreach	Date of Outreach	Number of People Reached	Number of Messages Opened/Clicked
Targeted Email	5-Jan-23	2,900	1,511
Social Media (Twitter)	6-Jan-23	585	1
Social Media (Facebook)	6-Jan-23	28	2
Targeted Email (Reminder)	13-Jan-23	2,890	1,559
Social Media (Facebook)	16-Jan-23	63	3
Social Media (Twitter)	16-Jan-23	626	7
Community Impact	05-Jan-23 to 19-Jan-23	37,583	28
<b>Total</b>	<b>25-Apr-2022 to 05-Jun-2022</b>	<b>44,675</b>	<b>3,111</b>

## 2023 Safe Fencing Regulations

### Outreach Summary (Spanish)

Type of Outreach	Date of Outreach	Number of People Reached	Number of Unique Visitors/Participants
Targeted Email	5-Jan-23	2,900	1,511
Social Media (Facebook)	6-Jan-23	26	0
Social Media (Twitter)	6-Jan-23	590	3
Targeted Email (Reminder)	13-Jan-23	2,890	1,559
Social Media (Facebook)	16-Jan-23	46	0
Social Media (Twitter)	16-Jan-23	434	3
Spanish Radio Advertisements	09-Jan-23 to 19-Jan-23	74,092	0
<b>Total</b>	<b>25-Apr-2022 to 05-Jun-2022</b>	<b>80,978</b>	<b>3,076</b>

**Attendee Report: Safe Fencing Virtual Engagement (Zoom)**

Date: 01/18/23

Time: 10:00 AM

Actual Start Time	Actual Duration (minutes)	# Registered	# Cancelled	Unique Viewers	Total Users
January 18, 2023 9:47 AM	72	50	0	27	37

Panelist Details			Attendee Details		
Attended	User Name (Original Name)	Time in Session (minutes)	Attended	Name	Time in Session (minutes)
Yes	Todd Czaplicki	72	Yes	Lisa Martinez	36
Yes	Chris Sapuppo	68	Yes	David King	35
Yes	Tony Hernandez	72	Yes	Adam Barbe	5
Yes	Robbie Searcy	55	Yes	Andrea Gonzales	7
			Yes	Nicole Santos	35
			Yes	Hillary Bates	33
			Yes	Thomas Yantis	35
			Yes	Joseph Reynolds	35
			Yes	blake shaw	33
			Yes	Jennifer Smith	29
			Yes	Dianne Hill	34
			Yes	Anna Pittala	7
			Yes	jerry johnson	25
			Yes	Chris Sandoval	23
			Yes	David Shrum	35
			Yes	Robert Higgs	15
			Yes	Catherine Craig	18
			Yes	Jennifer Santiago	8
			Yes	Patricia King	35
			Yes	Renee Godinez	34
			Yes	Joe.Krippelz	22
			Yes	Michael Dunn	8
			Yes	Johnson Pools	35
			Yes	Lauren Summers	35
			Yes	Danielle Davidson	36

Yes	Alina Carnahan	31
No	Eric Rauser	--
No	Amanda Brigance	--
No	William Jones	--
No	Jon Fichter	--
No	Donna Crites	--
No	Matt Norton	--
No	Rodrigo Cantu	--
No	Emily Ankney	--
No	Kyle McFadden	--
No	Kelly Arnold	--
No	Christopher Clifton	--
No	Caleb Wood	--
No	Amber Campbell	--
No	Cesar Santos	--
No	Brian Lucke	--
No	David Lockett	--
No	Mike Owens	--
No	Rusd Donaldson	--
No	Rina Caravantes	--
No	Wes Cranmer	--
No	Stan Potter	--
No	Joel Hefner	--
No	Marc Molak	--
No	bob rafferty	--
	<b>Total Attended</b>	<b>26</b>

**Attendee Report: Safe Fencing In-Person Engagement**

Date: 01/19/23

Time: 06:00 PM

Actual Start Time	Actual Duration (minutes)	# Registered	# Cancelled	Unique Viewers	Total Users
January 19, 2023 06:00 PM	20	6	0	0	0

Panelist Details			Attendee Details		
Attended	User Name (Original Name)	Time in Session (minutes)	Attended	Name	Time in Session (minutes)
Yes	Todd Czaplicki	20	No	Cater Joseph	--
Yes	Chris Sapuppo	20	No	Chase Wright	--
Yes	Tony Hernandez	20	No	Greg Santiago	--
Yes	Lisa Martinez	20	No	Chris Sandoval	--
			No	Joey Gallahan	--
			No	Michael Owens	--
				<b>Total Attended</b>	<b>0</b>

Safe Fencing Regulations Engagement  
PublicInput Project Page Engagement  
Question/ Comment Summary  
January 2023



**Question/ Comment:**

I am fully in favor of changing fence regulations to make them safer for small children and wildlife. I assume there are economic ramifications to any regulatory change, but any cost is far outweighed by the benefit to our young children and their safety. People may assert that a tragic accident on an exposed fence is a freak accident, but too many of these accidents have occurred. The fix is relatively simple in order for no family to go through the horrors that an exposed fence poses.

**Response:**

Thank you for your input.

**Question/ Comment:**

I support safe fencing regulations in order to protect children and wildlife.

**Response:**

Thank you for your input.

**Question/ Comment:**

There is a reason for wrought iron fences with spiked tops, it's to keep out intruders and protect the home occupants. Or don't you people give a damn about that? Mind your own business and stop harassing property owners.

**Response:**

Thank you for your input.

**Question/ Comment:**

The purpose of a fence is to prevent access to property. Spiked tops, concertina wire, barbed wire held at an angle from the vertical, and other means of deterring entry should be allowed on fences of 6' or higher.

**Response:**

Thank you for your input.

**Question/ Comment:**

The ordinance should create a compounding financial penalty for fences that have been constructed within the pedestrian right of way and obstruct safe pedestrian movement and/or the construction of new sidewalks. This would be aligned with the goals of Vision Zero and recent transit and mobility bonds.

**Response:**

Thank you for your input.



**Question/ Comment:**

This is asinine. you people have way bigger problems to deal with the spikey fences.

**Response:**

Thank you for your input.

**Question/ Comment:**

Spiked and open picket metal fences are dangerous for wildlife, pets and people.

With spikes, the danger is obvious. This happens frequently with deer; if just a leg is caught, the deer may be able to get free and recover, but most of the time the injury is to the abdomen and results in an agonizing death. Also, a person climbing a spiked fence can be caught on the spikes (a neck injury can be quickly fatal), and anyone falling onto a spiked fence will be impaled.

With open pickets, people and animals can be impaled, just like with spikes. But, children can also get their necks caught in the top openings between pickets; this can cause unconsciousness and death.

For these reasons, only flat-topped fencing is safe.

In fall of 2018, Citizen Advocates for Animals (CAFA), campaigned to have the City of Lakeway, TX, ban new metal fences with spikes or open pickets. We were originally concerned about the many deer impaled on these dangerous fences. It is tragic for the animals, as well as gruesome for residents; it also takes up the time and effort of our police officers, who are called by distraught homeowners. Other communities require flat-topped fencing, whether due to safety concerns or because it is considered the most sleek and modern style. Happily, it also tends to be less expensive.

While we were working on our request, a local news station had coverage of a Georgetown toddler who died in spring of 2018, when his neck was caught in a neighbor's open picket fence. That was when we realized this wasn't just an animal issue--it was a safety issue for people as well. Also, a construction worker in San Antonio was severely injured when he slipped off a roof and was impaled on the homeowner's open picket fence. So, in 2018, we had 2 tragedies nearby, with dangerous fences and people.

CAFA renewed its efforts. The Wildlife Advisory Committee agreed unanimously to recommend to Council that these dangerous fences be banned in Lakeway going forward. In February of 2019, City Council unanimously passed that ordinance, and all new fencing in Lakeway must have a continuous flat top.

I hope Austin takes similar action to protect people and animals.

**Response:**

Thank you for your input.

**Question/ Comment:**

I hope these changes to the rules will be made. Since I've become aware of the dangers of metal fences with pointed, exposed pickets, I see them everywhere and it scares me. I don't want any more children to die or be hurt.

**Response:**

Thank you for your input.

**Question/ Comment:**

I am against this resolution. What is the definition of flat top? I don't think we should be forcing landscapers and architects to use a horizontal bar at top of fences in Austin that has a tremendous amount of topography and vertical bars are the only way to maintain COA fencing height regulations. We typically like to use steel tubes with welded 'flat' cap spaced 4" on center for pool barriers that really need to blend in with the planted native landscape. Perhaps if it's written to eliminate a clearly defined spiked top (perhaps by defining any stick that tapers or shape has a perimeter that is less than say 1.5" and actually looks like a spear) similar to the outlawing of barbed wire fencing. I do not want to lose the ability to use vertical fencing when that is an essential method for us to deal with steep topography and have a fence top that follows grade without adding a horizontal stepping top or angled top.

**Response:**

Thank you for your input.

Safe Fencing Regulations Engagement  
Emails  
Question/ Comment Summary  
January 2023



**Question/ Comment:**

To whom it may concern.

Last year I came across a deer that tried to jump an iron fence and it got stuck on the spikes and it died upside down because the spikes caught it in the lower abdomen. This was at a city of Austin animal preserve near Zilker Park on the west side of mopac on Rollingwood drive.

I know of a person who lives up the hill from there off of Austin Blvd who has an iron fence of the same design and she has had deer impaled in her yard several times because the deer have a path that they follow from the front to the back of her yard. She is unsympathetic because the deer eat her plants and does nothing to correct the problem.

I see dead deer on fences all the time on the internet as well and know of people as well who have died from it and think this is unnecessary. The city of Austin needs to write legislation that will help prevent these senseless tragedies. The negative attitude of how we treat the animals we are blessed to share Austin with needs to change. I am this voice today and ask for you sympathy to write into law ways to prevent this.

The way these deer are dying is worse than how bull fighting is done. As brutal as bull fighting is, at least the bulls die standing up and not choking upside down. As the deer hang there they try to shake loose and the spears just dig in deeper into non vital organs so it's a long painful death. It sucks and makes me sad. Please do something to prevent this with the position you hold in the city of Austin.

I have attached some pictures for your review from the Rollingwood drive experience. Please look at them and try to imagine how helpless that deer was as it hung there for the last hour of its life.



**Response:**

Thank you for your input.

Safe Fencing Regulations Virtual Engagement  
Question/ Comment Summary  
January 18, 2023



**Question/ Comment:**

Can the presentation be emailed to us?

**Response:**

Thank you for your question. Please visit <https://publicinput.com/safefencing> for the presentation along with all information related to the engagement. We will continue to update the page throughout the life of the engagement.

**Question/ Comment:**

Please confirm "dog eared" style wood fences are approved.

**Response:**

A dog eared style of fence would be approved provided the gap between the pickets did not exceed 2".

**Question/ Comment:**

Since fences under 6' don't require a permit (unless in flood zone) will the city start requiring permits for fences?

Will the city be conducting active enforcement on non-compliant fencing?

**Response:**

Development Services Department does not expect to require a permit beyond the current expectations. Currently, a permit is required for any fence taller than 8' for a residential fence and 7' for a commercial fence. Austin Code Department will be the department expected to enforce this ordinance.

**Question/ Comment:**

Additionally, will barbwire on top of chain link be approved for security in businesses & commercial instances?

**Response:**

A separate existing section in code makes the use of barbed wire fence illegal.

**Question/ Comment:**

Will the enforcement be complaint-based or active?

**Response:**

The decision how to enforce the ordinance would be made by Austin Code. Development Services Department believes it would be complaint-based, but that has not been determined at this time.

**Question/ Comment:**

The examples in the presentation seem to be residential. What about commercial setting? Fences have for thousands of years kept valuable or dangerous things contained, can't get in or out. There are many car repair and parts yards that have concertina wire to prohibit damage or theft. Why would the classic purpose of fencing be prohibited?

**Response:**

The proposed ordinance would only apply to fences 6' in length or smaller. If a security fence were taller than 6' in height it would not apply to the proposed ordinance.

**Question/ Comment:**

When will this go into effect?

**Response:**

That decision will be completely determined by Austin City Council. The ordinance must go before Council before such a date can be determined.

**Question/ Comment:**

For fences between 6' to 8' in height, what are the regulations

**Response:**

Current language in the Land Development Code allows for ornamental fence 1:4 ratio can be over 6' in height. A solid fence must be less than 6' in height.

**Question/ Comment:**

While I agree fences purely ornamental in nature can be changed, I have concerns about fences required for safety and security. Residential areas have dangerous and destructive animals that need to be constrained. Allendale has had issues with coyotes eating pets, deer eating crops, and wild hogs causing destruction. One time a coyote appeared around a yard where a baby had been several minutes prior. In cases such as these fences are required for security. Large animals such as bobcats have little issue scaling a fence measuring 8' in height. How will this ordinance consider such issues? These are simply issues my neighbors mention, and I hope the city will consider them.

**Response:**

Thank you for your input. Fences measuring more than 6' in height will still be allowed with the proposed ordinance language. There is no 100% secure way to construct a fence to keep everything out of an area.

**Question/ Comment:**

Deed restrictions may limit the type of fence allowed in a neighborhood. I hope the proposed ordinance will take this into consideration. Even if the City of Austin does not enforce these deed restrictions people living in certain areas may be constrained by them.

**Response:**

Development Services Department will have to investigate this further. There are many deed restrictions the City of Austin does not enforce.

**Question/ Comment:**

Will these regulations extend to the ETJ areas?

**Response:**

No, these regulations will not apply to the Extra Territorial Jurisdiction areas surrounding the City of Austin. These regulations will only apply to the City of Austin city limits.

**Question/ Comment:**

It seems these regulations are impacting fences under 6' in height. As you previously mentioned a permit is not required for fences measuring less than 8' in height. So, someone could have a spiked fence measuring 7' in height. Is this correct?

**Response:**

That is correct.

**Question/ Comment:**

For those concerned about animals or safety they could still build a fence that measures 7' or 8' in height and include spikes for security. Is this correct?

**Response:**

That is correct.

**Question/ Comment:**

If a fence measures 6' or less in height and has spikes it would be considered non-compliant with the proposed ordinance. Would people with such a fence be required to replace their fence or would the ordinance only apply when building a new fence?

**Response:**

100% of the former fence would have to be replaced when constructing a new fence before this ordinance would come into effect. The proposed ordinance would not retroactively impact existing fences.

**Question/ Comment:**

Although there is no date when this ordinance is expected to be approved, how much time will vendors be provided to use their existing inventory of fencing that does not comply with the ordinance? Ideally, a period of 9 months to 1 year would be best to allow for appropriate reductions in noncompliant inventory. There is no means to determine how much demand a contractor can expect in the City of Austin, so some contractors have a significant amount of inventory that may not comply with the proposed ordinance.

**Response:**

The proposal would allow for six months for contractors to use their inventory that does not comply with the ordinance. The City will investigate if more time is appropriate. Existing inventory could also be used on taller, compliant fences or outside of the city limits.



**Question/ Comment:**

Thank you for facilitating this process along with the public engagement. I really appreciate the City of Austin reaching out, informing neighborhoods, and providing them time to understand this proposal. I know you have already completed some community engagement in the past on this topic earlier last year. Looking at the proposal it appears to be a reasonable balance for protection of people, pets, and property without infringing too much on a person/business ability to protect their property. I think this will save lives, as I know people who have lost their children due to impalement or being caught on their own fence in their yard. There is a good reason for the new proposed approach to fence safety while striking a balance with other perspectives and concerns.

**Response:**

Thank you for your input.

**Question/ Comment:**

The email [safefencing@publicinput.com](mailto:safefencing@publicinput.com) does not work.

**Response:**

We apologize for this inconvenience. We will investigate why this is occurring. Please email [DSDCommunications@austintexas.gov](mailto:DSDCommunications@austintexas.gov) with any questions or comments you may have. You may also input comments on our [project page](#).

**Question/ Comment:**

Will this meeting be recorded to view? What options are available for those who were unable to attend this meeting?

**Response:**

While this specific meeting will not be posted online we do intend to post a video of the presentation on our [project page](#) along with other relevant material to this engagement.