

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2016 Legislative Session**

Bill No. CB-4-2016
Chapter No. 6
Proposed and Presented by Council Member Lehman
Introduced by Council Member Lehman
Co-Sponsors _____
Date of Introduction March 15, 2016

ZONING BILL

1 AN ORDINANCE concerning

2 Fences and Walls

3 For the purpose of amending the regulations for construction of fences and walls.

4 BY repealing and reenacting with amendments:

5 Sections 27-420, 27-447, and 27-465,
6 The Zoning Ordinance of Prince George's County, Maryland,
7 being also
8 SUBTITLE 27. ZONING.
9 The Prince George's County Code
10 (2015 Edition).

11 SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland,
12 sitting as the District Council for that part of the Maryland-Washington Regional District in
13 Prince George's County, Maryland, that Sections 27-420, 27-447, and 27-465, of the Zoning
14 Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's
15 County Code, be and the same are hereby repealed and reenacted with the following
16 amendments:

17 **SUBTITLE 27. ZONING.**
18 **PART 5. RESIDENTIAL ZONES.**
19 **DIVISION 1. GENERAL.**

Sec. 27-420. Fences and walls.

(a) Unless otherwise provided, fences and walls (including retaining walls) more than six (6) feet high shall not be located in any required yard, and shall meet the setback requirements for main buildings. (See Figure 42.) On lots consisting of one (1) acre or less, fences in the front yard shall not be more than four (4) feet high unless a variance is approved by the Board of Appeals. In the case of a corner lot consisting of one (1) acre or less, fences in the front yard or side yard shall not be more than four (4) feet high unless a variance is approved by the Board of Appeals. Fences constructed pursuant to a validly issued building permit prior to October 1, 2008, shall not be deemed nonconforming; however, replacement of an existing fence must comply with the four (4) foot limitation.

(b) In the R-T Zone (or any other zone developed in accordance with the R-T Zone), walls or fences up to eight (8) feet high may be constructed anywhere in the rear yard without meeting setback requirements.

(c) For zero lot line development approved for a lot created under the optional residential design approach provisions of Subtitle 24, walls or fences up to eight (8) feet high may be located in any yard without meeting the setback requirements.

(d) Walls and fences more than four (4) feet high (above the finished grade, measured from the top of the fence to grade on the side of the fence where the grade is the lowest) shall be considered structures requiring building permits.

(e) Stranded barbed and/or razor wire are prohibited on all fences and walls, except for land that is assessed for agricultural use, and land used for installation and operation of high-voltage equipment at substations for electrical generation, transmission, and distribution in connection with providing public utility service in the County by a regulated public utility.

(f) Electrically charged/energized fences are prohibited, except for land that is assessed for agricultural use.

(g) Except for fences less than four (4) feet in height, fences not requiring a permit, and fences on land assessed as agricultural uses, all structural support (vertical posts and horizontal rails) shall face the interior of the subject lot. (See Figure 42.1).

SUBTITLE 27. ZONING.

PART 6. COMMERCIAL ZONES.

DIVISION 1. GENERAL.

Sec. 27-447. Fences and walls.

(a) Unless otherwise provided, fences and walls (including retaining walls) more than six (6) feet high shall not be located in any required yard, and shall meet the setback requirements for main buildings. (See Figure 42.)

(b) Walls and fences more than four (4) feet high (above the finished grade, measured from the top of the fence to grade on the side of the fence where the grade is the lowest) shall be considered structures requiring building permits.

(c) Stranded barbed and/or razor wire are prohibited on all fences and walls, except for land that is assessed for agricultural use, and land used for installation and operation of high-voltage equipment at substations for electrical generation, transmission, and distribution in connection with providing public utility service in the County by a regulated public utility.

(d) Except for fences less than four (4) feet in height, fences not requiring a permit, and fences on land assessed as agricultural uses, all structural support (vertical posts and horizontal rails) shall face the interior of the subject lot. (See Figure 42.1).

SUBTITLE 27. ZONING.**PART 7. INDUSTRIAL ZONES.****DIVISION 1. GENERAL.****Sec. 27-465. Fences and walls.**

(a) Unless otherwise provided, fences and walls (including retaining walls) more than six (6) feet high shall not be located in any required yard, and shall meet the setback requirements for main buildings. (See Figure 42.)

(b) Walls and fences more than four (4) feet high (above the finished grade, measured from the top of the fence to grade on the side of the fence where the grade is the lowest) shall be considered structures requiring building permits.

(c) Except for land used for installation and operation of high-voltage equipment at substations for electrical generation, transmission, and distribution in connection with providing public utility service in the County by a regulated public utility, barbed wire shall be prohibited in the U-L-I Zone where visible from any street with a right-of-way width of at least eighty (80) feet, or land in a residential zone (or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, any approved Conceptual or Detailed Site Plan, or M-U-TC Zone Development Plan).

(d) Except for fences less than four (4) feet in height, fences not requiring a permit, and

1 fences on land assessed as agricultural uses, all structural support (vertical posts and horizontal
2 rails) shall face the interior of the subject lot. (See Figure 42.1).

3 SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect
4 forty-five (45) calendar days after its adoption.

Adopted this 27th day of April , 2016.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

BY: _____
Derrick Leon Davis
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

KEY:

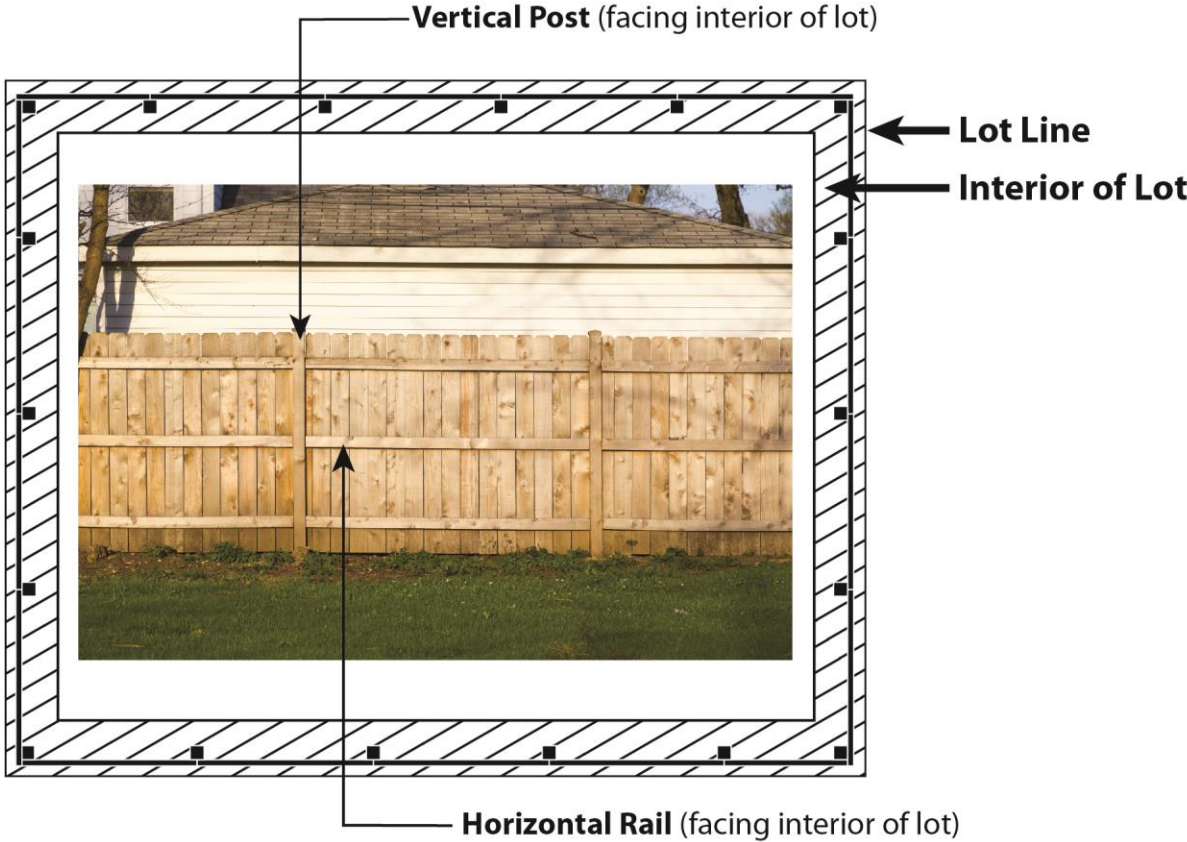
Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.

CB-4-2016 (DR-2) Attachment

Figure 42.1



This figure shall not be construed as an exemption from other fence regulations.