

**ORDINANCE 2005-19**

**AN ORDINANCE OF THE CITY OF FRUITA, COLORADO ADDING PARAGRAPH 10 TO CHAPTER 17.07.060 F OF THE FRUITA MUNICIPAL CODE, CONCERNING CONSTRUCTION OF FENCES AND APPEALS THERETO**

**WHEREAS**, the City of Fruita desires to provide consistent, easily understood, and easily administered rules for the construction of fences within the City of Fruita, and,

**WHEREAS**, the City Council of the City of Fruita finds that regulating the construction of fences is necessary to promote the general safety and welfare of the public, and to prevent interferences with underground utilities, and,

**WHEREAS**, an appeals process is warranted where safety and utility interference issues are absent and the strict interpretation of Municipal Code provisions for fence construction may not be appropriate, and,

**WHEREAS**, The City Council of the City of Fruita finds it necessary to update current regulations so that the needs of the community can be better met.

**NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA, COLORADO:**

Section 1. That a new paragraph 10 be added to Chapter 17.07.060 (F) of the Fruita Municipal Code, to read as follows:

10. A decision by staff to deny a fence permit according to the provisions of subsections (F) of this chapter may be appealed to the Fruita Planning Commission, said body having final authority to grant, modify, or deny a fence permit.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL  
THIS 21<sup>st</sup> DAY OF JUNE, 2005**

ATTEST:

City of Fruita

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City Clerk

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E. James Adams, Mayor