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City Planning and Development

CPD-DSSummary of Provisions in the Kansas City, Missouri Code of Ordinances

Pertaining to Fences and Walls

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www.kcmo.gov/planning

This Information Bulletin is intended to provide a summary of provisions found in various City ordinances that relate to fences. If you have any questions, please contact our Code Question Line at (816) 513-1511.

Kansas City Building and Rehabilitation Code, Chapter 18*, Code of Ordinances, contains the following regulation exempting walls and fences from building permit requirements.

Section 18-16 (b) (1) d. A building permit shall not be required for retaining walls which are not over four feet in height measured from grade on the low side of the wall, unless supporting a surcharge or impounding flammable liquids or when adjacent to a public right-of-way.

Section 18-16 (b) (1) e. A building permit shall not be required for fences (regardless of height or materials).

Section 18-57, Adoption of International Residential Code (2012); amendments, Part X, Appendices, contains the following regulations regarding swimming pool enclosures:

Section AG101. Swimming pools shall be completely enclosed by a barrier at least 4 feet (1290 mm) in height. Openings in the barrier shall not permit the passage of a 4-inch (102 mm) diameter sphere. Gates in the barrier shall be self-closing and self-latching; and shall be maintained locked when the pool is not tended by a responsible person.

Sections AG103 through AG107 are deleted.

Fences and Walls, Chapter 27*, Code of Ordinances, contains the following regulations (special exception to the provisions of Chapter 27 may be requested through the Board of Zoning Adjustment as described in Section 27-11):

Sec. 27-10. Fences and walls.

(a) Fences and walls, generally. No fence or wall over six feet high shall be erected on a residential lot, provided that this height restriction is further limited in subsections (b), (c), (d) and (e) of this section.

(b) Front yard fences and walls. No fence or wall in the front yard of a residential lot may be over 48 inches high. For the purposes of this subsection, front yard is defined as the open space on the same lot with a building used as a residence, between the front wall of the building and the line of that wall extended, the side property lines of the lot, and the front property line of the lot nearest the street on which the building fronts.

(c) Front yard fences and walls on vacant lots. No fence or wall in the front yard of a vacant residential lot may be over 48 inches high. For the purposes of this subsection, the front yard is defined as the open space between the platted or established front building line, the side property lines of the lot, and the front property line of the lot nearest the street. The depth of a front yard of any vacant residential lot shall not be less than the least depth of the front yard of any existing improved residential property on the same side of the street within the same block.

(d) Fences and walls on corner lots. No fence or wall in the front or side yard of a residential property may be over 48 inches high. For the purposes of this subsection, side yard is defined as the open space on the same lot with a building used as a residence, situated between the side wall of the building or structure and the side property line of the lot nearest the street and extending through from the front yard to the rear yard. For purposes of this subsection, the rear yard is defined as the open space on the same lot with a building used as a residence between the rear line of the building and that line extended, the side property lines of the lot and the rear property line of the lot.

(e) Fences and walls on vacant corner lots. No fence or wall in the front or side yard of a residential corner lot may be over 48 inches high. For the purposes of this subsection, side yard is defined as the open space situated between the platted or established side yard setback line and the side property line of the lot nearest the street and extending through from the front yard to the platted or established rear yard setback line.

(f) Applicability. The requirements of this section do not apply to walls of buildings, portions of retaining walls below grade on one or both sides, or to any fence or wall constructed prior to March 20, 2000.

Sec. 27-12. Electric fences.

All fence containing uninsulated electric conductors that may be exposed to human contact that are permitted under Chapter 48 must meet or exceed the following standards:

(a) Commercial or heavy industrial zone:

- (1) May not be located within 5 feet of any public street or sidewalk.
- (2) May not be located less than three hundred feet from a residence or from any public, private or parochial school, day care facility, church or parkland.
- (3) The system may not exceed twelve (12) volts.
- (4) The system used to energize the electric fence must be listed by a national testing agency such as UL or ETL.
- (5) The entire electric fence must be inside or enclosed by a primary non-electric perimeter security fence a minimum of 6 feet in height and located no closer than 5 feet to the electric fence.
- (6) Warning signs must be displayed every fifty (50) feet clearly identifying the fence as an electric fence.

(b) Agricultural zone. Electric fences may not be within 5 feet of any surfaced public street or sidewalk.

Nuisance Code, Chapter 48, Code of Ordinances**, contains regulations concerning electric and barbed wire fences.

Section 48-43. Fences. The following are hereby declared to constitute a nuisance:

- a. Barbed wire fences
 1. Residential zones. Any barbed wire fence, or other thing dangerous and liable to snag, tear, cut or otherwise injure anyone coming in contact therewith
 2. Commercial or industrial zones. Any barbed wire fence, or other thing dangerous and liable to snag, tear, cut or otherwise injure anyone coming in contact therewith and located less than six feet above grade.
 3. Agricultural zones. Any barbed wire fence, or other thing dangerous and liable to snag, tear, cut or otherwise injure anyone coming in contact therewith and located within five feet of any surfaced public street or sidewalk

- b. Electric fences. Any fence containing uninsulated electric conductors that may be exposed to human contact anywhere within the city, except that electric fences located in agricultural and commercial or heavy industrial zones as designated under the zoning code are permitted as long as they comply with all the requirements established under the special exceptions of the fences and walls code.

Parking Stations, Chapter 52*, Code of Ordinances, Section 52-34, contains regulations that require fences to be installed as barriers and screening.

Section 52-34 (a)(1) Barriers, requires all parking stations established after January 2, 1971, to be provided with a physical barrier, such as an ornamental iron fence, masonry wall, planter or shrubbery installed in such a manner as to prevent any encroachment of a motor vehicle on a public right-of-way.

Section 52-34 (b)(1) Screening, requires all parking stations established after September 10, 1951, which are located in residential zoning districts (excluding R-80), or those located across a street or alley from property in residential zoning districts (excluding R-80), to be permanently screened from adjoining property by a solid wall, fence or screen planting sufficiently thick to serve the purpose of a solid screen. The screen shall not be less than four feet in height. Such screening shall be maintained in good condition. Exceptions to this requirement include parking spaces for one- and two- family dwellings and townhouses and parking stations located in zoning district DC-15.

Kansas City, Missouri, Code of Ordinances*, Chapter 54, Article IV, Salvage Motor Vehicles and Salvage Motor Vehicle Parts Dealers, contains the following regulations:

Sec. 54-116. - Operation of salvage yard.

Any salvage yard shall be located and operated in accordance with the following requirements:

- (1) Every salvage yard must comply with the requirements of [chapter 26](#), [chapter 80](#), chapter 48, and all other applicable city ordinances.
- (2) Every salvage yard must be enclosed with a fence (as defined in [section 54-102](#)) along all street frontage or public right-of-way and along any area within 100 feet of land under residential zoning or within 100 feet of any building occupied, in whole or in part, as a dwelling. Such fence shall be of a minimum height of eight feet and shall test plumb and square at all times. Gates in the fence are allowed provided such gates are of sound construction and are maintained in accordance with the requirements for a fence. Further, such gates shall be closed and securely locked at all times except during the business hours and days.

Property Maintenance Code, Chapter 56, Code of Ordinances**, contains the following regulations:

Section 56-114. Fences and retaining walls. Maintenance. All fences and retaining walls on the premises shall be structurally sound and kept in good repair. The fence posts shall be firmly set in a base that does not allow the posts to wobble. The fence railings or slatting shall be firmly attached to the supporting posts. Gaps or wedges in a retaining wall shall be restored to the original condition. Fences and retaining walls shall not encroach on the public right-of-way and must be maintained in a manner that will protect the fence or wall from rotting, decay, deterioration or loss of structural integrity.

Zoning and Development Code, Chapter 88*, Sections 88-305-07, 88-330-01-C, 88-330-02-E, 88-375-03, 88-385-05, 88-425-05, 88-425-08-A, 88-425-09-A contain regulations that require fences to be installed to screen and/or enclose certain permitted uses from adjacent property.

88-305-07 Swimming Pools

Swimming pools with a depth of more than 2 feet must be enclosed by a protective **fence** at least 4 feet in height. The **fence** must include self-closing, lockable gates or entrances when the pool is not tended by a responsible person.

88-330-01 Family Day Care

Family day care homes in AG-R, R-80, R-10, R-7.5, R-6, R-5, and R-2.5 districts are subject to the following standards:

88-330-01-C. All open play areas must be completely enclosed with a tight **fence** at least 4 feet in height.

88-330-02 Group Day Care

Group day care facilities may be allowed in R-80, R-10, R-7.5, R-6, R-5, and R-2.5 districts subject to the following standards:

88-330-02-E. All open play areas must be completely enclosed with a tight **fence** at least 4 feet in height.

88-375-03 Outdoor vehicle Storage

All outdoor vehicle storage areas must be shielded by an opaque **fence** or wall that is a minimum of 6 feet tall and a maximum of 10 feet tall. The interior of the **fence** or wall must be protected by a guardrail or similar barrier to prevent damage to the **fence** or wall. All vehicles, equipment, and inventory of the business must be stored behind the **fence** or wall and may not exceed the height of the **fence** or wall.

88-385-05 Freestanding Towers

The standards of this section apply to freestanding towers constructed for the primary purpose of supporting wireless communication equipment.

88-385-05-D. Screening

Visual screening must be provided around all equipment buildings and cabinets and ground-level portion of the wireless communication facility. Screening may be accomplished by visual barrier **fence** or landscaping, or both. Landscaping must provide screening throughout all seasons.

88-425-05 Perimeter Landscaping of Vehicular Use Areas

A masonry wall or opaque wood **fence** with a minimum height of 5 feet may be substituted for shrubs, but ground cover is still required within the landscape buffer strip.

88-425-08 Screening of Containers and Mechanical/Utility Equipment

88-425-08-A. Dumpsters

Trash containers, dumpsters, trash compactors, and recycling bins associated with multiplex, multi-unit residential, and nonresidential uses must be screened from public view on all sides with a solid **fence**, wall, or gate constructed of cedar, redwood, masonry, or other similar building material reflecting the overall design of the site, and be appropriately landscaped.

88-425-09 Screening and buffering of outdoor display, storage, and work areas

88-425-09-A. OUTDOOR DISPLAY AND STORAGE AREAS

1. SCREENING FROM R DISTRICTS

Outdoor display or storage areas that abut R districts along a side property line or rear property line or are separated from an R district by only an alley along a side property line or rear property line must be effectively screened from view of the R district by a solid wall, solid **fence**, or dense vegetative screen. Required screening must be at least 6 feet in height. Walls and fences may not exceed 8 feet in height. Fences and walls must be

masonry or wood, sight-obscuring and planted with vines or tall-growing shrubs (to help screen the fence/wall). Chain-link fencing is expressly prohibited.

- * Enforced by the Department of Codes Administration, Investigations Division, PH: (816) 513-1500, option 2.
- ** Enforced by the Department of Neighborhood and Community Services, Neighborhood Preservation Division, PH: (816) 513-9000.