

Sec. 6-186. - Maintenance.

- (a) All fences constructed under the provisions of this article shall be maintained so as to comply with the requirements of this article at all times.
- (b) Notwithstanding any other requirement of this article, it shall be an offense to fail to comply with any of the following maintenance standards:
  - (1) Fences shall not be more than ten (10) degrees out of vertical alignment with its base;
  - (2) All parts of fences which are broken, loose, damaged, removed, or missing, having a combined total area of twenty (20) square feet or more of said fences, shall be replaced or repaired as soon as reasonably practical in a workmanlike manner and with materials of comparable composition. Comparable composition means materials having similar color, size, shape, and quality as original fences for which the replacement or repair is being made;
  - (3) Any opening greater than four (4) inches in diameter in fences enclosing swimming pools or spas shall be covered at all times during which repair or replacement work is not actively being conducted;
  - (4) Fences shall be reconstructed, replaced, or repaired only with products manufactured or designed for use as fencing materials. The chief building official or his designee may require the applicant to provide the manufacturer's standards to establish the manufacturer's intended use of a proposed fencing material;
  - (5) Fencing material shall not be located within a street, sidewalk, or alley right-of-way;
  - (6) An exterior support shall not be used for vertical alignment of fences;
  - (7) Fence sections, pickets, and rails shall be securely attached to vertical fence posts by nails, screws, bolts, rivets, or manufacturer-supplied fasteners; and
  - (8) Nails, screws, bolts, rivets and other fasteners used in fences must be installed or reasonably maintained as to not cause a hazard.
- (c) If any such opening as described in Subsection (b)(3) is not securely covered, the code official may secure the opening in accordance with Texas Local Government Code Section 214.101, as amended.
- (d) Nothing herein shall be construed to prohibit the complete removal of fences, except fences enclosing a swimming pool or spa as to comply with all other local, state, and federal laws.