

ORDINANCE NO. 2023-09

**AN ORDINANCE AMENDING HARDIN CITY CODE  
TO INCREASE THE MAXIMUM FENCE HEIGHT FOR FRONT  
YARDS OF RESIDENTIAL AREAS**

**WHEREAS**, the City Council of the City of Hardin desires to modify and change the City Code of Hardin, Montana to increase the maximum height of fences located in front yards of residential areas; and

**WHEREAS**, the City Council finds that many pre-fabricated fences are forty-eight inches in height and the City Council desires to amend the ordinance to allow residents more flexibility in purchasing pre-fabricated fences; and

**WHEREAS**, the City Council finds that taller fences will also assist in keeping pets in their respective yards, in the interest of public safety.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF HARDIN, MONTANA**, Title 11, Chapter 1, Part 8 is amended with the addition of language (underlined) and removal of language (strikethrough), as follows:

11-1-8-4: **FENCES AND HEDGES LOCATIONS:** Fences shall be located in accordance with the following:

- A. Heights: Fences, walls and hedges may be erected or maintained in any residential zoning district along any required yard provided that no fence, wall or hedge over ~~forty-two~~eight inches (42~~8~~8" ) in height shall be erected or maintained in any front yard setback. Fences and walls located along side or rear yards shall not exceed a height of six feet (6').

**DATE OF EFFECT.**

The amendment to this ordinance shall take effect and be in force thirty (30) days from the date of its second reading and passage by the City Council as required by law.

**FIRST READING AND PASSAGE** By a majority vote of the members present this 5<sup>th</sup> day of September, 2023.

YEAS 6

NAYS 0

  
\_\_\_\_\_  
Mayor



ATTEST:

Andrew Leh

City Clerk

POSTED AND MADE AVAILABLE TO THE PUBLIC this 8<sup>th</sup> day of

September, 2023.

Andrew Leh

City Clerk

SECOND READING AND PASSAGE By a majority vote of the members

present this 19<sup>th</sup> day of September, 2023.

YEAS 4

NAYS 0

[Signature]

Mayor



ATTEST:

Andrew Leh

City Clerk

