



Board of Aldermen Request for Action

MEETING DATE: 2/7/2023

DEPARTMENT: Development

AGENDA ITEM: Bill No. 2976-23 - Electric Fence Regulations - 1st Reading

REQUESTED BOARD ACTION:

A motion to approve Bill No. 2976-23, Electric Fence Regulations for First Reading by title only.

SUMMARY:

The ordinance would authorize electric fences in both A-1 and Industrial zones, subject to certain performance standards.

BACKGROUND:

A local business owner suffered some thefts from his storage lot and requested that the Board consider amending the ordinances that prohibited electric fences except in Agricultural districts. Following a work session on electric fences, and various potential provisions, the Board directed staff to draft an ordinance like the Kansas City Missouri ordinance for industrial properties in Smithville. That ordinance is attached.

PREVIOUS ACTION:

The Board adopted Ord. 1742-97 in July of 1997 to regulate electric fences.

POLICY ISSUE:

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FINANCIAL CONSIDERATIONS:

N/A

ATTACHMENTS:

- | | |
|------------------------------------------------------------------|-----------------------------------|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input type="checkbox"/> Other: Click or tap here to enter text. | |

AN ORDINANCE AMENDING SECTION 525.040 OF THE CODE OF ORDINANCES REGULATING ELECTRIC FENCES

WHEREAS, the Board of Aldermen adopted ordinance 1742-97 on July 15, 1997 to enact regulations for the use and construction of electric fences; and

WHEREAS, the Board of Aldermen conducted a work session on January 17, 2023, concerning amending electric fence regulations to allow expanded, limited use of electric fences with certain performance standards; and,

WHEREAS, the Board of Aldermen deems it in the best interest of public safety to regulation the location and installation of electric fences;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI AS FOLLOWS:

Section 1. Section 525.040 of the Code of Ordinances is hereby repealed in its entirety and replaced with a new Section 525.040, to be numbered and read as follows:

SECTION 525.040 REGULATIONS CONCERNING ELECTRIC FENCES

A. All fences containing uninsulated electric conductors that may be exposed to human contact otherwise prohibited in the zoning code are permitted as contained herein and must meet or exceed the following standards:

(a) In Industrial zones:

(1) Must obtain a separate fence permit for the electric fence, which is in addition to the permit required for the primary, non-electric fence required in (4) below.

(2) The system may not exceed twelve (12) volts.

(3) The system used to energize the electric fence must be listed by a national testing agency such as UL or ETL.

(4) 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.

(5) Warning signs must be displayed every fifty (50) feet clearly identifying the fence as an electric fence.

(b) In Agricultural zone 1, Electric fences may be installed not closer than seventy-five (75) feet from the property line of any adjacent property located in a district that is not allowed to install an electric fence, and not

within 5 feet of any other property line, and no permit is required for such installation.

Section 2. This ordinance shall take effect and be in full force from and after its passage according to law.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 21st of February 2023.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

1st reading 02/07/2023

2nd reading 02/21/2023