Fence Design Guidelines

Section 1101 B. of the Rutherford County Zoning Ordinance

Though a permit from Building Codes is not required for the installation of fences, the Rutherford County Zoning Ordinance contains guidelines for the installation of fences in the unincorporated areas of Rutherford County. It is important to refer to these regulations prior to the installation of a fence on your property. The regulations are as follows:

B. Fences, Walls, and Hedges

Notwithstanding other provisions of this ordinance, fences, walls, and hedges may be permitted in any required yard, or along the edge of any yard except as prohibited in Subsection 1101 A above.

1. In any residential district, no fence or wall shall exceed eight (8) feet in height in side and rear yards. Fences in front yards may be eight (8) feet in height provided that fences within the required front yard (i.e. front setback) be of transparent construction (i.e. split rail, picket, chain link, etc.). Tennis court fencing shall not exceed twelve (12) feet, and baseball backstops shall not exceed sixteen (16) feet.

   In commercial or industrial districts, no fence or wall shall exceed fifteen (15) feet in height. Between the principal building and the street right-of-way, no fence or wall shall exceed six (6) feet in height.

   The height of such fences and walls shall be measured from the finished grade to top of the individual sections. The finished grade shall not include measurements from the top of a berm.

2. Fences and walls shall be erected outside of the right-of-way or any public or private road or manner of ingress/egress junction with said roadways, except erected by a government agency. All fence posts/supports shall be set into the ground a minimum depth of two (2) feet. If conditions on the property (e.g. rock) make it difficult to comply with this requirement, alternative measures may be utilized after consultation with the Planning and Engineering Department and the Department of Building and Codes. In any event, adequate measures shall be employed in order to ensure the long-term stability of the fence.

3. Permitted fences. The following types of fences are permitted in all zoning districts:
   - Masonry or stone walls
   - Ornamental iron
   - Chain-link
   - Wood or Vinyl
   - Other materials may be considered on a case by case basis

4. Prohibited Fences. The following types of fences are prohibited:
   - Fences constructed primarily or topped with barbed wire or razor wire, or deployed, raised, arranged or expanded in concertina form, except when used in conjunction with an agricultural use or purpose, non-residentially zoned property or uses, and/or serving a public institution for public safety or special services.
   - Fences carrying electrical current, except for the purpose of enclosing livestock for an agricultural use
   - Fences constructed of readily flammable materials such as paper, cloth or canvas except for temporary fences required by law (e.g. drainage silt fencing)
   - Fences or walls made of solid plywood, scrap lumber and insubstantial similar non-customary materials
   - Fences or walls made of common concrete or cinderblock, unless finished with a masonry material.
   - Fences, walls, or hedges on any portion of any public right-of-way, except fences erected by a governmental agency

5. Fences shall be positioned so that all the support wood, posts, cross members, etc. will not be facing the street.

6. Five (5) feet of clearance shall be maintained between any fence and all sides of an electrical transformer, except the side of the transformer that is padlocked shall have a ten (10) foot clearance.

7. Five (5) feet of clearance shall be maintained between any fence and all sides of an electrical pedestal.

Rutherford County Planning and Engineering Department
One South Public Square, Room 200 Murfreesboro, Tennessee 37130
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8. Maintenance. It is the responsibility of the owner of the property on which the fence is erected to maintain the fence structure in good repair at all times. If a fence is found to be in a deteriorated condition or in need of repair, including but not limited to broken or missing structural components, or the fence is substantially less than perpendicular to the grade, the property owner may be ordered to repair, replace or remove the fence depending on the condition of the fence. Such order shall be issued by the Director of Building and Codes pursuant to this ordinance.

9. Fences, walls or vegetation that interfere with clear vision (i.e. Vision Triangle, as defined by this Ordinance) at or near a public or private street, alley, driveway or other means of ingress or egress such that the sight of oncoming vehicular or pedestrian traffic is impaired for users of such ingress or egress are prohibited.

10. Fences, walls or vegetation so constructed or planted as to impede the natural water drainage and/or water runoff are prohibited.

11. Fences shall not be permitted in utility easements unless approved by the utility provider in writing. Fences shall not be permitted in drainage easements without the written consent of the County Engineer.

Fence Compliance Affidavit

I, _____, intending to be legally bound, hereby certify that the fence proposed to be erected at _____will be installed in accordance with all applicable regulations established in Section 1101 B. of the Rutherford County Zoning Ordinance.

Please Initial:
_____ I have received a copy of Section 1101 B. of the Rutherford County Zoning Ordinance.

Check the appropriate answer:	Yes	No
Fence will be installed as a pool barrier **[Fences used as pool barriers must be inspected to verify compliance with the international residential code – this form cannot be used for a pool barrier]**		
Fence is being installed on a corner lot		

Fence Contractor/Homeowner Signature	Date
Fence Contractor/Homeowner Name (print)	

Witness My hand and official seal at Murfreesboro, Tennessee, this _____ day of _____, 20____.

My Commission Expires:_____ _____
Notary Public

Once the above affidavit is complete AND NOTARIZED, you may email it to Zoningcompliance@rutherfordcountytn.gov.

Updated to reflect amendments approved by the Board of Commissioners on August 17, 2017.