

City of Malden

Legislation Details (With Text)

 Section 11.08.155 Maintenance of Private Fencing Next to Public Property (containing provisions related to fencing adjoining streets, sidewalks and trails) by adding the following language: A. Every owner of property adjoining any public or private street, alley, sidewalk, trail or other public land shall ensure any fencing along the perimeter of their property remains erect and that any barb or razor wire remains strung at least 7 feet above ground level. No such owner shall allow any perimeter fence, barbed or razor wire to encroach on or above any public street, private street, alle sidewalk, trail or other public land or otherwise pose a hazard to members of the public lawfully usi such areas. B. As of November 1, razor wire may not be installed or replaced on any fence in the City of Malde C. This ordinance may be enforced in the manner provided in Mass. Gen. Laws ch 40 § 21D by Cit Code Enforcement Officers, agents of the Inspectional Service Department, or Department of Publi Works supervisory personnel. Penalties for violations of this Ordinance will be strictly enforced, and are as follows: 1. first offense shall be a written, 30-day warning 2. second offense - \$300 for each continuing day of violation. D. The City may remove the fencing and wiring if: (1) such fencing and wiring has caused an injury 								
File created: 9/16/2020 In control: Rules & Ordinance Committee On agenda: 9/22/2020 Final action: 11/10/2020 Title: Order: Be it hereby ordained that the Revised Ordinances of 2020 Chapter 11 be amended to add Section 11.08.155 Maintenance of Private Fencing Next to Public Property (containing provisions related to fencing adjoining streets, sidewalks and trails) by adding the following language: A. Every owner of property adjoining any public or private street, alley, sidewalk, trail or other public land shall ensure any fencing along the perimeter of their property remains erect and that any barb or razor wire remains strung at least 7 feet above ground level. No such owner shall allow any perimeter fence, barbed or razor wire to encreach on or above any public street, private street, alley sidewalk, trail or other public land or otherwise pose a hazard to members of the public lawfully usi such areas. B. As of November 1, razor wire may not be installed or replaced on any fence in the City of Malde C. This ordinance may be enforced in the manner provided in Mass. Gen. Laws ch 40 § 21D by Cit Code Enforcement Officers, agents of the Inspectional Service Department, or Department of Publ Works supervisory personnel. Penalties for violations. Of this Ordinance will be strictly enforced, and area s follows: 1. first offense shall be a written, 30-day warning 2. second offense. 5300 for each continuing day of violation. D. The City may remove the fencing and wiring if: (1) such fencing and wiring has caused an injury a member of the public property, or (2) if the property owner fails to comply within three days afte	File #:	280-	-20	Version:	1	Name:		
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recommended favorably as amended

10/6/2020

9/22/2020

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Rules & Ordinance Committee

City Council

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Pass

Pass

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A. Every owner of property adjoining any public or private street, alley, sidewalk, trail or other public land shall ensure any fencing along the perimeter of their property remains erect and that any barbed or razor wire remains strung at least 7 feet above ground level. No such owner shall allow any perimeter fence, barbed or razor wire to encroach on or above any public street, private street, alley, sidewalk, trail or other public land or otherwise pose a hazard to members of the public lawfully using such areas.

B. As of November 1, razor wire may not be installed or replaced on any fence in the City of Malden.

C. This ordinance may be enforced in the manner provided in Mass. Gen. Laws ch 40 § 21D by City Code Enforcement Officers, agents of the Inspectional Service Department, or Department of Public Works supervisory personnel. Penalties for violations of this Ordinance will be strictly enforced, and are as follows:

- 1. first offense shall be a written, 30-day warning
- 2. second offense \$300 for each continuing day of violation.

D. The City may remove the fencing and wiring if: (1) such fencing and wiring has caused an injury to a member of the public present on public property, or (2) if the property owner fails to comply within three days after notice of the second offense. The City may seek reimbursement for the costs of removal of the fencing and wiring in violation of ordinance from the property owner.