Ordinance #___-_____

AN ORDINANCE OF THE TOWN OF FLETCHER TOWN COUNCIL TO AMEND THE TOWN OF FLETCHER TOWN CODE, BY ADDING CHAPTER 96 ENTRY GATES TO CREATE ENTRY GATE STANDARDS FOR GATED SUBDIVISIONS AND COMMUNITIES IN THE TOWN OF FLETCHER.

WHEREAS, the proposed amendment is intended to establish minimum standards for all gated subdivisions and communities to ensure safer and more efficient access for residents and public safety personnel.; and

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Fletcher, North Carolina that Chapter 96 Entry Gates of the Town Code for the Town of Fletcher be amended as follows:

§ Chapter 96: Entry Gates

§ 96-01. Definitions

The following terms are defined for purposes of this Chapter:

1. Access Control Device - Equipment and/or machinery that opens and closes an entry gate.
2. Entry Gate - A movable partition for controlling access and egress.
3. Vehicle - Any motor vehicle which is allowed to use the public roadways in North Carolina, but not including vehicles which include trailers or semi-trailers.

§ 96-02. Design

A. All subdivision or community entry gates constructed after the adoption of this ordinance shall be set back a sufficient distance from the public road or street to allow a minimum stacking capacity of three (3) vehicles outside of the public travel lanes.
B. All entry gates installed after the adoption of this ordinance shall provide an additional setback between the access-control device and the gate to allow any vehicle denied access to safely turn around and re-enter the public street without obstruction
C. The approach and departure areas on both sides of a gated entrance shall provide adequate setbacks and proper alignment to ensure free, unobstructed access for emergency vehicles through the entrance.

§ 96-03. Size of Entry Gate Area

Entry gates shall have sufficient minimum gate widths and openings to allow safe passage of all vehicles. Overhead barriers or obstructions shall provide a minimum 13 feet 6 inches of vertical clearance at their lowest point.

§ 96-04. Inspection and Approval of Plans

All plans for entry gates for which construction is not complete as of the adoption hereof shall be subject to inspection by the Fletcher Fire Chief and/or Fletcher Police Department for compliance with the provisions. Once such plans are approved, the entry gate shall be constructed in compliance with such plans.

§ 96-05. Retrofitting of Existing Gates

All entry gates for which construction is complete as of the adoption hereof shall be retrofitted in such manner as to be in compliance with the Access Control Device requirements of this chapter within 6 months of the date of adoption hereof.

§ 96-06. Access for Emergency and Law Enforcement Vehicles

The developer and homeowners' association shall provide unfettered access to all private streets by emergency and law enforcement vehicles. Access procedures must ensure immediate access through the entry gates for emergency and law enforcement vehicles responding to emergencies. This may be done by an access control device approved by the Fletcher Fire Department or Fletcher Police Department. The developer and homeowners' association shall provide and annually update documentation necessary to provide this access to the Fletcher Fire Department and Police Department that proposed entry gates and access procedures meet all Town standards for access by emergency and law enforcement vehicles. If the homeowners' association fails to maintain reliable access for the provision of emergency or other public services, the Fletcher Fire Department or Fletcher Police Department may enter the gated residential development and open, disable or remove any gate or device which is a barrier to access, at the sole expense of the homeowners' association. The declaration of covenants, conditions and restrictions and any other relevant documents of the homeowners' association shall include a statement to this effect.

§ 96-07. Access for Town and State Employees and Public Utility Companies

The developer and homeowners' association shall guarantee reasonable access to all private streets by Town of Fletcher, Fletcher Fire Department and State of North Carolina employees operating within the scope of their official duties, and to all public utility companies to the gated residential development to perform zoning, inspections and other governmental regulatory activities, and to all public utility companies or to perform installation and maintenance activities of public utility infrastructure. A statement to this effect shall be filed with the Fletcher Fire Department and appear on the final plat of all new development.

Adopted by the Town Council of the Town of Fletcher, North Carolina on this 9th day of February 2026.

Attest: _____ Preston Blakely, Mayor

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Christine Thompson, Town Clerk