

**FENCE PERMIT APPLICATION**

**PERMIT NO:** \_\_\_\_\_

CONTRACTOR/BUILDER \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBER \_\_\_\_\_

FAX NUMBER \_\_\_\_\_

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PROPERTY OWNER \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NUMBER \_\_\_\_\_

FAX NUMBER \_\_\_\_\_

\*\*\*\*\*

I HEREBY CERTIFY THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER OF RECORD AND I HAVE BEEN AUTHORIZED BY THE OWNER TO MAKE THIS APPLICATION AS HIS/HER AUTHORIZED AGENT.

SIGNATURE OF AGENT \_\_\_\_\_

AGENTS ADDRESS \_\_\_\_\_

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**FENCE REQUIREMENTS**

HEIGHT OF FENCE \_\_\_\_\_ FENCE MATERIAL \_\_\_\_\_

CORNER LOT?    YES    NO  
                    PLEASE CIRCLE ONE

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**BE AWARE OF THE LOCATION OF PROPERTY LINES.**  
**A SITE PLAN MUST BE SUBMITTED WITH THE APPLICATION INDICATING THE LOCATION OF LOT LINES AND PROPOSED LOCATION OF THE FENCE**

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CITY CLERK: \_\_\_\_\_

DATE

BUILDING INSPECTOR: \_\_\_\_\_

DATE

CITY ADMINISTRATOR: \_\_\_\_\_

DATE

SUPERINTENDANT  
OF PUBLIC WORKS: \_\_\_\_\_

DATE

## Section 405.085. Fences.

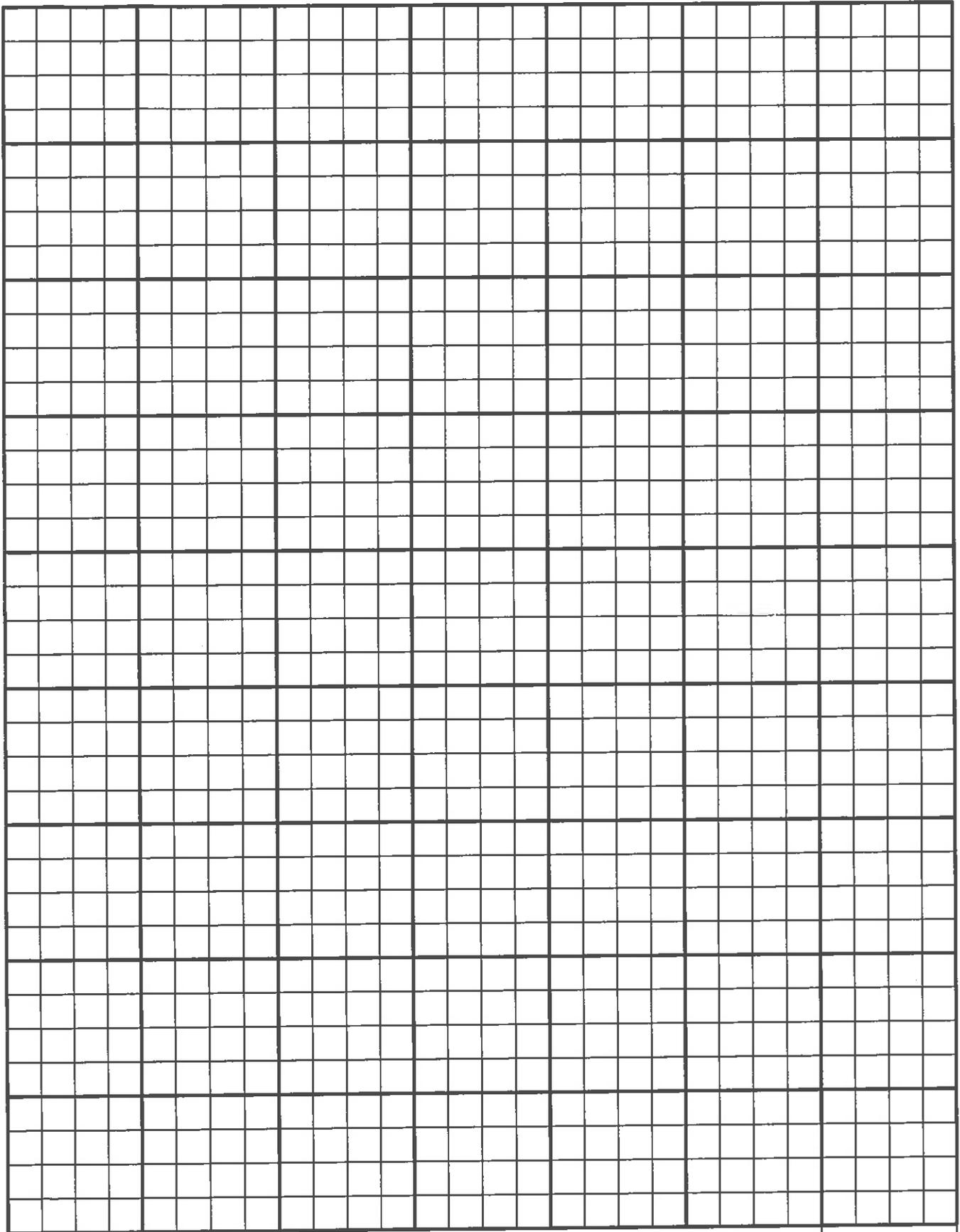
[Ord. No. 99-10 §2, 5-18-1999; Ord. No. 00-33 §5, 12-5-2000; Ord. No. 07-02 §2, 2-20-2007; Ord. No. 09-30 §1, 7-20-2009; Ord. No. 12-24 §1, 7-3-2012; Ord. No. 12-35 §1, 9-18-2012]

- A. Fences are regulated in all areas of the City. A building permit and a fence application form which shows a lot sketch, all easements and the fence location are required and must be submitted to the City Clerk prior to a fence being installed or rebuilt. An inspection fee of twenty dollars (\$20.00) is payable at the time of application. Generally, fences up to six (6) feet in height are permitted for rear yard privacy; low profit ornamental fences or walls are permitted in the front yard. The determination of the eligibility of the proposed location of the fence shall be made by the City Clerk and Building Inspector whose decision may be appealed to the Board of Adjustment. Provided however, unless otherwise specifically provided in another code or regulation, a fence that is being replaced or rebuilt caused by a natural disaster or during regular maintenance on the fence — such as replacing rotted or broken sections — shall be exempt from this process if a building permit and a fence application were originally acquired when the fence was originally installed and if the fence is being replaced in the original location and style.
- B. The applicant agrees that if the fence application is to place a fence of any type on a dedicated easement, such application shall not waive the right of the City to enter upon said property unobstructed for the purpose of repair or maintenance of its utilities. Further, the applicant agrees that if the City finds it necessary for such access, any obstruction on an easement may be removed by the City as set forth in Section **500.150**, Obstructions Placed Upon Dedicated Easements.
1. Except as otherwise specifically provided in other codes and regulations, the following regulations shall apply to the construction of fences:
    - a. Fencing for safety purposes shall be required wherever dwellings or manufactured homes are built or installed on lots abutting major streets as defined in these regulations or railroad right-of-way.
    - b. No fence shall be constructed which will constitute a traffic hazard.
    - c. No fence shall be constructed in such a manner or be of such design as to be hazardous or dangerous to persons or animals.
    - d. No person shall erect or maintain any fence which will materially damage the adjacent property by obstructing the view, shutting out the sunlight or hindering ventilation, or which fence shall adversely affect the public health, safety and welfare.
    - e. No fence, except fences erected upon public or parochial school grounds or in public parks and in public playgrounds, shall be constructed of a height greater than four (4) feet in the front or six (6) feet elsewhere; provided however, that the Commission may, as a special use, authorize the construction of a fence higher than six (6) feet if the Commission finds the public welfare is served.
  2. It shall be unlawful for any person to erect or maintain any fence or other like structure except as follows:
    - a.

In "R-1", "R-2" and "R-3", privacy fences may be erected on any lot, except as provided above, and shall be no more than six (6) feet high and shall not be located closer to the front property line than the midpoint of the lot depth or the midpoint of the sidewall of the dwelling, whichever is closer to the front property line. However, a fence shall not be erected that would place it in front of the dwelling on the adjoining property. Further, if the rear yard to be fenced adjoins the property of a dwelling located on a cul-de-sac, the fence shall not be located closer to the nearest portion of the midpoint of the dwelling on the adjoining property. The determination of the proper location of the fence according to the City Code shall be made by the City Administrator, City Clerk and Building Inspector.

- b. Decorative fences may be erected on any lot, except as provided above, and shall be no more than four (4) feet high and be of open construction.
  - c. Security fences may be erected on any business or industrial lot to a height of not more than twelve (12) feet, except the top four (4) feet must be open wire or woven wire or barbed wire construction.
  - d. Open wire fences for the enclosure of private multi-purpose athletic courts may be constructed to a height of not more than twelve (12) feet but must be set back from all property lines at least six (6) feet.
3. Materials allowed for construction of a privacy or a decorative fence include wood, woven wire, chain link, wrought iron, concrete material, and plastic resin. Maximum board width is twelve (12) inches for solid, staggered or "basket weave" fences. Solid panels such as plywood, wafer board, etc., will not be allowed, except around construction sites for public safety, and must be removed upon issuance of a certificate of occupancy.
  4. All framework of a wood fence, privacy or decorative, must be on the inside portion of the fence, and all posts of a wire fence must be inside of the fabric. All posts (except metal "T" line posts) must be set in concrete to a minimum depth of eighteen (18) inches and a minimum of four (4) inches by four (4) inches. Metal "T" posts can be driven.
  5. *Dilapidated fences.* No person shall permit, cause, keep, maintain or allow a fence within the corporate limits of the City of Carl Junction in a dilapidated or dangerous condition.
  6. *Dangerous fences.* Any person who shall place or permit to be placed or remain on or along any railroad or building front or any part of a building, fence or premises adjacent or contiguous to any right-of-way or public way or residence any spikes, or sharp-pointed cresting, or any barbed wire (except as permitted in Subsection **(B)(2)(c)**, Security Fences, and fences used for livestock containment), electrified fence (provided however, that low voltage, intermittent-current fences shall be allowed as a secondary fencing for animal containment), or any dangerous fence which is liable to tear, snag, cut or injure anyone coming in contact therewith shall be deemed guilty of a misdemeanor.
  7. *Declared nuisance.* All fences or other like structures erected or maintained in violation of this Section are hereby deemed and declared to be a nuisance, and any owner or occupant of a lot or tract of land upon which a nuisance exists shall be deemed guilty of a misdemeanor. Each day on which such violation continues shall constitute a separate offense.

# Site Plan



Scale - 1 in = \_\_\_\_\_

