



FENCES 151.1

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PERMITS

A permit is required for all fences, Permit Fee is \$25.00

REQUIRED SUBMITTALS

- Completed Building Permit application
- A site drawing showing; the proposed location of the fence, distances from property lines, existing buildings, and any utility easements.
- Proposed fencing materials

GENERAL REQUIREMENTS

- 1) All fence posts and supporting members shall be erected so that the finished side or sides of the fence face the adjacent property or public right-of-way
- 2) No fence shall exceed eight (8) feet in height in residential districts or ten (10) feet in non-residential districts. In the case of grade separation such as the division of properties by a retaining wall, fence height shall be determined based on measurement from the average point between highest and lowest grade.
- 3) Residential fencing in the front yard or a corner side yard of principal structure may be no higher than 48 inches, shall be constructed with at least 75% open space.
- 4) Fences or hedges placed within utility easements are subject to removal at the expense of the property owner if required for the maintenance or improvement of the utility.
- 5) No fence shall be constructed within a public right-of-way.
- 6) Fences shall be constructed of durable, weather-treated materials widely accepted in the fencing industry and shall blend with the overall character of the neighborhood. No plywood, canvas, metal sheeting or wire fencing is permitted. Every fence shall be constructed in a substantial, workman-like manner and of substantial material reasonably suited for the purpose for which the fence is proposed to be used.
- 7) Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair or danger, or constitute a nuisance, public or private. Any such fence, which is, or has become dangerous to the public safety, health or welfare, is a public nuisance, and the City Clerk shall commence proper proceedings for the abatement thereof.
- 8) Link fences, where permissible, shall be constructed in such a manner that no barbed end shall be at the top. Slats shall not be permitted within a chain link fence in residential properties. Slats shall be allowed in all non-residential districts but shall be uniform in color and maintained by the property owner.
- 9) Perimeter electric fences and barbed wire fences are prohibited.
- 10) Temporary snow fences are permitted between November 1st and April 15th without a permit.

- (A) All fences of more than 30 inches in height shall require a permit.
- (B) No fence shall contain barbed wire.
- (C) No fence shall be charged with electric current, except within an agricultural district.
- (D) No fence, wall or other obstruction to vision above a height of 30 inches from the established street grades shall be permitted within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between the right-of-way lines at a distance along each line of 25 feet from their point of intersection.
- (E) Fences must be maintained so as not to endanger life or property and any fence which, through lack of repair, type of construction or otherwise, that imperils health, life or property or the well-being of a neighborhood shall be deemed a nuisance.
- (F) All fences must be located on the private property of the person, firm or corporation constructing the fence.
- (G) All fences must comply with all other requirements of law or this code as it applies to fence installation and materials.
Penalty, see Fee Schedule

Regulations

- (A) *Prohibited material.* No fence or wall shall be constructed of any electrically charged element or barbed wire.
- (B) *Approved material.* All fences in residential districts shall be constructed of stone, brick, finished wood, chained link or vinyl. The finished side of the fence, or that side of the fence without exposed support or posts, shall face the neighboring property or streets.
- (C) *Side and rear yard requirements.* No fence or wall located in a side or a rear yard shall be of height exceeding four feet, measured from its top edge to the ground at any point.
- (D) *Front yards.* No fence or wall shall be located in a front yard.
- (E) *Maintenance.* Every fence or wall shall be maintained in a good and safe condition at all times. Every damaged or missing element of any fence or wall shall be prepared or replaced immediately.
- (F) *Setbacks.* No fence may be located less than Thirty-six inches from a property line. No fence, wall, hedge or other screening device shall be permitted to encroach on any public right-of-way.
Penalty, see Fee Schedule

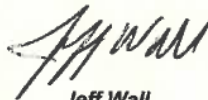
LOCATION

- 1) Fences may be erected, placed, or maintained in any yard along or adjacent to a lot line, in accordance with the requirements identified below and permits are required. The City Vesta does not provide surveying service. The Council will review the building application and make a best guess decision regarding the setback requirement. It is up to the homeowner to establish the location of the lines and make these available at time of application or upon request of the City Clerk. The owner shall be responsible for properly locating all property lines before construction of any fence. The City of Vesta, its employees, council, or

anyone else working on behalf of the City is not responsible in the event the homeowner does not properly locate property lines and has to be required to remove the fence.

- 2) On residential corner lots, no fence or screen shall be permitted within the triangular area defined as beginning at the intersection of the projected curb line of two intersecting streets (including alleyways), thence 20 feet from the point of beginning on the other curb line, thence to the point of beginning.
- 3) In non-residential districts, fences shall be constructed no closer than ten feet from all public right-of-ways (including alleyways) Fences shall not be permitted in the front yard in nonresidential.

Passed by the Vesta City Council on this September 11, 2018



**Jeff Wall
Mayor**



**Attested by
Jacob Kolander
City Clerk**

