

CITY OF SEYMOUR
FENCE FACTS SHEET

1. Definition.

For the purposes of this ordinance, a fence is herein defined as an enclosing barrier constituting of vegetation, wood, stone, metal, or other material. The term “fence” shall be construed to include plantings, such as hedges.

2. Fence Application and Permit Required. No Person shall install a fence in the City without first completing a fence application and obtaining a Fence Permit. The Fence Application requires a Plat of Survey performed by a State licensed Land Surveyor, and site plan displaying property boundaries, the location of the buildings and structures on the property, the proposed location of the fence and its distances from the existing structures on the property. A Fifty (\$50.00) Dollar permit fee shall be remitted upon submittal of the fence application. If any fence requiring a Fence Permit is installed, in full or part, prior to the issuance of a permit, five (5) times fees amount shall be charge for the permit.

3. Completion of Installation.

A fence authorized by a Fence Permit shall be fully installed in accordance with Fence Ordinance 78.11 and associated permit conditions, *within 120 days* of the date of permit issuance. *The Zoning Administrator may provide a (1) one-time extension up to 30 days.* After a Fence Permit expires, no work requiring such a permit shall be commenced, resumed or undertaken until a new permit is issued or the original permit is extended. **Applicant will be required to submit a new Plat of Survey once the original Fence Permit expires. It is very important to make sure you can complete your fence project within 120 days of issuance of Fence Permit if not completed, you will be responsible for paying for a new Fence Permit fee and potentially more for submittal of new Plat of Survey.**

4. Lot Lines and Boundaries.

The City of Seymour does not locate the property survey pins, which is the responsibility of the homeowner. **(Plat of Survey to be performed by a State licensed Land Surveyor)**

- a. Property line disputes are not the City’s responsibility, which would result in a possible civil matter.
- b. Contact a licensed surveyor for professional services in locating your property lines and/or an attorney for legal advice regarding your rights as a property owner. The City of Seymour will not and cannot offer any legal advice regarding property line disputes or any other civil matter.
- c. Contact **Diggers Hotline** to find all underground utilities to the property to avoid any potential problems and dangers during post placement.

- d. Easements: fences, walls or shrubbery installed or constructed in a drainage easement cannot impede normal water drainage and if installed or constructed in a utility easement may be removed by the utility company for service work at the owner's cost.

5. General Regulations.

Fences to be situated in *side and/or rear yards* shall be constructed using materials suitable for residential-style fencing, including, but not limited to, brick, fieldstone, wrought iron, vinyl, chain link (with a minimum thickness of nine (9) gauge and a required top rail support), and stockade board-on-board construction. No fence shall have sharp or pointed pickets dangerous to life or limb. Permanent chicken wire fences, barbed wire, electrical fences, single, double or triple strand fences are **prohibited**. No Fence shall be constructed of used or discarded materials in disrepair. Additionally, materials not specifically manufactured for fencing shall not be used for, or in the construction of a fence. Snow fencing shall be permitted in all districts not exceeding four (4) feet in height provided it is removed between May 1 and November 1 of each year. No snow fence shall extend into the street right-of-way line unless installed by the City or a contractor having a permit from the City.

6. Residential Fences.

- a. No fence exceeding (2.5) feet in height shall be allowed within the front yard or corner side yard building setback limits.
- b. Residential front yard Fences shall be fifty (50%) percent open (see-through) and be of split rail, wrought iron or picket design. Chain-link fencing is not permitted in residential front yards.
- c. The maximum height of fences on any other boundary line shall not be more than (6) six feet.

7. Fence Construction and Design Regulations.

The attractive side of the fence shall face the adjoining property, meaning the posts shall be located on the property side and the panels facing the adjoining property.

- a. The height of walls and Fences shall be measured vertically from the finished grade on the exterior side of the Fence to the top of the highest portion of the fence panel. Raising the finished grade by placing fill solely for the purpose of adding additional height to a Fence is prohibited. If a Fence Is placed on a berm, the berm shall be included in the height of the fence and the height shall be measured vertically from the base of the berm, unless said Fence is approved in conjunction with a Conditional Use Permit Site Plan Review, or an exception is granted by the Zoning Board of Appeals.
- b. The building code does not establish minimum depth requirements for installing fence posts. A general rule of thumb is to place the posts into the ground a minimum of half the height of the fence. Please note that the minimum frost depth for this area is 48".
- c. Fences are allowed to be placed up to the property lines but in no case can the fencing extend over the property line. *It is recommended that the fence be constructed off the lot line if maintenance will need to be done to the fencing without going onto the neighboring property.*

8. Hedges and Other Plantings.

Hedges and other plantings shall be continuously trimmed and all parts thereof confined to the property on which planted. Hedges and other plantings may be permitted to grow to their natural height provided that such growth within the setback limits of street right-of-way does not create a traffic or safety hazard. The Chief of Police shall be primarily responsible for determining the safety and traffic factors of such growth and shall report any hazardous situations to the Zoning Administrator who shall notify the property owner and direct that such hedge be trimmed to a height consistent with safe use of a public right-of-way, or removed if necessary.

9. General Commercial- Industrial and Public Land Fences.

Fences used for industrial or commercial purposes shall have a maximum height of (8) eight feet. Barbed wire Fences may be installed in (for industrial uses) under circumstances whereby no more than three (3) strands of barbed wire are horizontally situated above a Fence of boards or woven wire not less than seventy-two (72) inches in height, excluding the barbed wire. Barbed wire may be used on top of a six (6) foot Fence surrounding a site storage area as approved under a Conditional Use Permit or Site Plan Review. Notwithstanding the above, barbed wire shall not be used along a property line abutting a residentially zoned area.

10. Enforcement and Penalties.

Any person who violates the foregoing provisions shall be subject to a forfeiture of not less than \$5.00 and not more than \$200.00 for each offense. Upon notification of violation by the Zoning Administrator, each day a violation is allowed to continue to exist shall constitute a separate violation.

Prior to obtaining a permit application for a fence, please check with your subdivision covenant to see if there are any restrictions you will need to adhere to.

Illustrations
Fences, Walls & Hedges Height Limits
Vision Clearance Area (Triangle)

Yards
F – Front Yard
S – Side Yard
CS – Corner Side Yard
R – Rear Yard

Areas S & R
 Maximum 6 ft. tall fencing & walls allowed in the Rear and Side Yards. No fence exceeding 3 ft. in height shall encroach within Vision Clearance Area

Areas F & CS
 Maximum 2.5 ft. tall fencing & walls allowed in the Front and Corner Side yards.
Hedges confined to property on which planted in all yard areas.

