

# FENCE PERMIT REQUIREMENTS

Village of Wauconda Building & Zoning Department



- Submit a completed Permit Application along with a plat of survey showing the placement of the fence and all existing property drainage. Fence may not obstruct lot drainage.
- Description of the type and height of the fence and installation plans
- Note: The concrete for all fence posts needs to be below the frost line, a minimum of 42" deep.

## CODE § 155.053 FENCES

(A) *Conformity, permit required.* No person shall hereafter within village erect, build or construct any fence or any section or portion thereof unless the same shall conform to these requirements and specifications and after having obtained a permit.

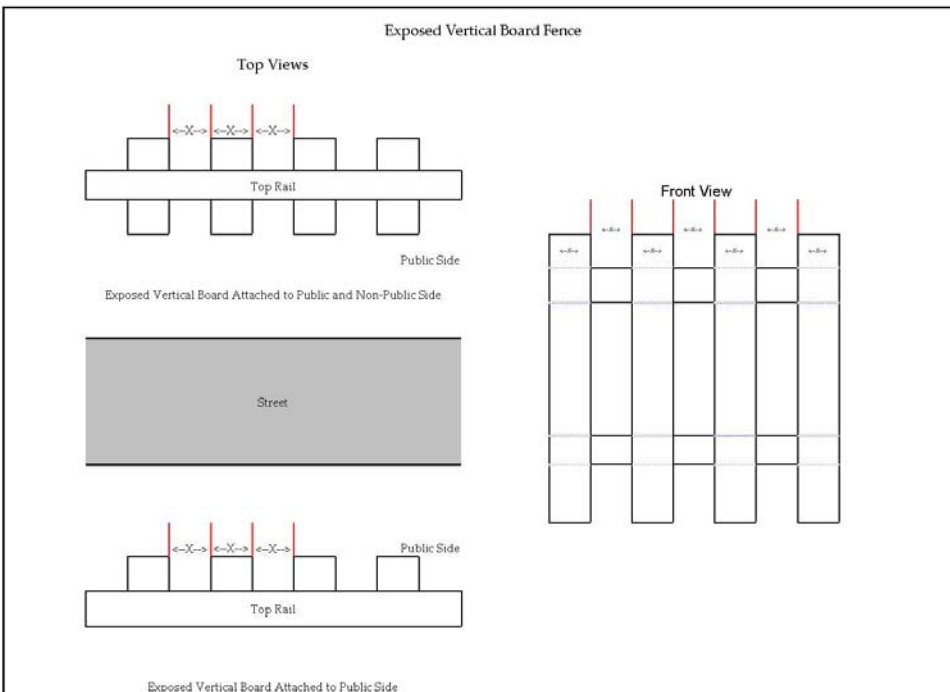
(B) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**FENCE.** A structure which is a barrier and is used as a boundary or means of protection, confinement or privacy.

**FENCE, MAXIMUM HEIGHT.** The height of the fence shall be the mean distance measured from the grade to the top of the fence at each of the fence posts.

**FENCE, NATURAL.** Same as a structure fence except that it is made of natural growth, such as shrubs, hedge, evergreen or other live vegetation.

**FENCE, OPEN.** A fence that is constructed such that every totally exposed horizontal or vertical board attached to the public side of the fence has a corresponding space equal in width to the top and bottom or right and left, respectively, of the board. A totally exposed horizontal or vertical board may also be attached to the non public side of the fence as long as it lines up with the totally exposed horizontal or vertical board, respectively, on the public side of the fence. *See the following illustrations:*



**FENCE, SOLID.** A fence that is constructed such that every totally exposed horizontal or vertical board attached to the public or non public side of the fence results in concealing the activities behind it from view of adjoining properties or streets when viewed perpendicular to the plane of the fence.

### (C) Regulations.

(1) *Fences prohibited.* Electrically charged, permanent snow, chicken wire, hog and farm type, corrugated metal, plywood or other type of sheet material.

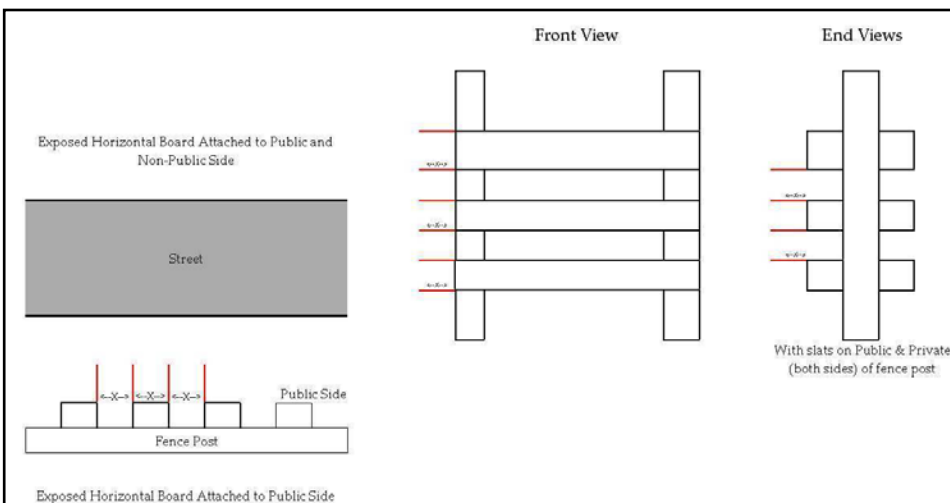
(2) *Temporary fence.* No fence of temporary nature of any type shall be allowed unless approved by the Building Official for use as construction or for life safety requirements.

(3) *Barbed wire fences.* Barbed wire fences under 8 feet in height are prohibited; except that barbed wire fences being over 6 feet or more as of the effective date hereof may continue in existence until replaced or removed.

Barbed wire fences shall be permitted only if the fence is 8 feet or higher and, provided that the barbed wire shall be located on the upper-most point of the fence, shall not exceed 24 inches in height, and provided further that the barbed wire shall be fixed in place with braces which will be slanted at least 45 degrees from the vertical and which slanted braces shall overhang the interior of the property and which are prohibited from overhanging the exterior of the property being fenced.

(4) *Fences, hedges as traffic hazards.* No fence or hedge shall be erected, placed, planted or allowed to grow in such a manner as to materially impede vision between a height of 2.5 feet and 10 feet above the crown of the street within 10 feet of the intersection of the lot lines at the intersection of any street.

(5) *Location along lot lines.* A structural fence shall be erected so that the entire fence and all supporting structures are entirely on the owner's property. Fence posts and all other supporting structures as well as the rough side of the fence, if any, shall face the owner's property, except when the fence separates a residential

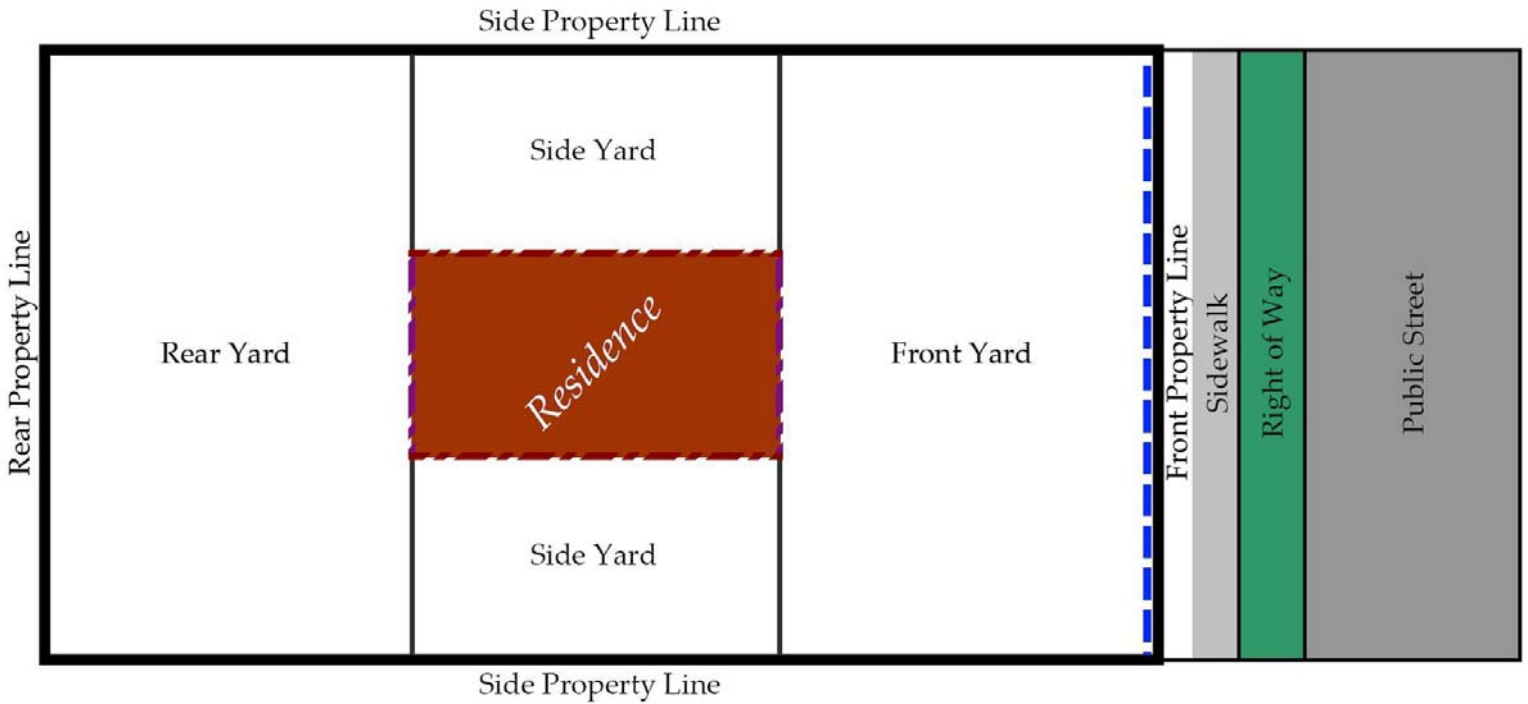


lot from a business or industrial lot. The owner shall be solely responsible for correctly siting the fence on his property, and no inspection by the Building Department nor any permit issued by the Building Department shall be any evidence or guarantee that the fence has been so correctly located on the subject property.

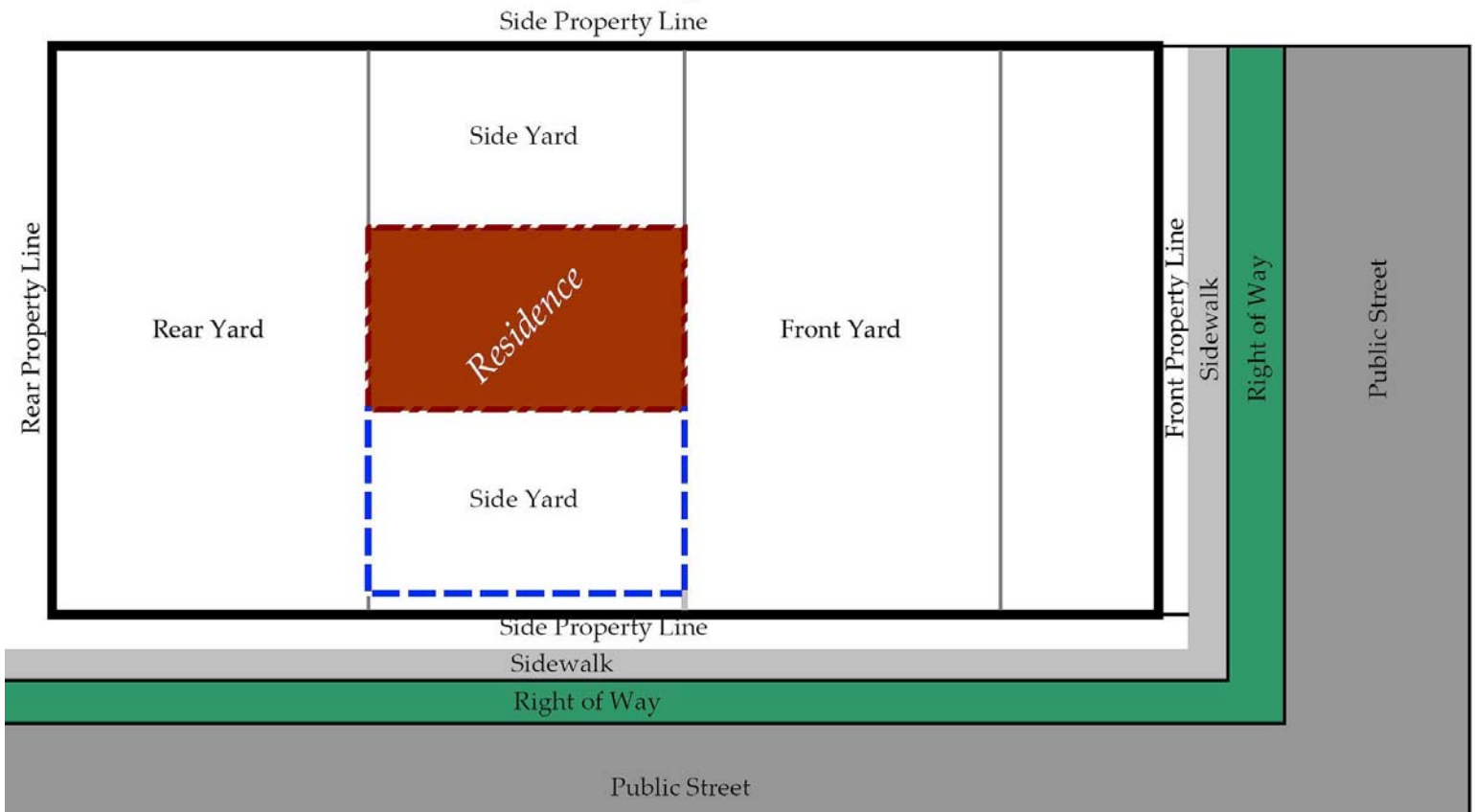
(6) *Industrial Performance Standards.* (See Section 155.041 (B)(4)(b))

(D) *Standards for fence placement.*

(1) On that portion of the property fronting on a public street, all fences therein shall be open fences and no fence shall exceed 48 inches in maximum height nor extend beyond the property lot line. See the following illustration: (Blue dashed line represents the fence)



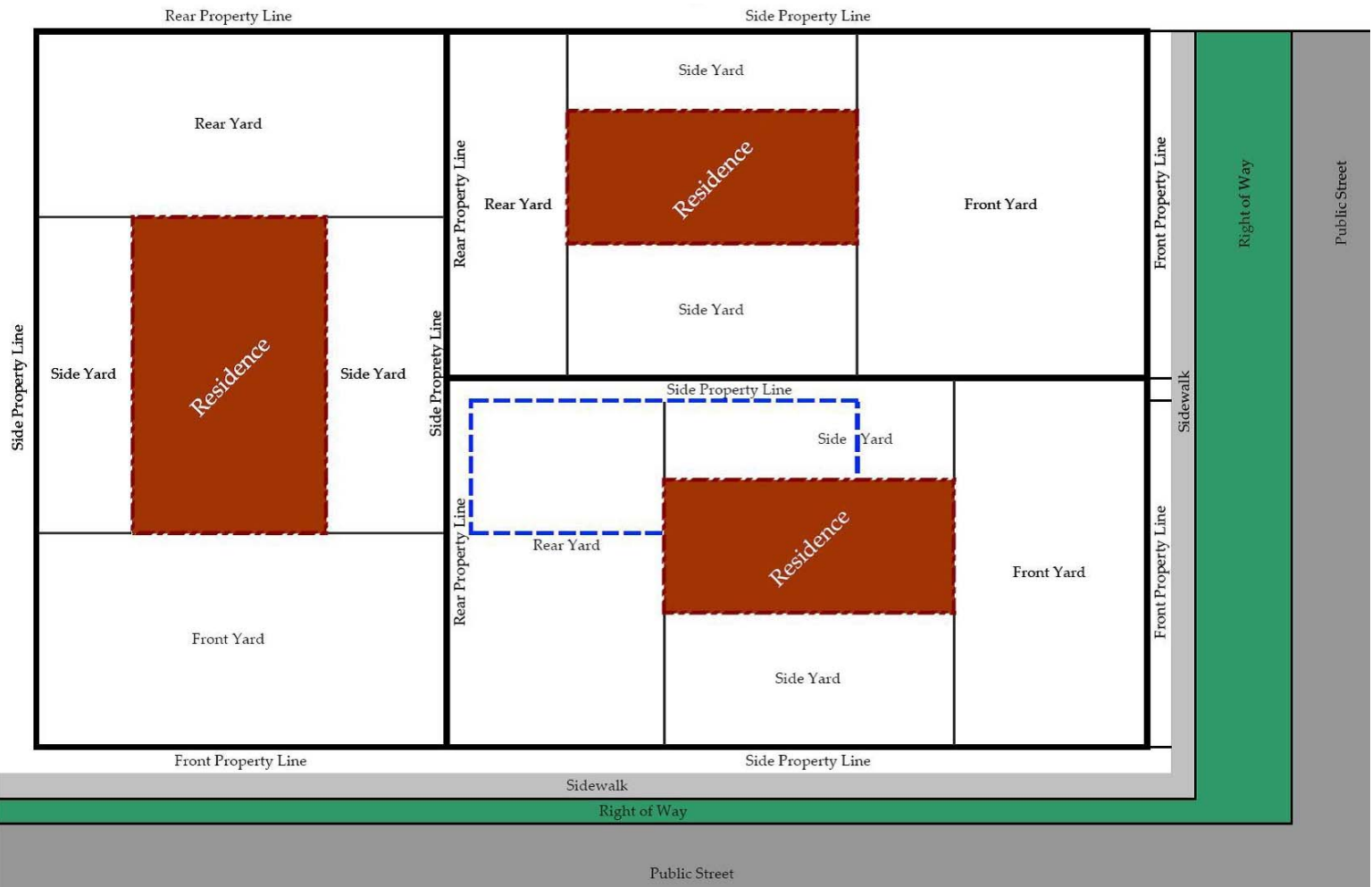
(2) On that portion of the property which constitutes the side of the property and which abuts on a public street, all fences therein shall be open fences and no fence shall exceed 48 inches in maximum height nor extend beyond the property lot line. See the following illustration:



(3) On that portion of the property which constitutes the rear or side of the property, which abuts on private residential property, an open or solid fence may be constructed not to exceed 6 feet in maximum height and shall not extend beyond the property lot line on either side or to the rear and shall not extend further than that portion of the existing dwelling along either side of the property line that is closest to the fence. See the following illustration:



(4) On that portion of the property which constitutes the rear or side of a residential corner lot that abuts a private residential property, fences shall not exceed 6 feet in maximum height and may be either an open or solid fence; however, no fences shall extend beyond the building line or the front of that portion of any principal building that is closest to the fence on any adjacent lot, whichever is less. See the following illustration:



(5) On that portion of the property which constitutes the side of a residential corner lot and which abuts to adjacent private residential property and which extends from the front of the existing adjacent building to the front property line, the fences shall not exceed 48 inches in maximum height and be an open fence. Also that portion of the property which constitutes the rear of the residential corner lot and which abuts to adjacent private residential property and which extends from the front of the existing adjacent building to the side property line, the fence shall not exceed 48 inches in maximum height and be an open fence. See the following illustration:



(6) An exception to the above five (5) scenarios is realized when two (2) parallel streets occur with no street between them, and those two (2) streets intersect a single street such that two (2) corner lots are formed and the residential structures on those two (2) corner lots are constructed in such a manner that the rear yards of the two (2) structures are back-to-back.

On that portion of the property which constitutes the rear or sides of a residential corner lot abutting a public street, fences shall not exceed six (6) feet in maximum height and may be either an open or solid fence; however, no fence on the rear or sides may extend beyond the property line and the fence on the sides may not extend beyond the front of the existing building.

