



City of Summit

FENCE

PERMITS

STEPS TO BE FOLLOWED:

1. Submit permit application
2. Zoning Officer review and approval
3. Permit issued
4. Installation and inspection

1. Submit the following information for review:
 - a. An exact copy of a recent property survey
 - ❖ Show the location of the proposed fence(s), any gates, and the type of fence (board-on-board, split rail, chain link, etc.)
 - ❖ Clearly mark the height of the proposed fence; show where the height may change, such as from 48" to 60", or from 60" to 84".
 - ❖ Clearly mark the height and construction of any existing fences.
 - ❖ When on a corner property, show the location of the sight triangle.
 - b. Construction (building permit) application package (available at City Hall):
 - ❖ The permit folder
 - ❖ Building Subcode Technical form
 - ❖ Permit form.
2. The Zoning Officer will review proposed fence for compliance with Section 5.2-6 *et seq.* and related sections of the city's Development Regulations (Zoning) Ordinance. The applicable fence regulations are attached.
 - a. Approved applications are forwarded to the Construction Official for plan review, calculation of fees, and applicant notification.
 - b. Denied applications are held and applicant advised of reasons for denial.
 - c. Corrected applications are forwarded to the Construction Official; those requiring a variance will be held until that procedure is completed.
3. After zoning official's and building subcode official's approval, the Construction Office notifies the applicant that the permit is ready and the permit fee amount.
4. After the permit is issued, the fence is installed according to the approved plans; no deviations permitted. Upon completion, the owner or contractor calls 908-273-6408 for inspection; have your permit number ready.

5.2-6 Fences, Walls or Wall-Like Structures

- A. Purpose: The purpose of this section is to establish requirements governing the construction, erection or installation of any fence, wall or wall-like structure, including shrubs, hedges and the like located on or within the boundary lines of any lot or parcel of land within the limits of the City of Summit. The requirements set forth herein are designed to prevent the construction of such fences, walls and wall-like structures in such a manner as to constitute a nuisance or restrict visibility through or across such lands at locations where such visibility is necessary for the safe operation of vehicles passing, entering or leaving any lot or parcel of land located on a public thoroughfare.
- B. Permit: A zoning permit shall be obtained for all fences, prior to the construction, erection, or installation of any fence. A construction permit shall be obtained from the Construction Official for any fence, wall or wall-like structure that is subject to the Uniform Construction Code.
- C. Fences, walls or wall-like structures including retaining walls shall be considered as accessory to a principal permitted use and shall be permitted in accordance with the standards set forth below:
- D. Type of fence or wall. The following list is not exclusive, but represents common fence and wall types. Fences may be solid, semi-open, or open, depending on the density of the materials and the area of openings. Translucent, transparent or clear plastic or similar materials shall not be permitted

<u>Solid (90% or more solid)</u>	<u>Semi-Open (25% up to 90%)</u>	<u>Open (Up to 25%)</u>
Solid picket	1x2 wood screen	Post and rail (split or dowel-end)
Board (stockade or similar)	Contemporary picket	Contemporary rail
Board-on-board	Wrought-iron styles	
Louver panel	Wire mesh	
Panel		
1x4 wood screen		
Masonry		

NOTE: Openness is defined as the total area of solid elements divided by the total area of fence.

- A. Maximum height and location.
1. Fences shall have maximum height of 7 feet above grade and shall not be considered a building with regard to side and rear yard requirements.
 - a. Within any front yard, fences shall not exceed a height of 4 feet above grade, except that any solid or semi-open fence, wall or wall-like structure, hedge or shrubbery not exceeding 30 inches above the top of the curb or the center line grade of the road may be constructed, erected or planted within 5 feet of the front property line.
 - b. An open fence up to four feet in height may be installed within any front yard up to and along the front property line.
 2. Any combination of fence and retaining walls shall not exceed ten (10) feet.
- B. General regulations for fences and walls.
1. No fence, wall or wall-like structure shall be constructed, erected or placed within the dedicated Public Right-of-Way, nor within a required sight triangle, nor in any case within ten feet inside the curb line of

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any public thoroughfare nor within 25 feet of the intersection point of the curb lines of two streets. These dimensions shall be measured to the center line of a fence, the outer face of a wall, or the extreme horizontal projection or maintained trim line of the plants on the street side.

2. No fence or wall shall be so constructed or installed so as to constitute a hazard to traffic or safety.
 3. The face or finished side of a fence or wall shall face the adjacent property.
 4. No fence or wall shall be constructed with barbed wire, metal spikes, electrified conductors or other such dangerous material or constructed in such manner as to be dangerous to animals or humans.
 5. Split rail fences up to four feet in height used at front property corners as part of a general landscaping or decorative plan shall be exempt from the provisions of this subsection, except that such decorative elements shall not be installed or erected within the right-of-way or within the sight triangle
- C. Swimming pool fences. Every private swimming pool shall have a fence enclosure which complies with the Uniform Construction Code.
- D. Hedges and other landscaping shall not be located so as to constitute a hazard to traffic or safety and in no case shall hedges be installed within ten feet of the curb line or the edge of the pavement.
- a) Any brush, hedges, shrubbery or other plant life presently growing within 10 feet of the curb line or within the public right-of-way of any street or within 25 feet of the intersection of the curb lines of two streets shall be cut and maintained to a height of not more than thirty inches above the top of such curb or the center line grade of the road where no curb exists where it shall be necessary and expedient for the preservation of the public safety. Such brush, hedges, shrubbery or other plant life shall not overhang the curb or the edge of the pavement.
 - b) When such plant life is not so cut or maintained, and within 10 days after notice to cut the same, the owner or tenant shall have refused or neglected to cut such plant life, the Department of Community Services shall cause the cutting to be done, and shall certify the cost thereof to the Common Council. The Council shall examine the certificate and if found correct and reasonable shall cause the cost to be charged against said lands. The amount so charged shall forthwith become a lien upon such lands and shall be added to, and become a part of the taxes next to be assessed and levied upon such lands. It shall bear interest at the same rate and shall be collected and enforced in the same manner as taxes.

5.2-18 Sight Triangles

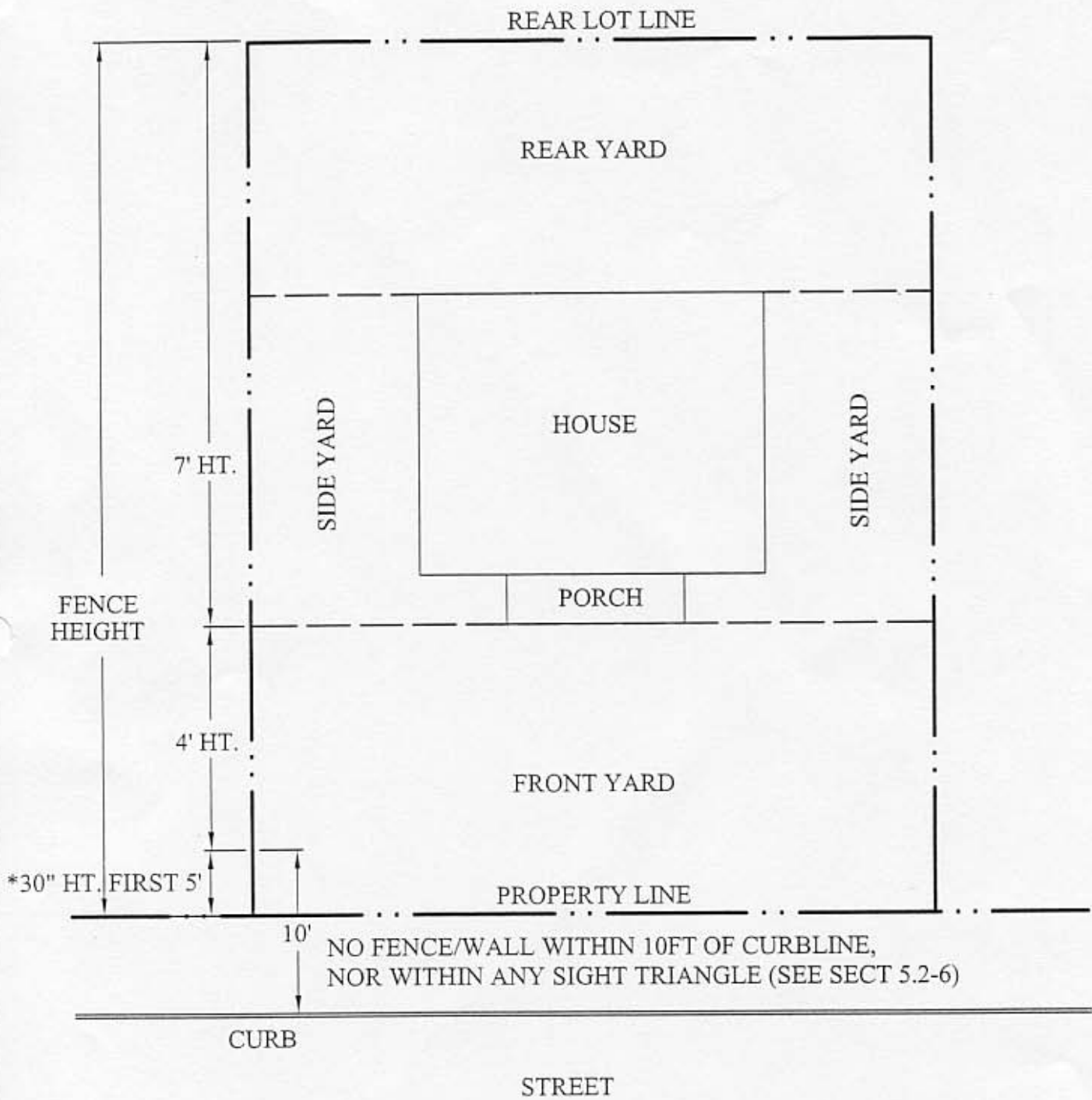
- A. Sight triangles shall be required at each quadrant of an intersection of streets, and streets and driveways other than those serving one and two family dwellings.
- B. The area within sight triangles shall be either dedicated as part of the street right-of-way or maintained as part of the lot adjoining the street and set aside on any subdivision or site plan as a sight triangle easement.

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- C. Within a sight triangle, no grading, planting or structure shall be erected or maintained more than 30 inches above the centerline grade of either intersecting street or driveway or lower than 8 feet above their centerlines, excluding street name signs and official traffic regulation signs and poles up to one foot in diameter to support signals.
- D. Where any street or driveway intersection involves earth banks or vegetation, including trees, the developer shall trim such vegetation and trees as well as establish proper excavation and grading to provide the sight triangle.
- E. The sight triangle is that area bounded by the intersecting street curb lines and a straight line which connects "sight points" located on each of the two intersecting street lines and the following distances away from the intersecting curb lines:
 - 1. Arterial streets at 130 feet.
 - 2. Secondary arterial streets at 90 feet.
 - 3. Collector streets at 60 feet.
 - 4. Local streets at 35 feet.
- F. Where the intersecting streets are both arterial, both collectors or one arterial and one collector, two overlapping sight triangles shall be required which are formed by connecting the sight points noted above with a sight point 35 feet on the intersecting street.
- G. Any proposed development requiring site plan approval shall provide sight triangle easements at each driveway with the driveway classified as a local street for purposes of establishing distance. The classifications of existing and proposed streets shall be those shown on the adopted Master Plan or as designated by the Planning Board at the time of the application for approval for a new street not included on the Master Plan.
- H. A sight triangle easement dedication shall be expressed on the plat as follows: "Sight triangle easement subject to grading, planting and construction restrictions as provided for in the City of Summit Development Regulations Ordinance".
- I. Portions of a lot set aside for the sight triangle may be calculated in determining the lot area and may be included in the minimum setbacks required by the zoning provisions. Existing lots and developments shall be subject to the sight distance objectives of this section even in those situations where a sight triangle easement is not recorded.
- J. For all design criteria not specifically addressed above, the developer shall submit plans and support data to show compliance with the latest edition of the American Association of State Highway and Transportation Officials (AASHTO) manual titled "A Policy on Geometric Design of Highways and Streets."

END



*30" HEIGHT FOR SOLID OR SEMI-SOLID FENCE. FOR OPEN TYPE FENCE, THE TOP SHALL NOT BE MORE THAN 4 FT. ABOVE GRADE.

SECTION 5.2-6 - FENCE GUIDELINES

