



# TOWN OF NORTH EAST

## FENCE PERMIT APPLICATION

Application Number: \_\_\_\_\_

Received by \_\_\_\_\_

Fee \_\_\_\_\_

Date \_\_\_\_\_

*Submit application in accordance with the attached fence regulations.*

*Applicant/owner shall include with application:*

*A sketch or drawing of the property including:*

*Dimensions of lot, location of the house, locations of other buildings on property, location of water meter and sidewalks.*

*Show on drawing if there are any existing fences, and outline intent of existing fences.*

*Show the proposed location of the fence and gates*

**Property Address for Location of Fence Installation:** \_\_\_\_\_

Map: \_\_\_\_\_ Parcel: \_\_\_\_\_ Zoning District: \_\_\_\_\_ Subdivision \_\_\_\_\_

**Property Owner:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Applicant:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Fence Material** \_\_\_\_\_ **Height of fence** \_\_\_\_\_ **Gates shown on plan?** \_\_\_\_\_

**Setback of fence from the owner's property line** \_\_\_\_\_

**Is fence proposed to be placed on the property line?** \_\_\_\_\_ **If so, have your adjoining neighbor fill out the attached "Adjoining Property owner agreement"?** \_\_\_\_\_ **Please include with application.**

**Homeowner's Assoc.:** Have you included the approval from the Homeowner's Association, if applicable? \_\_\_\_\_

**Fence Style:**

\_\_\_\_ Shadowbox \_\_\_\_ Picket \_\_\_\_ Stockade \_\_\_\_ Split Rail \_\_\_\_ Chain Link with \_\_\_\_\_ gauge thickness  
(owner shall fill in)

\_\_\_\_\_  
**Signature of Owner**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Signature of Applicant**

\_\_\_\_\_  
**Date**



## **INSTRUCTION FOR COMPLETING YOUR FENCE PERMIT APPLICATION**

Include with your fence application:

- a. Sketch or plat of the property including:  
Dimensions of the property  
location of house and buildings  
locations of easements on property  
location of sidewalks.
- b. Show the location of the proposed fence. Indicate how far fencing is proposed from the property lines.
- c. Indicate the style, height and material of proposed fence. (if chain link or metal fencing is proposed, indicate the gauge thickness of proposed fence)
- d. Indicate on plan where the fence gates shall be located.
- e. If you would like the fence placed ON the property line, your adjoining property owners must also complete a "Statement of Adjoining Property Owner" which shall be submitted when you submit your fence construction authorization.

It shall be noted that a fence shall not be permitted within an access, utility or drainage easement. If your fence is proposed to be located within a forest retention area, please indicate on your plan that there will be no cutting of trees when placing the fence. If you live within a development which has an active homeowner's association, include the documentation of the homeowner's association approval.

Please return the completed forms and sketch to the Town Hall with a \$15.00 application fee. Make check payable to the Town of North East. The Planning Office is not able to accept credit card payments.

After the fence permit application has been reviewed by the Planning Office, the Planning Office shall contact you. Fences may not be installed prior to approval letter from the Planning Office.

North East Zoning Ordinance  
Section 6-13. Fences

1. Approval Required - No fence, wall or other type of construction shall be erected without the approval of the Zoning Administrator or the Town Administrator.
2. Application for Permit - Any person or persons, corporation, firm or association intending to erect a fence shall, before any work is commenced, make application for permit. The application shall be accompanied by a plan or sketch showing the proposed location of any fence, the materials proposed to be used, and shall be accompanied by the appropriate fee. Upon approval by the Zoning Administrator or Town Administrator, a permit shall be issued which will be in effect for a period of six (6) months from the date thereof.
3. Height Limitations - Residential Districts - No fence shall be more than eight (8) feet in height at the rear of homes or buildings situated in residential districts; such rear yard fence shall not extend forward of the rear building line. Fences or portions of fences located elsewhere shall not be greater than four (4) feet in height.
  - a. "R-1", "R-2", "R-3", and "VC" districts - No fence shall be more than eight (8) feet in height at the rear of the principal structure and extend forward of the rear most extent of the principal structure. Fences or portions of fences located elsewhere shall not be greater than four (4) feet in height.
  - b. "VM", "GC" and "HC" districts - No fence shall be more than eight (8) feet in height at the rear and side of any principal structure located on the lot. No fence located forward of the front façade of any principal structure on the lot shall exceed four (4) feet in height.
  - c. "LI" and "HI" districts - No fence shall be more than ten (10) feet in height.
4. Location Restrictions - Any fence erected under this section shall be placed inside the property line unless mutually agreed upon by all property owners concerned. There shall be no front yard fences allowed in townhouse projects. No fence shall be located forward of the front facade of a townhouse.
5. Materials and Composition
  - a. Any fence, wall or similar structure, which may cause a nuisance, a fire hazard, a dangerous condition or an obstruction affecting the public safety is prohibited.

- b. The following fences and fencing materials are specifically prohibited:
- (1) Barbed wire.
  - (2) Canvas fences.
  - (3) Cloth fences.
  - (4) Electrically charged fences.
  - (5) Poultry fences.
  - (6) Turkey wire.
  - (7) Temporary fences such as snow fences or plastic mesh fences, unless used for a special event or during construction. (AMENDED PER ORDINANCE 2009-05-01)
  - (8) Expandable fences and collapsible fences, except during construction of a building.
  - (9) All other small gauge metal fences where the composition is thinner than the standard 11½ gauge chain link fence (0.11443 diameter). (AMENDED PER ORDINANCE 2009-05-01)
  - (10) Regardless of prohibitions listed in the section, the Planning Commission may approve barbed wire or razor fencing on municipal properties, buildings, fences and/or structures or in the "HC" Highway Commercial district, "LI" Light Industrial district, or the "HI" Heavy Industrial district. [AMENDED PER ORDINANCE 2010-02-01]
- c. All chain link fences shall be erected with a closed loop at the top of the fence.
- d. Fence posts and support rails shall be on the inside of the fence which is the side closest to the building or the side furthest away from adjoining property lines.
- e. All entrances or gates shall open into the property.
- f. A permit may be issued for the construction of a security fence for commercial and industrial properties after application and review of a fencing plan.
- g. All fences or walls must be erected so as not to encroach upon a public right-of-way or easement unless a waiver is granted by the Mayor and Commissioners of the Town of North East with the stipulation that the fence be removed or relocated upon request by

the appropriate town officials. All fences or walls must be erected within the property line, and none shall be erected so as to interfere with vehicular or pedestrian traffic.

- h. Fences shall be located so to provide reasonable access to any water main, service line or water meter.
  - i. Fences shall be placed inside of a town sidewalk in all districts where there are existing or proposed sidewalks. [AMENDED PER ORDINANCE 2010-02-01]
  - j. It shall be the duty of the property owner to maintain and keep all fences in good repair, free of any safety hazards, including but not limited to areas which are not standing, or which are broken, falling or are protruding.
- 6. Powers and Duties of Zoning Administrator - The Zoning Administrator shall have the authority to direct, in writing, the removal, modification of any fences, wall, hedge, trees, or other structure on private or public property wherever the same shall interfere with adequate visibility of operators of motor vehicles at street intersections or curbs, or encroachment of pedestrian traffic or access upon a public right of way. Any person who shall refuse or neglect to comply with the written direction of the Zoning Administrator shall be guilty of a violation of this ordinance and shall be subject to its penalties.
  - 7. Violations and Penalties - Any violator of any of the provisions of this chapter shall be guilty of a misdemeanor and shall be punished as provided in the Town of North East Zoning Ordinance, Article 10, Section 10-11.
  - 8. Appeals - Any variations from the terms of this ordinance as to height, area, size, location or materials used, shall not be allowed unless approved in the form of a Variance by the Board of Appeals.
  - 9. Private legal restrictions and/or covenants regarding the use of land contained in a deed or other document recorded in the land records of Cecil County may be enforced through private civil action. These restrictions are not enforced by the Zoning Administrator unless the Town of North East has



**FENCE PERMIT ADJOINING PROPERTY OWNER VERIFICATION**

TO: ADJOINING PROPERTY OWNER  
FROM: DIRECTOR OF PLANNING AND ZONING  
RE: TOWN OF NORTH EAST, FENCE PERMIT

The Town of North East has received a fence permit application from your adjoining neighbor. There are certain provisions that have to be met before issuing the permit. One of these provisions concerns regulating the location of the fence. The applicant must follow the following requirements:

North East Zoning Ordinance. Article 6. Fence Regulations. Section 6-13. Paragraph 4. "Location Restrictions-Any fence erected under this section shall be placed inside the property line unless mutually agreed upon by all property owners concerned. No fence shall be located forward of the front façade of a townhouse".

Legal rights, responsibilities and obligations may result by executing this document. Any person who executes this document should consult with an attorney to assure that he or she understands any rights, responsibilities or obligations which may result from the execution of this document.

To: The Town of North East

Applicant Name and address:\_\_\_\_\_

My adjoining property owner's name and address:

My adjoining property owner, \_\_\_\_\_, has made application for a fence permit with the Town of North East. Please allow my signature to serve as my verification to the Town of North East that we mutually agree with the applicant as to the location of our property line and (check one):

( ) I prefer the fence to be placed inside the applicant's property line.

( ) I have no objection to the fence being located on our property line.

( ) We can not agree on the location of the property line.

Signature and address:\_\_\_\_\_

Telephone Number\_\_\_\_\_Date\_\_\_\_\_