



## FENCE PERMIT APPLICATION

<b>OFFICE USE ONLY</b>	
<b>PERMIT NUMBER:</b> <b>PF-</b>	<b>PERMIT FEE:</b> <b>\$50</b>

**ACCEPTANCE OF FEE DOES NOT CONSTITUTE APPROVAL OF PERMIT**

### JOB SITE INFORMATION

SELECT ONE:  
 SINGLE FAMILY RESIDENCE  COMMERCIAL\*  OTHER  
\* APPROVAL FROM ZONING ADMINISTRATOR REQUIRED PRIOR TO PERMIT ISSUANCE

ADDRESS: \_\_\_\_\_ LOT #: \_\_\_\_\_  
OWNER NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
PHONE #: \_\_\_\_\_ EMAIL: \_\_\_\_\_

### CONTRACTOR INFORMATION

COMPANY NAME: \_\_\_\_\_  
COMPANY ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_  
\* BUSINESS LICENSE #: \_\_\_\_\_ EXPIRES: \_\_\_\_\_  
JURISDICTION ISSUED: \_\_\_\_\_

**\* SITE SURVEY DEPICTING THE PROPOSED FENCE LOCATION IS REQUIRED FOR ALL FENCE INSTALLATIONS**

**NOTE REGARDING EASEMENTS:** FENCES INSTALLED IN EASEMENTS ARE HANDLED ON A CASE-BY-CASE BASIS. INSTALLATION OF A FENCE IN AN EASEMENT MAY BE ACCEPTABLE UNDER CERTAIN CONDITIONS AND AFTER CITY STAFF REVIEW. IF IT IS DETERMINED THE FENCE MAY BE INSTALLED IN AN EASEMENT(S), THE PROPERTY OWNER MUST SIGN A WAIVER (ATTACHED) ACKNOWLEDGING THAT THE TOWN WILL NOT BE RESPONSIBLE FOR REPAIR OR REPLACEMENT OF THE FENCE SHOULD THE FENCE NEED TO BE REMOVED BY THE TOWN OF BROOKS.

**\*If fence is installed in such a manner that it adversely affects stormwater drainage, the property owner will be responsible for making adjustments/modifications to fence in order to correct any stormwater drainage issue(s) discovered. If, after an inspection by staff, it is determined adjustments/modifications are needed, correction(s) shall be made within 30 days following the inspection date.\***

APPLICANT'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

# TOWN OF BROOKS CODE OF ORDINANCES

## Fences and Walls Standards

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This Fences and Walls Standards section applies to all zoning districts.

Fences and walls shall be permitted in all zoning districts with a permit subject to conformance with the following requirements:

- A. All fences and walls shall present the non-structural face (where applicable) outward.
- B. All fences and walls may be permitted up to any property line that is not also a right-of-way line. All fences and walls shall be setback a minimum of 2 feet from all adjacent rights-of-way.
- C. No fence or wall may be placed in any right-of-way or any sight visibility area, as determined by the Zoning Administrator.
- D. No fence or wall may be placed in any drainage, utility, sidewalk, landscaping, access or other easement without written permission from the easement holder.
- E. No fence or wall may be placed in any required buffer zone that does not specifically provide for the inclusion of fences.
  1. Fences specifically required by this Code for screening, swimming pools, telecommunications facilities, or other purposes may exceed the maximum heights established by this section in a manner consistent with the specific requirements of this Code.
  2. The height of a fence shall be determined by measuring from the highest grade to the highest point of the fence, including any posts or finials.
  3. RA, TR, & I Districts: Fences and walls constructed of chain link, of ornamental metal, of ornamental masonry, or of ornamental wood, shall not exceed 6 feet in height in any side or rear yard and shall not exceed 4 feet in any front yard or in that portion of the side yards abutting front yards of other residential lots. For the purposes of this requirement, the front yard shall be defined as all areas located between any adjacent streets and the walls of the primary structure which face them.
  4. TMX District: Fences and walls constructed of chain link, of ornamental metal, of ornamental masonry, or of ornamental wood, shall not exceed 6 feet in height in any side or rear yard and shall not exceed 4 feet in any front yard or in that portion of the side yards abutting front yards of other residential lots. For the purposes of this requirement, the front yard shall be defined as all areas located between any adjacent streets and the walls of the primary structure which face them.
  5. LAM District: Fences and walls shall not exceed 8 feet in height in any front, side, or rear yard. Front yard fences and walls shall be placed behind the required planted buffer.
- F. Any fence may be prohibited if, in the opinion of the Zoning Administrator or Town Manager, that fence obstructs the vision of motorists to the public rights-of-way so as to create a dangerous condition, or if for some other reason such fence would endanger the public safety or general welfare.
- G. The use of barbed-wire, razor wire or similar fencing materials may only be allowed upon application to and approval by the Zoning Administrator.
- H. High voltage electric fences are prohibited throughout the town; however, the construction and use of low voltage electric fences, shall be allowed in the town only as provided in this section and subject to the following standards:
  1. **Permit.** The construction or installation of any high voltage electric fence shall not commence except with approval from the Zoning Administrator.
  2. **Electrification.** The energizer for electric fences must be driven by a commercial storage battery, not to exceed 12 volts DC. The storage battery must be charged

primarily by a solar panel; however, the solar panel may be augmented by a commercial trickle charger.

3. **Location.** Electric fences shall be permitted only in the AR & TR district.
4. **Height.** Electric fences shall have a minimum height of four (4) feet and maximum height of eight (8) feet.
5. **Warning signs.** Electric fences shall be clearly identified with warning signs that read: "Danger: Premises Protected by an Electric Fence" at intervals of not less than fifty (50) feet and at a height no higher than five (5) feet from the ground.
6. **Warnings.** Electric fences shall not be energized until such signs are posted.
7. **Accessibility.** A Knox Box rapid entry system, unlocked by a key, shall be required and installed per the standards of the Fayette County Fire Department.
8. **Power source.** The power source for electrified fences shall come from an internal source and not be generated directly from a utility-powered source.
9. **Power Lines.** Electric fence conductors shall not be mounted on support surfaces utilized for overhead power lines.
10. **Indemnification.** The applicant or property owner agrees to defend, indemnify, and hold harmless the town or its agents, officers, and employees from any claim, action or proceeding against the town or its agents, officers, or employees resulting from the approval and installation of an electric fence. Prior to issuance of the any permits, the applicant or property owner shall execute such indemnification and hold harmless agreements reflecting the obligations required under this subsection, in such form as approved by the town attorney.
11. **UL Standards.** Electric fences shall meet UL standards.

## **EASEMENT WAIVER (IF NEEDED)**

To Whom It May Concern,

I, \_\_\_\_\_, understand that should work or  
Property's owner name  
maintenance of any kind need to be performed within the easement(s) on my property,  
that the City of Fayetteville is not responsible for damages to or repair/replacement of my  
fence installed within this easement(s). I understand and agree that I will be solely responsible  
for the repair/replacement of my fence should it need to be removed by the City of Fayetteville.

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DATE

PROPERTY OWNER'S SIGNATURE