



CITY OF EAST GRAND RAPIDS
FENCE AND WALL PERMIT APPLICATION

750 Lakeside Drive SE, East Grand Rapids, MI 49506
Phone 616.940.4817 Fax 616.831.6121 amizikar@eastgr.org

No Fee Required

Date: _____

Property Address: _____

(Check one below)

Interior Lot

Corner Lot

Through Lot

Property Owner(s): _____

Phone: _____ Email: _____

(Leave blank if home owner is constructing fence)

Contractor's Name: _____

Contractor's Address: _____

Phone: _____ Email: _____

Fence Description (Height, Type, Location, Etc.):

- **A site plan** of the proposed fence/wall is required as an attachment to this application. Please show where the fence will be in relation to all buildings, structures, and property lines. Include all necessary dimensions and measurements for the fence and its relation to nearby structures and property lines.
- The city must be notified within 24 hours of completion for a **compliance inspection**.

By signing below, applicant agrees to construct the proposed fence as is described on the attached site plan and in accordance with the City of East Grand Rapids Fence Ordinance. The city is not responsible for determining property lines, nor is the city liable for any approved fence that is built not in accordance with the City of East Grand Rapids Fence Ordinance. Fences not constructed in accordance with the ordinance may be subject to post construction variance fees, citations, and/or relocation/removal.

Signature: _____ Date: _____

(For office use only)

Date Received: _____ Date Approved: _____ Inspection Date: _____

Zoning Administrator (Site Plan Approval)

Zoning Administrator (Inspection Approval)

**AN ORDINANCE TO AMEND ARTICLE I OF CHAPTER 83 OF TITLE VIII
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS**

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Article I of Chapter 83 of Title VIII of the Code of the City of East Grand Rapids is hereby amended in its entirety to read as follows:

**ARTICLE I
GENERAL FENCE REQUIREMENTS**

The intent of this ordinance is to create openness and clear vision within the City's neighborhoods so that pedestrians and vehicles can safely proceed on sidewalks and streets without views of other pedestrians and vehicles being blocked by a fence.

8.61 Requirements and restrictions.

- A. Fences or walls located in a side or rear yard shall not exceed six (6) feet in height, measured from the natural grade to the uppermost portion of the fence or wall.
- B. Fences or walls erected in any front yard, including both street sides of a through lot, shall not exceed thirty-six (36) inches in height, measured from the natural grade to the uppermost portion of the fence or wall, and shall be no more than fifty percent (50%) opaque.
- C. A fence or wall up to six (6) feet in height shall be at least ten (10) feet off of the street right-of-way line on the street side yard of a corner lot, or must be in alignment with the current house setback, whichever is less. Any fence or wall within that ten (10) foot setback, or closer than the established side yard setback of the house, shall not exceed thirty-six (36) inches in height, measured from the natural grade to the uppermost portion of the fence or wall, or shall have clear visibility through it (such as a chain link fence or a metal rod fence) and be set back at least one (1) foot from the right-of-way line. In addition, no fence or wall may be located in the clear vision area required by Section 3.38 of the City Code unless it has clear visibility through it.
- D. A fence or wall lawfully in existence as of the adoption of subsections B and C above that does not conform to the requirements of subsections B and C (a "preexisting fence or wall") may be continued so long as it remains otherwise lawful, subject to the following provisions:
 - 1. No preexisting fence or wall may be enlarged or altered in a way which increases its nonconformity.

2. If a preexisting fence or wall is moved for any reason, it shall thereafter conform to the regulations of subsections B and C.
 3. Repair and maintenance work may be performed on a preexisting fence or wall provided that its nonconformity as it existed at the time this section was adopted is not increased.
 4. Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of a preexisting fence or wall or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.
- E. Fences and walls shall be constructed and maintained vertical to the contour of the adjoining land. All fences constructed or reconstructed following the adoption of this section shall have the finished side facing neighboring property. The back side of a fence shall face the owner's property and shall contain the fence posts and bracing.
- F. There shall not be attached, affixed, or placed on any fence or wall any spike, nail, barb (including barbwire), or other pointed instrument, and all cleaved selvages and sharp points on wire fences shall be removed or bent to eliminate any sharp extrusions.
- G. No fence or wall shall be constructed or maintained which is charged or connected with an electrical current.
- H. Temporary construction fences or fences for protection around excavations shall comply with all requirements of the National Building Code. Such fences shall not be maintained for a period greater than a year without approval of the Zoning Board of Appeals.
- I. Fences enclosing tennis courts shall not exceed twelve (12) feet in height and shall be of a standard open wire-mesh type and if in excess of six (6) feet in height shall not encroach upon the side yard required to be maintained under the provisions of Chapter 50, Zoning, of this Code without the prior approval of the City Commission. The City Commission, in considering applications to construct such fences, shall give consideration to the character of the neighborhood and the preservation of property values and may attach to its approval such conditions regarding the location, character, landscaping, or treatment thereof as it may deem to be reasonably necessary for the protection of the neighbors and for the furtherance of the intent of this chapter.
- J. No fence or wall shall be erected within one (1) foot of any lot line abutting a street right-of-way line.

- K. Provisions of the City Code in Title VIII dealing with fencing requirements for swimming pools may in some instances be inconsistent with the requirements of this section. Any such inconsistencies shall be addressed by filing for an exception as provided in subsection L below.
- L. The City Commission may, for good cause, authorize exceptions from the strict requirements of this chapter upon written application and following a public hearing. The procedure for such application and hearing shall be as set forth in Section 5.100 to 5.105, inclusive, of this Code with respect to variances from the City Zoning Ordinances.
- M. Prior to installing or having a fence installed upon a parcel of property, the owner of the property or the owner's contractor must obtain a fence permit from the City. The procedure for obtaining this permit will be set forth in the Fee Resolution adopted by the City from time-to-time for other required permits.

8.62 Maintenance of fences.

- A. All fences shall be protected from deterioration with properly applied paint, stain, or other protective coating, with the exception of metal fences, redwood and cedar fences, or fences constructed with pressure-treated lumber which are of a type not customarily intended to be so painted, stained or coated, but such fences shall be properly maintained to prevent deterioration.
- B. Fences shall be maintained to retain their original appearance, shape and configuration. Elements of the fence that are missing, damaged, destroyed or deteriorated shall be replaced and repaired to maintain conformity with the original fence design.
- C. Any fence which because of a failure to comply with the provisions of this chapter becomes unsafe so as to create possibility of bodily injury or becomes unsightly to neighbors or the general public is hereby declared a nuisance. The building inspector shall serve the owner, agent or person in control of the property upon which such fence is located, a written notice describing the unsafe or unsightly condition and specifying the required repairs or modifications to be made or requiring the fence or any portion thereof to be removed, and shall provide a time limit for such repair, modification or removal. Any person failing to comply with such notice within the time limited therefor shall be guilty of a violation of this Code. (Ord., 11-4-84)

Section 2. This Ordinance shall be effective on October 26, 2018.

Section 3. Notice of adoption of this Ordinance shall be published within ten days of its enactment by a publication of a digest, summary, or statement of purpose of the Ordinance as provided by Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

NOTICE OF ADOPTION OF ORDINANCE BY THE CITY OF EAST GRAND RAPIDS:

Notice is hereby given that on October 15, 2018, the City Commission of the City of East Grand Rapids adopted an ordinance restating Article I of Chapter 83 of Title VIII of the City Code. The purpose of this ordinance is to regulate fences within the City. The ordinance requires that a permit be acquired before installing a fence and contains placement restrictions on the location of fences and height restrictions also based upon the location of fences. The full text of the ordinance is available for inspection by and distribution to the public at the office of the City Clerk. No further or additional publication of this ordinance is required or contemplated.

City of East Grand Rapids

By _____
Karen K. Brower
City Clerk

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