

[HISTORY: Adopted by the Board of Trustees of the Village of Central Square 2-14-2000 by L.L. No. 1-2000. Amendments noted where applicable.]

## GENERAL REFERENCES

Uniform Code enforcement — See Ch. [229](#).

Zoning — See Ch. [250](#).

### **§ 105-1 [Definitions.](#)**

As used in this chapter, the following terms shall have the meanings indicated:

#### **[FENCE](#)**

Any structure, regardless of composition, that is erected or maintained for the purpose of enclosing a piece of land or dividing a piece of land into distinct portions.

#### **[FRONT YARD](#)**

Applies to that portion of the yard in front of the front building line of any building. All corner properties adjacent to a public street, alley or highway shall also be considered as front yards for the purposes of this chapter. However, this definition shall specifically not apply for purposes of swimming pool protection.

#### **[GOOD SIDE](#)**

That part of the fence that is considered the finished side which does not include the structural members. (For this definition, a chain link fence has two good sides.)

#### **[HEIGHT](#)**

The distance measured from the average grade to the top of the fence.

#### **[REAR YARD](#)**

Applies to that portion of the yard from the rear building line of any building to the rear of the lot.

#### **[SIDE YARD](#)**

Applies to that portion of the yard in front of the rear building line of any building and to the rear of the front building line of any building.

### **§ 105-2 [Approval required.](#)**

No fence, wall or other type of construction shall be erected without the approval of the Codes Enforcement Officer.

### **§ 105-3 [Application for permit; issuance; display.](#)**

**[A.](#)** Any person or persons, corporations, firm or association intending to erect a fence shall, before any work is commenced, make application to the Codes Enforcement Officer on a form provided by the Codes Enforcement Officer. Said application shall be accompanied by a plan or sketch showing the proposed location of any fence on a recent

survey map of the property and the materials proposals to be used therefor, which must be in accordance with this chapter and any other pertinent local law regulating construction within the Village and shall be accompanied by an appropriate fee.

**B.** Upon approval by the Codes Enforcement Officer, a permit shall be issued which will be in effect for a period of six months from the date thereon.

**C.** Said permit shall be displayed on the property during the progress of the work so that the work may be inspected by the proper Village officials.

**§ 105-4 Height limitations in rear, front and side yards.**

No fence shall be more than six feet in height at the rear of the homes or buildings situated in said Village of Central Square, which fence shall not extend forward of the rear building line of any existing or proposed building. No other fence or portions of a fence shall be higher than three feet for a solid fence or four feet for a look-through fence in any front yard or side yard.

**§ 105-5 Location restrictions.**

**A.** Any fence erected under this chapter shall be placed at least 12 inches from any property line so if repair or maintenance of said fence is to be performed it may be performed from the property owner's land.

**B.** All fences or walls must be erected within the property line, and none shall be erected so as to encroach upon a public right-of-way or interfere with vehicular or pedestrian traffic or interfere with visibility on corner lots and/or other structures or vehicles, whether stationary or transitory, in private or public property.

**§ 105-6 Materials and composition.**

Any fence, wall or similar structure which unduly cuts off light or air, which may cause a nuisance, a fire hazard, a dangerous condition, or an obstruction to persons and equipment in combating fires or which may affect public safety is hereby expressly prohibited.

**§ 105-7 Prohibited fences.**

The following types of fences are prohibited:

**A.** Barbed wire.

**B.** Short pointed fences less than 36 inches in height.

**C.** Canvas fences.

D. Cloth fences.

E. Electrically charged fences.

F. Poultry fences.

G. Turkey wire.

H. Temporary fences (except snow fences).

I. Expandable fences and collapsible fences, except during construction of a building or for reasonable and temporary agricultural uses (gardens).

**§ 105-8 Chain link fences.**

Chain link fences shall be erected with closed loop at the top of the fence.

**§ 105-9 Facing of fence; fence posts.**

Any fence, wood, stockade, chain link or other type of fence, shall have the good side facing to the outside of the property owner installing the fence. Fence posts shall be placed on the inside of the fence.

**§ 105-10 Maintenance.**

All fences shall be maintained by the person responsible for the property. Such maintenance shall include but not be limited to replacement and/or repair of fences which may become in disrepair. Repairs should be made in accordance with existing fences. Such repair may include missing or broken sections, and heaving, collapsed and/or tilted fences.

**§ 105-11 Security fences.**

A. Notwithstanding the provisions of this chapter, the Codes Enforcement Officer may issue a permit for the construction of security and/or equipment yard fences for commercial and industrial properties upon due application. The Codes Enforcement Officer may deny such application if it is found that the application for such fence is not appropriate and is unnecessary.

B. Fences for the enclosure of in-ground pools shall conform to the New York State Uniform Fire Prevention and Building Code.

**§ 105-12 Visibility at intersections.**

The Codes Enforcement Officer shall have the authority to direct, in writing, the removal, trimming or modification of any shrubs, bushes, plants, trees or flowers or other

vegetation, fence, wall or hedge or other structure on private or public property wherever the same shall interfere with adequate visibility of operators of motor vehicles at street intersections, driveways or curbs. Any person who shall refuse or neglect to comply within 15 days with the written direction of the Codes Enforcement Officer shall be guilty of violation of this chapter and shall be subject to its penalties.

**§ 105-13 Existing fences.**

Those fences that were constructed prior to the adoption of this chapter can remain but must be maintained safely. Any replacement fences must comply with this chapter and will be required to obtain a permit from the Codes Enforcement Officer. In addition, any deed restrictions relating to fencing must be brought to the attention of the Codes Enforcement Officer.

**§ 105-14 Fees.**

The Village Board of Central Square shall set applicable fees for the fence permit.