

City of Hastings

Fence Permit

Fence Location (Address): _____

Permit Applicant (Name): _____

Phone Number: _____

Application Date: _____

Permit Issued by: _____

Date Permit Issued: _____

Application Fee Paid: _____

This Permit is issued in accordance with Section 90-856 of the City of Hastings, Michigan Code of Ordinances. This Permit is good only for six (6) months. All fences shall comply to applicable zoning or other ordinances. This Permit shall be kept on site and readily available during its effective period.

City of Hastings

Fence Permit Application

The property owners desiring to construct a fence must submit the following information in writing with the required fee:

1. Applicant's name. Must be the property owner or have permission of the property owner.
2. Address of property on which the fence will be located.
3. Applicant's contact information.

A diagram of the property showing the following is required:

3. Height of the proposed fence.
4. Location on the property of the proposed fence (with respect to property lines).
5. Location of any existing fence (on applicant's property and adjacent properties).
6. Any gates and direction of their opening.
7. Direction of finished face of the fence.

The following information may be noted on the diagram or on a separate written document:

8. Type of materials to be used for the fence.

The fee for a fence permit is set annually by Resolution of the City Council.

Approval of the fence permit is the responsibility of the Zoning Administrator. Construction may not begin prior to obtaining this approval.

DIVISION 4. FENCES, WALLS AND SCREENS

Sec. 90-856. Applicability.

This division shall apply to fences, walls or landscape screens in all zoning districts.
(Ord. No. 301, § 3(3.43), 2-10-97)

Sec. 90-857. Permit required.

Before a fence or wall is erected, constructed or installed, a permit shall be obtained from the zoning administrator. An application for a fence permit must include a drawing showing the location type, height and materials of the fence or wall to be constructed and other information the zoning administrator requests to determine that the proposed fence or wall will comply with the provisions of this section.

(Ord. No. 301, § 3(3.43(1)), 2-10-97)

Sec. 90-858. Existing fences.

Any fence or wall presently in existence shall not be enlarged, altered or reconstructed until a permit is obtained in the manner provided for in section 90-857.

(Ord. No. 301, § 3(3.43(2)), 2-10-97)

Sec. 90-859. - Location requirements.

(a) Front yard.

(1) A fence, decorative or protective wall or landscape screen may be located within a front yard but shall not exceed a height of three feet, except as follows:

- a. In the B-1, central business district, and B-3, downtown edge district, a fence, decorative or protective wall or landscape screen with a height not exceeding six feet may be located in the front yard.
- b. In the B4 and B5 districts, a fence, decorative or protective wall or landscape screen with a height not exceeding six feet may only be located in the front yard if approved by the planning commission with due consideration given to pedestrian and vehicle visibility and safety as well as if such fence, wall or screen is compatible with the character of the immediate area.

(2) For a corner lot which has more than one front yard, a fence, decorative or protective wall which is no more than six feet high may be placed within the secondary street front yard provided such fence, decorative or protective wall is set back the minimum distance required for corner lots for that zoning district. The zoning

administrator shall determine which is the secondary street. Such fences, decorative or protective walls shall be subject to the clear vision requirements.

(3) All fences, decorative or protective walls, or landscape screens must be set back a minimum of one foot from the front lot line or two feet from a sidewalk, except in the B-1 (central business district).

(b) *Side and rear yards.* A maximum height of six feet is permitted except in industrial zones, where the maximum height shall be ten feet.

(c) *Visibility.* A fence, decorative or protective wall or landscape screen shall comply with the requirements of section 90-802.

(Ord. No. 301, § 3(3.43(3)), 2-10-97; Ord. No. 303, § 1, 9-22-97; Ord. No. 324, § I, 10-25-99; Ord. No. 398, § 1, 7-25-05; Ord. No. 523, § I, 4-27-15)

Sec. 90-860. Materials and maintenance.

(a) Any fence, decorative or protective wall, or landscape screen shall be of uniform design, construction and appearance, and sturdily constructed to withstand normal weather conditions. The method of construction and type of materials and design shall be of a kind normally and customarily associated with the uses permitted in the zoning district in which it is located. Woven wire or chain link fences with plastic, metal, or wood slats or inserts, shall not be permitted.

(b) In the B-1 (central business district) fences made of barbed wire, woven wire, chain link, any other non-decorative metal or naturally degradable material, and wood are prohibited. Decorative or protective walls shall be constructed of brick or other decorative masonry, wrought iron, or other similar visually attractive low maintenance material.

(c) All fences, decorative or protective walls and landscape screens shall be constructed and maintained so as not to become a visual nuisance, or pose a safety hazard to nearby residents, passerby, or the general public. All fences, decorative or protective walls in the B1 (central business district) shall be architecturally compatible with the building on the property in which it is located, and surrounding buildings.

(Ord. No. 301, § 3(3.43(4)), 2-10-97; Ord. No. 398, § 2, 7-25-05)

Sec. 90-861. Additional requirements and provisions.

(a) All fences, and decorative or protective walls shall be erected so that the finished face of the fence, decorative or protective wall faces outside the property.

(b) Fences parallel to one another shall be prohibited unless special provision is made to

specifically provide the proper maintenance of both fences, including but not limited to adequate distances between fences and construction design details.

- (c) Gates in fences, or decorative or protective walls shall not open over public property, into alleys, or over adjoining properties.
- (d) A fence shall not be constructed or maintained that is charged or connected with an electrical current.
- (e) Barbed wire fences are prohibited in all zoning districts, except in the industrial district the use of barbed wire strands is permitted provided the strands are at least eight feet above the bottom of the fence.
- (f) Essential services structures and buildings such as electrical substations may be protected by a fence up to ten feet in height with barbed wire strands located at least eight feet above the bottom of the fence.
- (g) Fences higher than permitted by the zoning district may be permitted by the planning commission if it is demonstrated that such fences is necessary for public safety or proper screening, or is necessary for the proper operation of the principal use.
- (h) All vertical support members for a fence shall not exceed the maximum permitted fence height by more than four inches.
- (i) A fence, decorative or protective wall or landscape screen shall not be constructed within or over any public right-of-way.
- (j) In the B-1 (central business district) when a fence, decorative or protective wall or landscape screen abuts or is immediately adjacent to a sidewalk, alley, street right-of-way, or building, that portion of the fence, decorative or protective wall or landscape screen, which is more than three feet above the sidewalk, shall be at least 75 percent open.

(Ord. No. 301, § 3(3.43(5)), 2-10-97; Ord. No. 398, § 3, 7-25-05)

Secs. 90-862--90-880. Reserved.

Sec. 90-802. - Traffic visibility.

In any zone other than the central business district on any corner lot, no fence, structure or planting over 36 inches in height above the curblin except deciduous trees shall be erected or maintained within 20 feet of the intersecting right-of-way line so as to interfere with traffic visibility across the corner. No structure or planting deemed a traffic hazard by the chief of police shall be permitted in any zone.

(Code 1970, § 3.34; Ord. No. 301, § 3(3.34), 2-10-97)

City of Hastings

Fence Permit Application Supplemental Information

Required setbacks for City of Hastings Residential Zoning Districts:

R-1 One-Family Residential District

Front Yard Setback

1' from property line -or- 2' from sidewalk

Corner Lot Front Yard Setbacks

Principal street - no taller than 3', 1' from property line –or- 2' from sidewalk

Secondary street - at least 20' from property line for fencing up to 6' tall

Side Yard Setback

Can be located on the property line

Rear Yard Setback

Can be located on the property line

R-2 One Family Residential District

Front Yard Setback

1' from property line -or- 2' from sidewalk

Corner Lot Front Yard Setbacks

Principal street - no taller than 3', 1' from property line –or- 2' from sidewalk

Secondary street - at least 15' from property line for fencing up to 6' tall

Side Yard Setback

Can be located on the property line

Rear Yard Setback

Can be located on the property line

R-R Rural Residential District:

Front Yard Setback

1' from property line -or- 2' from sidewalk

Corner Lot Front Yard Setbacks

Principal street - no taller than 3', 1' from property line –or- 2' from sidewalk

Secondary street - at least 30' from property line for fencing up to 6' tall

Side Yard Setback

Can be located on the property line

Rear yard Setback

Can be located on the property line

R-S Suburban Residential District

Front Yard Setback

1' from property line -or- 2' from sidewalk

Corner Lot Front Yard Setbacks

Principal street - no taller than 3', 1' from property line –or- 2' from sidewalk

Secondary street - at least 25' from property line for fencing up to 6' tall

Side Yard Setback

Can be located on the property line

Rear Yard Setback

Can be located on the property line

R-D Duplex Apartment District

Front Yard Setback

1' from property line -or- 2' from sidewalk

Corner Lot Front Yard Setback

Principal street - no taller than 3', 1' from property line –or- 2' from sidewalk

Secondary street - at least 25' from property line for fencing up to 6' tall

Side Yard Setback

Can be located on the property line

Rear Yard Setback

Can be located on the property line