



Town of Moreau

Building and Zoning Dept.

Town Office Complex

351 Reynolds Road

Moreau, NY 12828-9261

Phone: (518) 792-4762 ~ Fax: (518) 792-4615

FENCE PERMIT APPLICATION REQUIREMENTS

No construction activities begin until an approved permit is issued

TWO SETS OF THE FOLLOWING INFORMATION MUST BE PROVIDED (2 PHYSICAL COPIES)

- 1) **PLOT PLAN** drawn to scale with the use of a survey map, if possible
 - ***Boundary lines*** for entire property for proper location of fence
 - ***Material*** of proposed fence construction
 - ***All existing structure locations*** on the property – shed, deck, carports, garage etc.
 - ***Height(s)*** of proposed fence
 - 2) **CODE COMPLIANCE** Must comply with Town of Moreau Code Chapter 70 Fences
 - 3) **INSURANCE** REQUIRED by Homeowner or Contractor
 - a. **Homeowner:** -
 - i. Affidavit of Exemption of Workers Compensation and/or Disability Benefits Insurance Coverage **CE-200**
 - ii. Affidavit for Exemption to Show Specific Proof of Workers' Compensation
 - b. **Contractor:**
 - i. Certificate of Workers Compensation: **Form C-105.2 or U-26.3**
 - ii. Certificate of Disability insurance: **Form DB-120.1 or DB-155**
 - iii. Affidavit of Exemption of Workers Compensation and/or Disability Benefits Insurance Coverage: **Form CE-200**
- Insurance Coverage for a 1, 2, 3 or 4 Family, Owner-occupied Residence: **Form BP-1**

ACORD forms are **NOT** acceptable proof of Workers Compensation or Disability Insurance Coverage

- 4) **FEE-** as per fee schedule - collected when application is approved prior to permit being issued

TOWN CODE

§ 70-2 **Approval required.**

[Amended 06-22-2021 by L.L. No. 1-2021]

No fence, wall or other type of construction shall be erected without the approval of the Building Inspector, Zoning Administrator, and/or Code Enforcement Officer. The Building Inspector and/or Code Enforcement Officer shall secure approval of the Superintendent of Highways and the Bureau of Fire Prevention, where applicable.

§ 70-3 **Application for permit; issuance.**

[Amended 06-22-2021 by L.L. No. 1-2021]

Any person or persons, corporation, firm or association intending to erect a fence shall, before any work is commenced, make application to the Building Inspector, Zoning Administrator, and/or Code Enforcement Officer on a form provided by the Building Inspector, Zoning Administrator, and/or Code Enforcement Officer. Said application shall be accompanied by a scaled plan or sketch showing the proposed location of any fence, the materials proposed to be used therein, which must be in accordance with this chapter, and any other pertinent local law regulating construction within the Town and be accompanied by an appropriate fee. Upon approval by the Building Inspector, Zoning Administrator, and/or Code Enforcement Officer, a permit shall be issued which will be in effect for a period of one year from the date thereon. Said permit shall be available on the job during the progress of the work so that it may be inspected by proper Town officials.

§ 70-4 **Height limitations.**

[Amended 06-22-2021 by L.L. No. 1-2021]

No fence shall be more than eight feet in height at the rear yard or side yard of homes or buildings situated in a residentially zoned district, which fence shall not extend forward of the front building line of any existing or proposed building. No other fence or portions of a fence shall be higher than 48 inches. This restriction shall not apply to construction in all zoning districts.

§ 70-5 **Location restrictions.**

Any fence erected under this chapter shall be placed at least six inches from any property line. Any fence erected in a front yard shall be placed at least one foot back from the sidewalk, but in no event may it be less than one foot back from the front line and/or property line.

§ 70-6 **Materials and composition.**

A.

Any fence, wall or similar structure as well as shrubbery which unduly cuts off light or air which may cause a nuisance, a fire hazard or a dangerous condition or an obstruction to combating fires which may affect public safety is hereby expressly prohibited. Further, no fence shall be erected in a front yard in a residential district or along a public right-of-way unless the fence is uniformly less than 50% solid.

B.

The following fences and fencing materials are specifically prohibited in all zoning districts except the R-3, R-4, and R-5 Zoning Districts:

[Amended 6-22-2021 by L.L. No. 1-2021]

(1) Barbed wire.

(2) Short, pointed fences.

(3) Canvas fences.

(4) Cloth fences.

(5) Electrically charged fences.

(6) Poultry fences.

(7) Turkey wire.

(8) Temporary fences such as snow fences.

(9) Expandable fences and collapsible fences, except during construction of a building.

C. All chain link fences erected shall be erected with the closed loop at the top of the fence. All other fences shall be erected with the finished side facing the nearest adjacent property line, where applicable.

D. All entrances or gates shall open into the property.

TOWN CODE

E. Notwithstanding the provisions of this section, the Building Inspector, Zoning Administrator, and/or Code Enforcement Officer may issue a permit for the construction of a security fence for commercial and industrial properties, upon due application to and approval by the Building Inspector, Zoning Administrator, and/or Code Enforcement

Officer of the Town of Moreau. The Building Inspector, Zoning Administrator, and/or Code Enforcement Officer may deny such application if it is found that the application for such fence is not appropriate and is unnecessary. Upon such denial, the applicant may appeal the decision of the Building Inspector and/or Code Enforcement Officer to the Planning Board of the Town of Moreau by notice to the same within 30 days of such denial. In the event that the Planning Board substantiates the denial of the Building Inspector and/or Code Enforcement Officer, the applicant may resort to proper legal proceedings according to the statutes of the State of New York.

[Amended 6-22-2021 by L.L. No. 1-2021]

F.
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, on private or public property.



TOWN OF MOREAU FENCE PERMIT APPLICATION

LOCATION INFO

PROJECT ADDRESS _____ TAX MAP / SBL _____

FENCE STYLE _____ FENCE HEIGHT _____
CORNER LOT? (CIRCLE ONE) **YES** or **NO**

OWNER INFO

NAME (PRINT) _____
ADDRESS (If different) _____

CONTACT INFO PHONE / EMAIL

P: _____
E: _____

Owner's Signature *Date*

CONTRACTOR INFO (if applicable)

PERSON / COMPANY (PRINT) _____
Address _____

CONTACT INFO PHONE/ EMAIL

P: _____
E: _____

Signature *Date*

POINT OF CONTACT- NAME: _____



I affirm that the information I have given on this application is correct and complete and I understand that the Town will rely on this information in making its decision.

Date: ____/____/____

Applicant Name (PRINT): _____ Applicant Name (SIGN): _____

OFFICIAL USE ONLY

Permit Fee: \$ **25.00** Issue Date: ____/____/____ Expire Date: ____/____/____ Permit #: _____

Building Inspector: _____ Date Approved: _____

Zoning Coordinator Approval:

Additional information may be required by the reviewing inspector if deemed necessary.

REQUIRED INSPECTIONS: 24 HOUR NOTICE REQUIRED

INSPECTIONS REQUESTED VIA VOICEMAIL MAY NOT BE SCHEDULED

- **SITE INSPECTION** with proposed layout of fence
- **FINAL INSPECTION** (All required work must be complete)

Final Inspections are a critical step in closing out any permitted project.

Final Inspection Requirements

- Before a Certificate of Compliance is issued, the Building Inspector evaluates the work to ensure it complies with all applicable codes and regulations.
- Any deficiencies found must be corrected, and sometimes a re-inspection is necessary to confirm compliance.

Closing the Permit

- Once the inspector signs off, the Town can officially issue the Certificate of Compliance.
- Only then is the permit closed in the system, signaling that the project is officially approved and finalized.