

CITY OF BATAVIA
FENCE CONSTRUCTION REQUIREMENTS



City of Batavia, Illinois
Building Division
Community Development Department
100 North Island Avenue
Batavia, Illinois 60510
Tel: (630) 454-2700
Fax: (630) 454-2775
<http://www.cityofbatavia.net>

Please direct all questions to the City of Batavia Building Division of the Community Development Department, Monday through Friday from 8 AM to 5 PM at (630) 454-2700.

This is a summary of the City of Batavia Ordinances affecting fence construction. This is intended to interpret and explain the ordinances but does NOT represent or replace the actual ordinance language. Every effort has been made to ensure the accuracy and timeliness of this information.

6/2010

Before Starting:

- A. A building permit is required to erect any new fence, regardless of the length or height. This includes replacing an existing fence.
- B. All supports for fences must be placed on the inside (owner's side) of the fence.
- C. Any fence that is adjacent to a public right-of-way shall have a gate or opening allowing passage to the right-of-way.
- D. Fence height limits are detailed on the attached sheet.
- E. Electrically charged fences, barbed wire, spikes or any other similar devices are not permitted.
- F. Fences may be placed on utility or drainage easements at the homeowner's risk. Fences must not inhibit drainage flow and may not be installed within a flood plain as determined by FEMA NFIP/FIRM determination maps. If the fence needs to be removed to access utilities for any reason, the City of Batavia or utility contractors are not responsible for reinstallation, repairs and or replacement.
- G. The Plat of Survey is the legal drawing of the property, stamped by a professional surveyor. The location of the fence may be drawn in by hand with the overall length, height and the approximate spacing between the support posts written in.
- H. Provide section detail of fence. The detail shall be dimensioned, indicating picket profile and spacing, post spacing, height and proposed materials for construction.

Application Procedure:

1. Submit a completed Building Permit Application to the City of Batavia Building Division of the Community Development Department.
2. Pay required minimum submittal fee.
3. Attach two (2) copies of the plat of survey showing the location, height (s), and setbacks to property lines. *(sample attached)*. **The survey shall be to scale, not reduced or enlarged when copied.**
4. Attach two copies of a dimensioned fence detail. Indicate picket profile, picket spacing, horizontal rails, post spacing, and construction material. A manufacturers specification sheet **with all the above information** may be submitted.

Homeowner/Contractor Responsibilities:

1. Call J.U.L.I.E (Joint Underground Location for Inspectors and Engineers) at least 48 hours prior to any digging to locate any underground utilities (811 or 800-892-0123)
2. The homeowner / contractor is responsible for locating the property survey pins and marking the property line alongside the proposed fence location; this may be done with a string line tied to stakes set adjacent to the located survey pins. The survey pins shall remain exposed until the post hole inspection has been completed.
3. Schedule the required post hole inspection and final inspection with the Building Division. Please call at least 48 hours in advance (exclusive of weekends and holidays) to schedule inspections to insure that we can meet your schedule. You do not have to be present for the inspections if there is unobstructed access to the yard.
4. Make sure that the work is ready for inspection before the inspector arrives to avoid a re-inspection fee. Please cancel the inspection if the work is not ready.
5. **ALL PERMITS SHALL CONCLUDE WITH A FINAL INSPECTION.**

Batavia Zoning Ordinance:

4.108 Fences

These fence regulations are in addition to the requirements of Section 4.104: Outdoor Business Property Storage and Chapter 4.2: Off-Street Parking and Loading Regulations.

A. *All Districts*

1. *Prohibited Fences.* Electric fences and razor wire are prohibited in all zoning districts.
2. *Finished Side.* The finished side of a fence shall face the exterior of the lot.
3. *Property Lines.* A fence may be located on a property line, but shall not cross the property line or connect with an adjacent fence without written consent of the adjacent property owner.
4. *Gate Required.* A fence constructed adjacent to a right of way shall contain a gate or opening allowing passage.
5. *Temporary Fencing.* Temporary fencing is permitted in conjunction with:
 - a. Construction sites.
 - b. Temporary uses pursuant to Section 4.509: Temporary Uses.
 - c. Special events, pursuant to a Special Event permit.
 - d. Dangerous or hazardous conditions as determined by the Building Commissioner or Fire Chief.
6. *Maintenance.* All fences shall be permanently maintained in good condition and repaired or replaced when necessary to ensure continued compliance with the requirements of this section.

B. *Residential Districts*

1. *Security Fences.* Barbed wire and similar fence types are prohibited.
2. *Front and Corner Side Setback Area Fences.* Fences within the required front and corner side setback areas shall not exceed a height of 3 feet. Fences constructed of chain link, chicken wire, hex netting or any other wire material are prohibited in residential front and corner side setback areas.
3. *Side or Rear Setback Area Fences.* Fences located in the side or rear setback area shall not exceed a height of 6 feet from finished grade on either side of the fence.
4. *Lot Line Fences.* Rear and side lot line fences on residential properties adjacent to commercial or industrially zoned properties or Strategic Regional Arterial Streets as designated in the Comprehensive Plan shall not exceed 8 feet in height.
5. *Recreational Fences.* Chain link or woven wire tennis and sport court fencing is permitted within the building envelope.

Batavia Zoning Ordinance (Continued)

C. Commercial and Office Districts

1. *Security Fences.* Barbed wire and similar fence types are prohibited.
2. *Front and Corner Side Setback Area Fences.* Fences within the required front and corner side setback areas shall not exceed a height of 3 feet.
3. *Side or Rear Setback Area Fences.* Fences located in the side or rear setback area shall not exceed a height of 8 feet from finished grade on either side of the fence, other than as required to screen loading or storage areas. Such screen fences shall not exceed a height of 14 feet.
4. *Lot Line Fences.* Rear and side lot line fences adjacent to properties designated for residential use in the Comprehensive Plan shall not exceed 8 feet in height.

D. Employment Districts

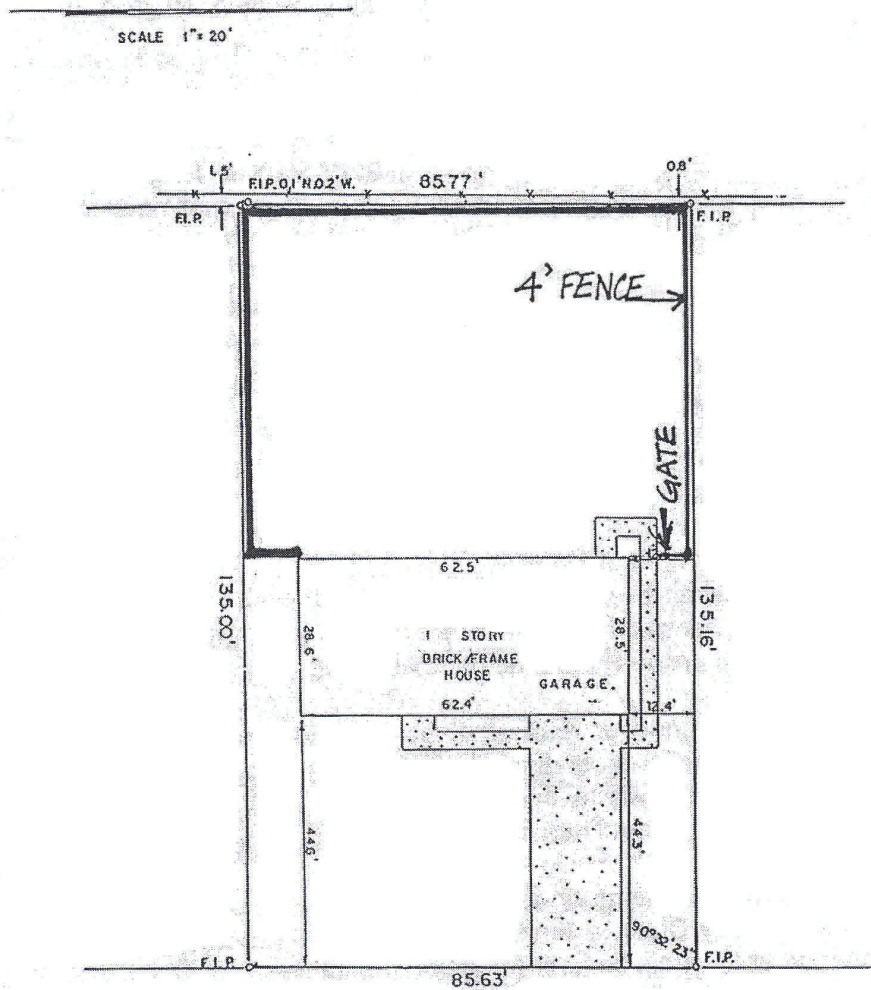
1. *Security Fences.* Barbed wire and similar fence types shall be located a minimum of 7 feet above adjacent grade.
2. *Fences in Front or Corner Side Setback.* A fence located in a front or corner side setback area shall be set back a minimum of 20 feet from the property line.
3. *Fences on Side or Rear Property Lines.* A fence located on a side or rear property line shall be 8 feet in height.
4. *Adjacent to Residential Use.* A fence adjacent to a property designated for residential use in the Comprehensive Plan shall be of solid construction and:
 - a. located on the property line, or
 - b. set back a minimum of 20 feet from the property line.

E. Public Facility/Institutional District

1. *Security Fences.* Barbed wire and similar fence types are prohibited.
2. *Front and Corner Side Setback Area Fences.* Fences within the required front and corner side setback areas shall not exceed a height of 3 feet.
3. *Side or Rear Setback Area Fences.* Fences located in the side or rear setback area shall not exceed a height of 8 feet from finished grade on either side of the fence, other than as required to screen loading or storage areas. Such screen fences shall not exceed a height of 14 feet.
4. *Lot Line Fences.* Rear and side lot line fences adjacent to properties designated for residential use in the Comprehensive Plan shall not exceed 8 feet in height.
5. *Recreational Fences.* Tennis and athletic court fencing is permitted within the building envelope.

PLAT OF SURVEY

Sample



PLAT OF SURVEY OF LOT IN
BATAVIA, KANE COUNTY, ILLINOIS.

60' R.O.W. AVENUE
SUBDIVISION, UNIT, IN THE CITY OF

COMMONLY KNOWN AS AVENUE.

STATE OF ILLINOIS)
COUNTY OF KANE)

I, ILLINOIS PROFESSIONAL LAND SURVEYOR, NO. 2768,
DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF
A SURVEY PERFORMED AT AND UNDER MY DIRECTION.
DATED AT AURORA, ILLINOIS ON 11/11/1997.

SURVEYING
Associates, Inc.
Professional Land Surveyors
Aurora, IL (830)