

Fencing Permit Application

The City of Glasgow Public Works Department issues fencing permits for following types of fence construction / installation on both residential and commercial properties:

- -New construction / installation on both residential and commercial properties.
- -Any rebuilding or extensive repair / installation of existing fences.
- -Any general repair of existing fences that involves replacement of more than 20% of the pickets, rails, surface boards, chain link fabric, or more than 2 posts on the same length of fencing. For example, if you have a run of fencing that is 60 feet in length, and you need to replace more than 12 feet in length of surface boards on it, then you must apply for a permit. Another example would be if you had to replace three posts in any run of fencing, a permit would be required. (This is the difference between 'spot repairs' and general repair.
- -Any new additional run of fencing added to existing fencing over 10 feet in length.

Types of fence construction and/or activities that do not require a fence permit are:

- Spot repair of occasional boards, repainting or staining of existing fences. (Spot repairs have to be less than 20% of the length of any given individual run of fencing.)
- Replacement of 2 existing posts in any given run of existing fencing.

Please note that any given 'run of existing fencing' is defined as that one length of fencing. It is only that one side of your fence. Therefore if you have four sides to your fence that are each forty(40) feet in length the 20% amount is calculated on forty (40) feet, NOT one hundred and sixty (160) feet.

Enclosed in this packet you will find the following:

- This general information cover sheet and directions.
- The Application sheet, please fill it out in its entirety, sign and date when returning your application for processing.
- A sheet on which to provide a sketched plan of the proposed fencing you intend to build or install. This sketch does not need to be to scale or perfect, but it does need to show 1) the general shape of your lot, the general location of any structures, the location of the proposed fence and the correct distances from property lines or edge of some permanent infrastructure such as 'Back of sidewalk' or 'edge of street pavement.' (3 possible options)
- A plan view showing the Clear Vision Setbacks as defined by the City of Glasgow Fence Ordinance No. 953. (Figure C3-1)

Some general information and a summary of the Fencing Ordinance follow:

- The City of Glasgow strongly recommends locating your property lines prior to installing a fence to confirm that the fence you wish to install is on your property.

Nothing erodes a good neighbor relationship like pushing the limits of a property line. Also note that is not the responsibility of the City of Glasgow to establish or layout private property lines, a registered land surveyor can provide the necessary services.

- The old practice of installing a fence exactly over top of a property line is not recommended unless both property owners are aware of the proposed fence and agree on it (via a written and notarized agreement). The reason being that questions over ownership and maintenance of the fence often arise later long after a fence is built, especially if a property sells to a new owner. Additionally, while a fence may actually be located right up to the property line (thus technically it is on your property) you do not have the right to have the footings, excavation or any concrete from the posts on your neighbors property. It is also noteworthy to point out that once your new fence is built, you will need room to work on it and maintain it from the backside; please keep that in mind that your neighbor is not obligated to grant you access to it from his or her property.
- At some point in time, an existing fence will need to be repaired or replaced; if the existing fence does not meet the current adoption of fencing Ordinance 953, which would make it a nonconforming fence, it must be replaced to meet current code. Just because a fence was installed previously that does not meet current requirements, it is not '*Grandfathered in*' to rebuild it such that it will never meet the current code. At that point in time when the fence has run the course of its useful life span, it is important to realize that the property owner's nonconforming fence has already been granted the benefit of being '*Grandfathered in*,' up to that point. At that point in time, it is time to replace the fence such that it will conform to the current code.
- A summary of the City of Glasgow Fence Ordinance 953 is as follows:
 - All zoning height, setbacks, and material provisions of the section must be followed. No fence shall be erected or maintained in a public right-of-way.
 - Setbacks required: All fences, walls or hedges up to three (3) feet in height may be erected or maintained anywhere on a property, even in the required clear vision zones so long as it meets all requirements of the fencing, zoning and traffic sections of the ordinances.
 - Any fence, wall or hedge in excess of three (3) feet can be erected or maintained anywhere on a property so long as it meets all the yard set back requirements and is not located in the clear vision zone as displayed in figure C3-1.
 - Fencing within Commercial, Unrestricted and Industrial zoning districts are have separate setback and material regulations. (Please inquire for those regulations if this is a commercial property fence.)
 - Common allowable fencing materials for fences erected in residential areas include, wood, brick, concrete blocks, landscape blocks, split railing, chain-link, smooth wire, vinyl and ornamental iron. Materials NOT permissible to use include, railroad ties, wood pallets, tires, rubble, metal panels, barbed wire or salvaged materials. Any material not listed is subject to review and approval by the Public Works Department.

- All fences are to be constructed such that the finished side of the fence shall face the outside of the property.
- A fence permit is required to plant hedges along a perimeter of a property as well.
- Before any fence permit is granted for installation of a fence, wall, or proposed screening shrubbery (hedge) the person(s) making the application for such permit shall pay to the City of Glasgow Public Works Department a fee for \$5.00.
- Permits are processed on a first come, first served basis; please allow ample time for review of your application. Typically review time is 1-2 days, so please turn in your application well before you are ready to begin your fencing project.

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ORDINANCE NO. 953

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GLASGOW, MONTANA, AMENDING SECTION 17-51 OF THE CITY CODE BY PERMITTING FENCES IN ZONING DISTRICTS; REQUIRING FENCE PERMIT; DEFINING THE TERMS "FENCE", "HEIGHT" AND "CLEAR VISION ZONE"; PROHIBITING FENCE IN PUBLIC-RIGHT-OF-WAY; PROHIBITING FENCE OVER THREE (3) FEET IN CLEAR VISION ZONE; REFERENCING DRAWING OF CLEAR VISION ZONE; PERMITTING FENCE OF BETWEEN THREE (3) AND SIX (6) FEET OUTSIDE CLEAR VISION ZONE; PROVIDING SETBACKS FOR FENCE TALLER THAN SIX (6) FEET; EXEMPTING "COMMERCIAL," "UNRESTRICTED" AND "INDUSTRIAL" DISTRICTS; DEFINING "COMMONLY USED FENCE MATERIALS"; PROHIBITING CERTAIN MATERIALS IN FENCE; PROVIDING SPECIAL REVIEW; REQUIRING FINISH SIDE OF FENCE FACE OUT; PERMITTING FENCE IN INDUSTRIAL ZONE; PROHIBITING PARTICULAR MATERIALS FOR FENCE; EXCEPTING GOVERNMENT OWNED FACILITY; REQUIRING FENCING PERMIT FOR FENCE OVER THREE (3) FEET; PROVIDING FIVE DOLLAR (\$5.00) FEE; EXEMPTING LAWFUL PRE-EXISTING FENCE UNTIL ALTERED OR RE-BUILT; REQUIRING PERMIT FOR REPLACEMENT FENCE; PROVIDING FOR SEVERABILITY; CODIFICATION INSTRUCTIONS; AND EFFECTIVE DATE

BE IT ORDAINED by City Council of the City of Glasgow, Montana that:

Section 1. Fences, walls and hedges may be erected or maintained in any zoning district provided the height, setback and material provisions outlined in this section are followed and a permit is secured from the Department of Public Works. "Fence" for the purposes of this section of Ordinances shall mean any fence, wall, or hedge. No fence shall be erected or maintained in a public right-of-way.

Section 2. Height for the purposes of this section of Ordinances shall be defined as the vertical distance from the top rail, board, wire, or highest growth (in the case of a hedge) to the ground directly below.

Section 3. Setbacks required. Fences, walls, or hedges up to three (3) feet in height may be erected or maintained in the required clear vision zones as defined herein (see figure C3-1). Fences, walls, or hedges between a height of three (3) feet and six (6) feet may be erected or maintained anywhere outside of the clear vision zone, except as described in Subsection C(4) below. Any fence wall or hedge in excess of six (6) feet shall meet all of the yard setback requirements as defined in Section 17-51 and Section 21-10. None of the above setback requirement shall apply to properties located in Zoning Districts "C" (commercial) district, "E" (unrestricted) district, or "I" (industrial) district *UNLESS A PROPERTY IN "E" OR "C" DISTRICTS IS DEVELOPED FOR RESIDENTIAL USE*; in those cases, the setbacks shall apply.

Section 4. Setbacks for clear vision zone. No fence, wall or hedge greater than three (3) feet in height may be erected or maintained in any zoning district with clear vision zone pursuant to Section 21-10 and subsection (f) and as illustrated in figure C3-1.

Section 5. Material permitted for residential and commercial zones. All fences in resi-

1 dential and commercial zoning district shall be constructed from materials which are
2 commonly used for fencing. No fence shall be constructed from railroad ties, wood pal-
3 lets, tires, rubble, metal panels or salvaged material. Commonly used fence materials in-
4 clude wood, brick, stone, split railing, chain-link, wire, vinyl, ornamental iron work and
5 the like. Any materials not listed are subject to special review. The fence is to be con-
6 structed such that the finish side of a fence shall face the outside of the fence or the
7 neighbor's property.

8 Section 6. Material permitted for industrial zones. Fences in industrial zoning district
9 shall be constructed from materials which are commonly used for fencing. No fence shall
10 be construed from railroad ties, wood pallets, tires, rubble or salvaged material. Com-
11 monly used fence materials include wood, brick, stone, split railing, chain-link, wire, vi-
12 nyl, ornamental iron work, finished or coated steel or aluminum building panels and the
13 like. Any materials not listed are subject to special review. The fence is to be construct-
14 ed such that the finish side of a fence shall face the outside or the neighboring property.

15 Section 7. Material exception: Absolutely no barbed wire, razor wire, security wire, or
16 electric fencing material shall be permitted in any residential zoning district. Any use of
17 such wire in commercial or industrial zones is subject to review and must be preapproved
18 during the permitting process by the Department of Public Works. Only a government
19 owned facility shall be pre-approved to install any fencing material listed in this subsec-
20 tion.

21 Section 8. Fencing permit required. Any fence height of three (3) feet and higher shall
22 require a permit from the Department of Public Works. Applications for a fence permit
23 shall be accompanied by a detailed plan showing all proposed fence or wall, or hedge in-
24 stallations including the exact location on the property. Said information is to be provid-
25 ed with the standard City Fence Application and shall be filed with the Director of Public
26 Works or appointed representative. Any retaining wall exceeding four (4) feet in height
27 or a fence exceeding the height of six (6) feet shall require a permit under Building
28 Codes.

Section 9. Before any fence permit is granted for installation of a fence, wall or proposed
screening shrubbery (hedge) the person(s) making the application for such permit shall
pay to the City of Glasgow Public Works Department a fee for \$5.00.

Section 10. The lawful installation and existence of any fences, walls, or hedges at the
time of the adoption of this chapter, although such fences, walls or hedges, may not con-
form to the provisions hereof may be continued, provided no alterations, or re-building
are made therein. When any alterations, replacement, rebuilding of a fence or wall, or re-
planting of a hedge occurs a fence permit must be secured in the replacement fence, wall,
or hedge shall conform with the provisions of this article.

Repealer

Section 2. All resolutions, ordinances and sections of the Municipal Code and parts
thereof in conflict herewith are hereby repealed.

Severability

Section 3. If any provision of this ordinance or the application thereof to any person or
circumstance is held invalid, such invalidity shall not affect the other provisions of this

1 ordinance which may be given effect without the invalid provision or application and, to
2 this end, the provisions of this ordinance are declared to be severable.

3 Effective Date

4 Section 4. This ordinance shall be in full force and effect thirty (30) days after passage on
5 second reading.

6 References

7 §17-51; Penalty, §17-52; §21-10.

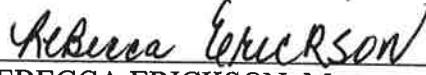
8 FIRST PASSED AND APPROVED by the City Council of the City of Glasgow, Montana, at
9 a regular session thereof held on the 1 day of June, 2015.

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11 REBECCA ERICKSON, Mayor

12 ATTEST:

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14 STACEY A. AMUNDSON
15 City Clerk-Treasurer

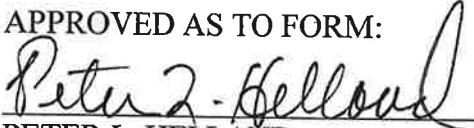
16 PASSED, ADOPTED AND FINALLY APPROVED by the City Council of the City of
17 Glasgow, Montana, at a regular session thereof held on the 15 day of June, 2015.

18 
19 REBECCA ERICKSON, Mayor

20 ATTEST:

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22 STACEY A. AMUNDSON
23 City Clerk-Treasurer

24 APPROVED AS TO FORM:

25 
26 PETER L. HELLAND
27 City Attorney

APPLICATION FOR FENCE PERMIT
CITY OF GLASGOW, MONTANA
DIRECTOR OF PUBLIC WORKS (406) 228-2476

Application is hereby made for permit to erect/alter a fence as described herein and shown in accompanying plan and/or specifications, which is to be located as shown on the accompanying lot plan. The information which follows and accompanying plans and specifications with the representative therein contained are made a part of this application, in reliance upon which the Dept. of Public Works is requested to issue a fence permit.

OWNER _____
ADDRESS: _____ PHONE: _____

-OR-

CONTRACTOR: _____
ADDRESS: _____ PHONE: _____

CLASS OF WORK: NEW _____ ADDITION _____ ALTERATION _____

LEGAL DESCRIPTION:

STREET ADDRESS (FOR PROPERTY WHERE FENCE IS TO BE INSTALLED)

LOT _____ BLOCK _____ SUBDIVISION _____

ZONING DISTRICT _____

IS THIS A CORNER LOT: YES _____ NO _____

TYPE OF FENCING CONSTRUCTION:

WOOD: _____ METAL (CHAIN LINK): _____ VINYL: _____

OTHER (SPECIFY MATERIAL): _____

**** OWNER AND/OR CONTRACTOR IS RESPONSIBLE FOR CONTACTING MONTANA 811 (CALL BEFORE YOU DIG) BEFORE ANY EXCAVATION FOR POSTS OR FOOTINGS OCCUR ****

I HAVE PLACED A 'CALL BEFORE YOU DIG' TICKET:

YES: _____ NO: _____ WILL REQUEST ON (DATE): _____

I hereby certify that I have read and examined this application and know the information provided herein to be true and correct. All provision of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of the fencing construction or violation of any zoning law or ordinance.

Signature of Contractor _____ Date _____

-OR-

Signature of Owner _____ Date _____

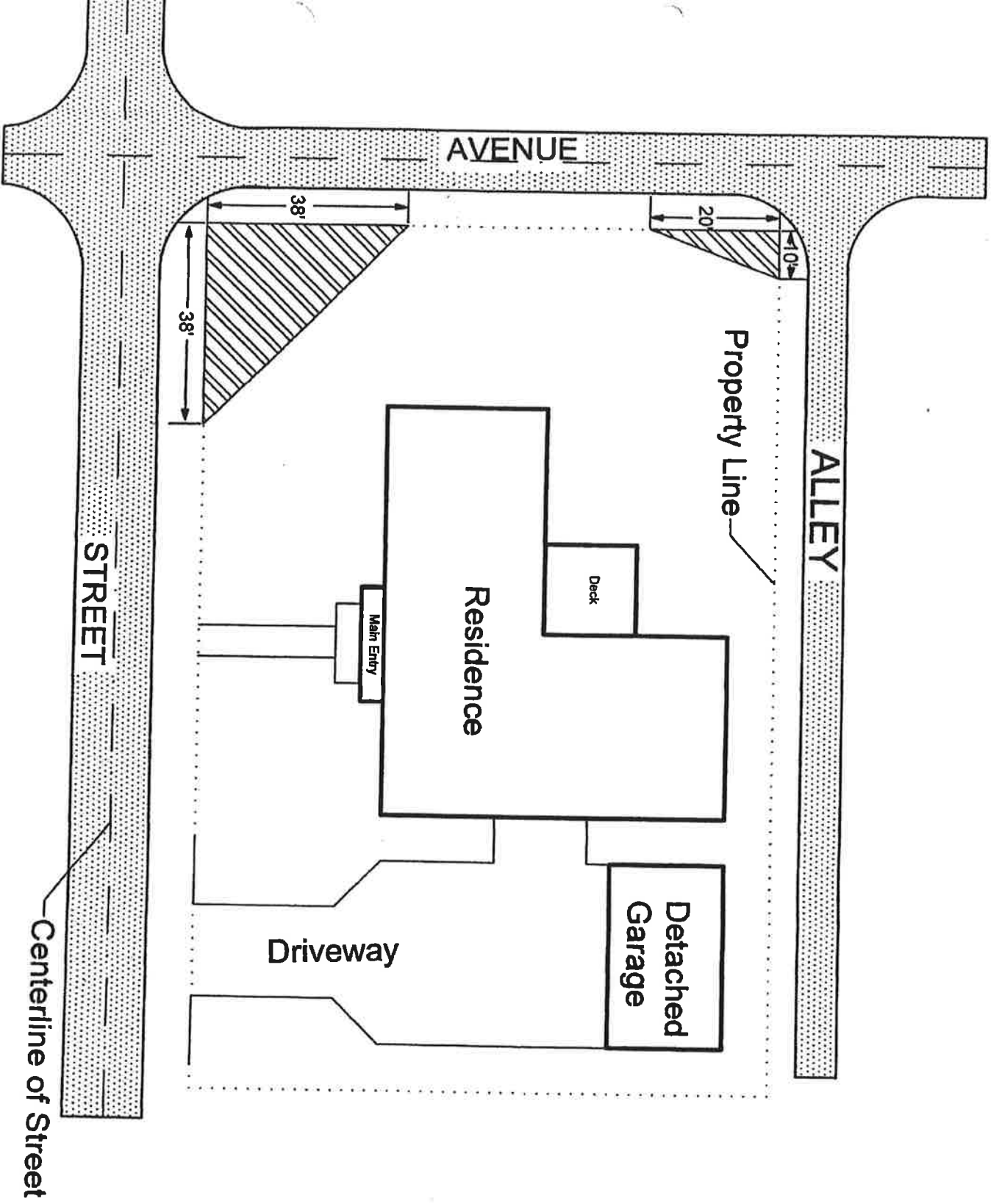
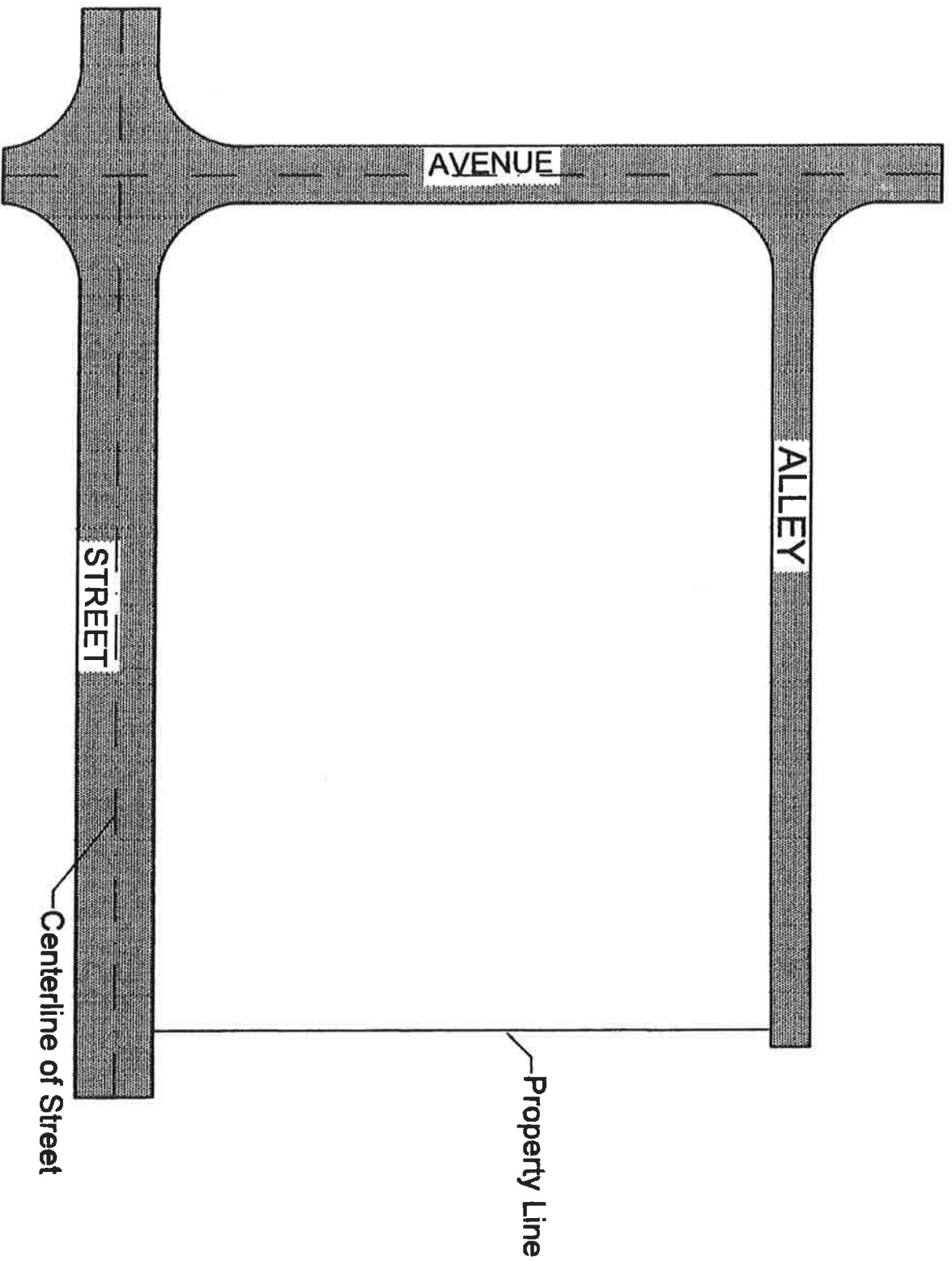
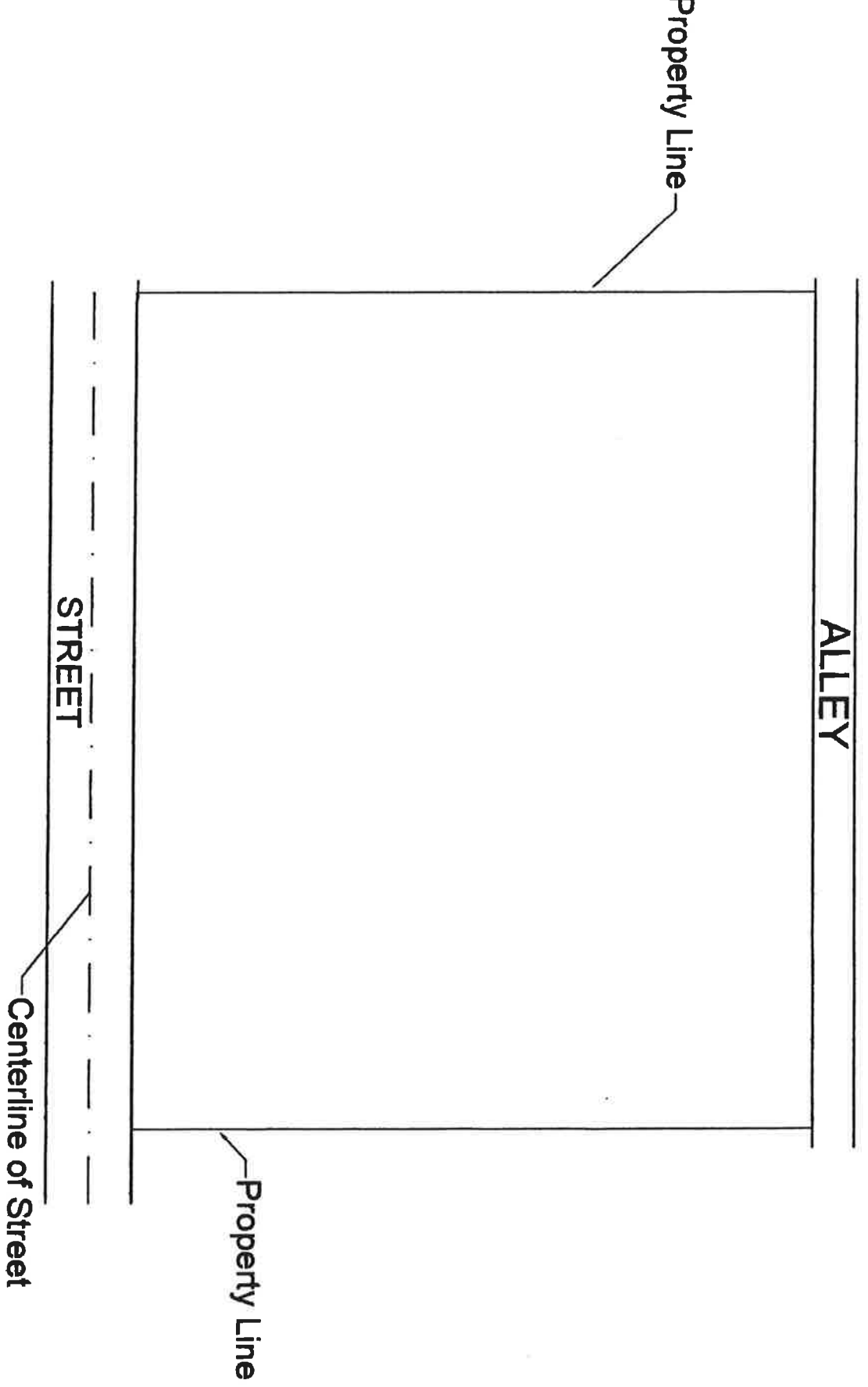


Figure C3-1 (Clear Vision Setbacks)



Corner Lot - Sketch Proposed Fence



Interior Lot w/alley - Sketch Proposed Fence

(Show Street & Property Lines)

Odd Shaped Lot - Sketch Proposed Fence