



Town of Gates Building Department

Fence Permit Guidelines

Required Documentation:

- 1. Building Permit Application**
- 2. Survey map** with fence location highlighted & gate location marked
- 3. Insurance or Exemption Form** (One of the following):
 - a. Contractor: General Liability & Worker's Compensation
 - b. Homeowner performing the work: CE-200 form filled out on website:
<http://www.wcb.ny.gov>
- 4. Easement Waiver:** If your proposed fence will be located on an Easement then you will need to complete the waiver, which needs to be approved by the Director of Public Works.

Residential:

- Maximum height is 6 feet.
- All fences must have at least one gate to allow for access by first responders
- The decorative side of a fence must face out with all posts being located in the yard of the owner.
- The requirement for a fence permit started in 2006. Owners may continue use of an existing fence so long it is not changed/replaced.
- All fences must be setback 50 feet for state and county roads and 35 feet for Town or other roads, from any property line facing a street. Corner lots have two front yards. The depth of each yard shall depend on the type of street that portion of the lot fronts on.
- Open decorative fences and hedges not exceeding three feet in height and not extending beyond the side foundation walls of the house are permitted within 10 feet of the front foundation wall. Any fence past the 10 foot mark (notated above) that encroaches the front setback will require Zoning Board approval.
- No barbed wire, spikes, chipped glass, electricity or similar materials or devices can be used in residential districts. No fence shall be permitted which is expressly designed with the intent to injure or malign anyone who attempts to climb such a fence.

Commercial/Industrial District:

- Closed and open fences are required within the buffer zones required in chapter and shall be a minimum of 6 feet high but not to exceed 8 feet in height. Such fences shall not exceed 4 feet in height between the front setback and front lot lines.
- Barbed wire and electric fences are permitted upon approval of a Conditional Use Permit by the Town Board.