City of St. Charles
Fence

Building & Code Enforcement Division
2 East Main Street
St. Charles IL 60174
630.377.4406 (Office)
630.443.4638 (Fax)
http://www.stcharlesil.gov

Please direct any and all questions to the City of St. Charles Building & Code Enforcement Division: Monday through Friday (8 AM to 4:30 PM) at 630.377.4406

A building permit is required prior to the installation of a new, alteration, major repair or replacement of an existing fence. The following are guidelines and comments for obtaining a building permit.

Application and Drawings Procedures:

- An application is to be filled out and submitted to the Building & Code Enforcement Division. The contractors' names, addresses, phone numbers to be filled out when submitting the application.
- Three (3) copies of the plat of survey. On each survey the location of the fence is to be highlighted.
- If a contractor is installing the fence, three (3) copies of any specifications.
- Release and Indemnity Agreement must be filled out in Black Ink Only. **The Release and Indemnity Agreement must be notarized and submitted with the application.**
- Our goal is to complete the review of your building permit within 10 working days.

Application – Permit Fees: (Payment is to be made in the form of cash, check or money order)

- A filing fee is to be paid at time of submission of application and plans.
  - A fee is due of **$55.00 (to be paid at time of submittal)** for the installation of a new fence.
  - A fee is due of **$25.00 (to be paid at time of submittal)** for a complete or partial replacement of an existing fence that has had a Release and Indemnity Agreement previously recorded.
  - A fee is due of **$55.00 (to be paid at the time of submittal)** for a complete or partial replacement of an existing fence if there has not been a Release and Indemnity Agreement recorded for the existing fence
  - A fee is due of **$25.00 (to be paid at the time of submittal)** for repairs to an existing fence and requires no recording fee.
- **Re-inspection fee**. Should you fail your final inspection there is a re-inspection charge. The fee is due prior to certificate of occupancy. The fee schedule is as follows;
  - $85.00 per re-inspection for all residential final inspections.

Building Codes:

The following are the Building Codes, which the City of St. Charles has adopted:

- St. Charles Municipal Code
- 2009 Int'l Residential Code/revisions

Inspections:

The following is a list of inspections and the amount of time need for the inspection.

- Final Approximately 1/2 hour

Inspections - Clarification and Details:

The following are general guidelines and details on the types of inspections that might possibly be required for your project: For further clarification please call our office and speak with one of our Building Inspectors.

Fence Final:

- We check the height of the fence from the surrounding grade to assure the maximum fence height in the yard it is placed. (Table 17.22.1 in the Fence Packets)
- If the fence is located in a drainage easement and our Engineering Office indicated that a clearance is needed we confirm that the clearance of four-4 inches from the bottom of the fence to grade for proper drainage has been completed.
- If the fence is installed in an exterior side yard (corner lots) or through lots (backyards that face a public street) and the fence height is not higher than Table 17.22.1 allows, then five-5 feet of landscaping must be installed, see table 17.22-2 in the Fence packet.
- We check for the finished side of the fence to be facing outward towards the neighboring properties.
- We check to ensure that the side, front and rear yard setbacks are correct.
- We confirm that the style of fence and the height of the fence are the same as what was approved.
- We check to see if the proper access clearance has been maintained for utility boxes, i.e. electric transformers, telephone, etc.

Attachments

- A copy of the St. Charles Ordinances is attached for your reference.
- A copy of the Release and Indemnity Agreement to be completed notarized and submitted with your application.
- A copy of the Building Permit Application for fence construction.

Consultation Meeting:

The Building and Code Enforcement Division offers a consultation meeting where you will meet with City staff and discuss any questions or issues on your construction project. The meeting may be for a proposed project or a project that is currently under construction and can be held at the site location or in our office. To schedule this meeting, please contact our office at 630.377.4406.

General Comments:

- The Permit Conditions form and stamped "FIELD COPY" of the plans are to be on the job site.
- A minimum of 24-hour notice is required when scheduling any inspection.
- If there are any comments from the City of St. Charles Engineering Department, regarding if the fence is installed over or in a utility/drainage easement, they will appear in the Permit Conditions.
- If there are any comments or conditions from the City of St. Charles Electric Department they will appear in the Permit Conditions.
- On completion of the fence a final inspection is to be scheduled with the Building & Code Enforcement Department at 630.377.4406.

Homeowner – Contractor Responsibilities:

It is the responsibility of the homeowner/contractor to schedule with the Building & Code Enforcement Department the required inspections. The required inspections are indicated on the Plan Review form, which is attached to your permit and the Field Copy of drawings. When calling to schedule an inspection, please have the address and the permit number.

Inspections shall be called a minimum of 24 hours before they become due.

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. **(1-800/892-0123)**

Electric Utilities	Red
Comcast (Cable)	Orange
Northern Illinois Gas (NICOR)	Yellow
Sewer Utilities	Green
Telephone Utilities	Orange
Water Utilities	Blue

Fences and Walls

1. Construction Requirements

a. A fence or wall, including all posts, bases and other structural parts shall be located completely within the boundaries of the lot on which it is located. No fence shall be located closer than twelve (12) inches from a public sidewalk.

b. All fences shall be erected so that the finished side of the fence faces outward, or away, from the lot on which the fence is erected, except that where a fence on a residential lot is within five feet of property containing a nonresidential use or that is zoned for a nonresidential use, any part of the fence that satisfies this condition may be erected so that the finished side faces inward on the residential lot.

c. All metal fences shall be at least nine (9) gauge wire or a minimum of .148 inch diameter wire.

d. In residential districts, chain link and woven wire fences are prohibited in front yards and exterior side yards. If located in a rear yard in a residential district, chain link and woven wire fences are prohibited within twenty (20) feet of any right of way line.

e. Barbed wire, razor wire and fences of similar material are permitted only in the BC, BR, M1, M2 and PL Districts.

2. Maintenance

All fences shall be maintained in good condition at all times by the owner and/or occupant of the property. If a fence is found to be in a deteriorated condition and/or in need of repair, the Building Commissioner may order the fence to be repaired, replaced or removed depending upon the condition of the fence. Such order shall be in writing.

3. Height Requirements

All fences shall comply with the height requirements listed in Table 17.22-1 (Maximum Allowable Fence Height), except as provided in Table 17.22-2 (Fence Height Exceptions.

TABLE 17.22-1
MAXIMUM ALLOWABLE FENCE HEIGHT BY ZONING DISTRICT

Fence Location	RE, RS, RT & RM Districts	BL, BC, BR, & OR Districts	CBD-1 & CBD-2 Districts	M-1, M-2 & PL Districts
In Required Front Yard	4 feet	6 feet, 4 inches	4 feet	4 feet
In Required Rear Yard	6 feet, 4 inches	8 feet	6 feet, 4 inches	15 feet
In Required Exterior Side Yard and Required Rear Yard of Through Lot	If yard is adjacent to a Front Yard on an adjoining lot: 4 feet (See also Table 17.22.2 Fence Height Exceptions) If yard is adjacent to an Exterior Side Yard, Rear Yard, or Rear Yard of Through Lot on an adjoining lot: 6 feet, 4 inches	6 feet, 4 inches	4 feet	4 feet
In Required Interior Side Yard	6 feet, 4 inches	8 feet	6 feet, 4 inches	15 feet
In Buildable Area of Lot	6 feet, 4 inches	8 feet	6 feet, 4 inches	15 feet
Sight Triangle	All fences are subject to the sight triangle requirements of Section 17.22.010 (G).			

Ord. 2013-Z-18

TABLE 17.22-2 FENCE HEIGHT EXCEPTIONS		
Exception	**Maximum Allowable Fence Heights**	**Where Exception Applies**
Fences within 40 feet of the right of way of major arterials.	4 feet or less (except where the provisions of this Title are more restrictive)	Any lot abutting Main Street (Illinois Route 64), Randall Road and Kirk Road
Fences in Exterior Side Yards and in the Rear Yard of Through Lots that are adjacent to a Front Yard on an adjoining lot: Where the fence is set back from the right of way line a minimum of 5 feet and the area between the fence and the right of way line is landscaped with at minimum one shrub for every 5 feet of fence length. The landscaping design may be flexible in its arrangement by grouping plant materials and providing open areas around gates or other fence openings.	6 feet 4 inches	Residential Districts
Fences on lots in residential districts abutting a nonresidential use or vacant property zoned for nonresidential use	Interior side and rear yards only: (8) feet; may be higher than 8 feet where required by topographic conditions to provide screening between a 6 ft. high person standing in the first floor of the residence and a 6 ft. high person standing in the parking area of the nonresidential use, but in no case more than ten (10) feet	Residential Districts
For tennis courts: shall be erected not less than 5 feet from a lot line and the finished side of the fence shall face outward or away from the lot on which the fence is erected	12 feet in all yards; open fences only	All Districts
Swimming Pools	In accordance with St. Charles Municipal Code requirements as set forth in Title 15	All Districts
Public or private utility facility (for security or screening purposes)	15 feet in all yards	All Districts
Public or private school, public park land, other publicly owned land, or golf course/driving range	15 feet in any yard; 25 feet for backstops located on ball fields	All Districts

(Ord. 2013-Z-18 § 3.)

Prohibitions and Limitations

a. Fences in Detention/Retention Areas

Fences shall not be installed less than ten (10) feet from any stormwater inlet or outlet opening; however, the City Engineer may require a greater distance in keeping with generally accepted engineering practice.

b. Fences in Utility Easements

Fences shall not be permitted in utility easements where such fence would interfere with the operations of a utility. Applications for a permit for a fence to be installed in or across a utility easement shall be subject to an affidavit and release by the property owner, in a form acceptable to the City, stating that he/she has read the requirements for fences located in easements and that he/she agrees to comply with them, and that he/she does for himself/herself, heirs, successors and assigns indemnify and hold harmless the City from any liability asserted by others in connection with the placement of the fence and that he/she permits the removal of any fence or any other structure or form of landscaping within the utility easement area by the City if the fence or landscaping obstructs the City utility or access thereto. The affidavit shall be recorded at the property owner's expense by the City in the Office of the County Recorder of Deeds.

(Ord. 2004-Z-27 § 1; Ord. 2002-Z-9 § 1.)

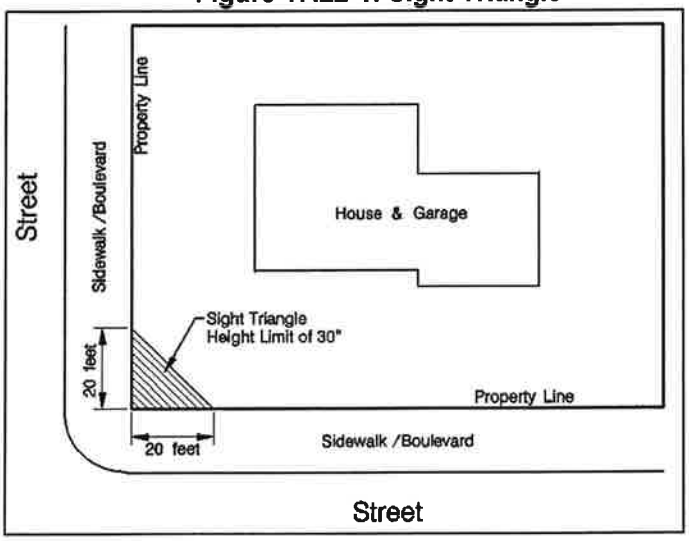
Sight Triangle

Notwithstanding any other provisions of this Title, a Sight Triangle shall be maintained on lots at the intersection of two (2) streets, of a street and an alley, and of a street and an active railroad right-of-way in conformance with this Section. The purpose of the Sight Triangle is to avoid the obstruction of the view of motorists in relation to oncoming traffic. Two sides of the Sight Triangle shall be measured along the right of way lines abutting the lot, from their intersection to a point 20 feet distant. The third side of the triangle shall be a line connecting the ends of the first two lines. (See Figure 17.22-1)

Within the Sight Triangle, any sign, wall, fence, landscaping, or other object exceeding thirty (30) inches in height above the adjoining street or right of way grade is prohibited, except as specifically permitted as follows:

1. Within the CBD-1 District, a Sight Triangle is not required except where required by the Director of Public Works as provided in paragraph (5) hereof.
2. Directional signs are permitted within the Sight Triangle.
3. Fences with an opacity of less than fifty percent (50%) not exceeding 3 feet (36 inches) in height are permitted within the Sight Triangle.
4. The area of the Sight Triangle may be reduced and/or the allowable height of obstructions increased by the Director of Public Works if he determines that there would not be an undue risk to public safety because of traffic control devices, street design or alignment, or the relative grade of the property and the adjoining streets, alleys, or railroad rights of way.
5. The area of the Sight Triangle may be increased and/or the allowable height of obstructions reduced by the Director of Public Works if he determines that there would be an undue risk to public safety because of traffic control devices, street design or alignment, or the relative grade of the property and the adjoining streets, alleys, or railroad rights of way.

Figure 17.22-1: Sight Triangle



Corner Lot Building Setbacks

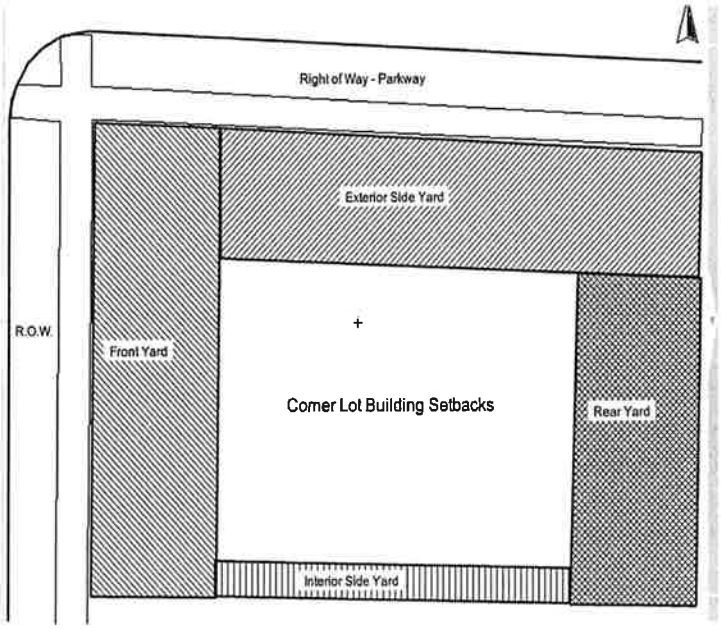


TABLE 17.22-3
PERMITTED ENCROACHMENTS

P= Permitted NP= Not permitted;
Where a dimension is given, it indicates the maximum projection into the required yard unless otherwise specified
No permitted encroachments are allowed in the sight triangle as described in Section 17.22.010 E

Type of Structure or Use Encroachment	Required Yards			
	Front Yards, Exterior Side Yards And Rear Yards of Through Lots	Interior Side Yards	Rear Yards	Landscape Buffer Yards
Accessibility Ramps	P	P	P	P
Air Conditioner Window Units	P, 18 inches	P, 18 inches	P, 18 inches	P, 18 inches
Arbors and Trellises	P	NP	P	P
Balconies	P, 30 inches	P, 30 inches	P, 30 inches	P, 30 inches
Basketball standards and backboards	P	P	P	NP
Bay Windows no more than 1 story in height and occupying no more than 33% of the exterior length of the wall	P, 30 inches	P, 30 inches	P, 30 inches	P, 30 inches
Canopies accessory to gas stations, drive-through restaurants, drive-through banks, etc.	P but must comply with yard requirements for parking facilities	P but must comply with yard requirements for parking facilities	P but must comply with yard requirements for parking facilities	NP
Chimneys	P, 30 inches	P, 30 inches	P, 30 inches	P, 30 inches
Compost Piles, Firewood Storage, Refuse and Recycling Receptacles (except when temporarily placed near the street for collection)	NP	NP	P	NP
Decks	NP	P, min. 3 ft. from lot line	P, min. 3 ft. from lot lines	NP
Dog houses and dog runs	NP	NP	P	NP
Eaves, including gutters	P, 30 inches	P, 30 inches	P, 30 inches	P, 30 inches
Fences	P, except per 17.22.	P	P	P
Fire Escapes (Open)	NP	P	P	P
Flag Poles	P	P	P	P

DO NOT WRITE OR MARK ABOVE THE LINE
Use Black Ink Only

Release and Indemnity Agreement
For Fences Located in Utility and Drainage Easements in the City of St. Charles

Name of Record Owner (s)_____

Fence Building Permit (s)_____

Address of Property_____

Legal description of the property:

Use Black Ink Only!

Release and Indemnity Agreement
For Fences Located in utility and Drainage Easements in the City of St. Charles

I (We), the undersigned, certify that I (we) am (are) the owner(s) of record of the real estate described herein, that I (we) have read Section 17.22.020 of the St. Charles Municipal Code and agree to comply with its requirements regarding fences located in utility or drainage easement areas. I (We) hereby release and agree to hold harmless the City of St. Charles, its officers, agents and employees from any liability or loss, including reasonable attorneys' fees, arising out of or in connection with the moving or removal of any fence or any other structure of form of landscaping within the easement area. I (We) further agree that the City of St. Charles, its officers, agents, and employees shall not be required to replace any such fence, structure of landscaping. This release and indemnity agreement shall be binding upon and inure to the benefit of my (our) heirs, successors, and assigns.

_____

_____
Signature(s) of Owners

_____
Address

_____
Date

This instrument prepared by:
Robert J. Vann, Building & Code Enforcement Division Manager
City of St. Charles, 2 East Main Street, St. Charles, IL 60174-1984

State of Illinois)
) SS
County of Kane)

I, the undersigned, a Notary Public, in and for said County and State, DO HEREBY CERTIFY that_____
_____personally known to me to be the same person(s) whose name(s) subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that _____ signed, sealed and delivered the said instrument as _____free and voluntary act, for the uses and purposes therein set forth.

Given under my hand notarial seal this _____day of _____,_____

_____
Notary Public
My Commission Expires:_____

CITY OF ST CHARLES

Application for Building Permit for Fence

Building & Code Enforcement Division **Phone: (630) 377-4406 FAX (630) 443-4638**

Application Date: _____ Parcel No. _____ Permit No. _____

PLEASE PRINT ALL INFORMATION

I, _____ do hereby apply for a permit for the following described work located at _____. **Number of lineal feet: _____**

Estimated Cost: _____

Description of proposed fence (i.e. height, style): _____

Check List for Submittal of Application:

- ❒ Is your property located in the Historic Preservation District? Yes/No If yes, your application and plans will need to be reviewed by the Historic Preservation Committee.
- ❒ Building Permit Application – Completely Filled Out.
- ❒ Three-3 Copies of Plat Of Survey – highlight location of proposed fence.
- ❒ Three-3 Copies of specifications from fence contractor.
- ❒ Fence Release and Indemnity Agreement – a fence located inside a Public Utility or Drainage Easement is required to have a notarized Release and Indemnity Agreement. Notaries are available at the Municipal Center.
- ❒ Submittal fee – to be paid at time of submitting the application. Payment is to be by check payable to the City of St. Charles or by Cash.

Owner of the Property:

Name:_____

Address:_____

City/State/Zip Code:_____

Telephone NO._____

Email address:_____

Fence Contractor:

Name:_____

Address:_____

City/State/Zip Code:_____

Telephone NO._____

Email address:_____

I, the undersigned, certify that if a permit is issued to me, I will comply with all provisions of the building, plumbing, electric and other applicable ordinances of the City of St. Charles and shall perform all work, or cause all work to be performed according to the provisions of said ordinances. I, or my agent, shall personally supervise the work and shall do, or cause to have done, said work according to plans, specifications and other written information supplied as a part of this application. I am familiar with the applicable ordinances and the provision thereof and in signing this application do willingly become responsible for all work accomplished under the permit by all contractors, tradesmen and workmen, and shall call for inspections as required at a minimum of 24-hours before they become due.

PRINT NAME: _____ **SIGNATURE:** _____

For Office Use Only

REPORT OF THE BUILDING OFFICIAL

Remarks_____

_____

Accepted _____ Rejected _____ Date_____ Receipt No._____

Amount Paid at Submittal _____ Date Received:_____ Check No. _____

Signature(s) of Building Official(s)_____

Copies distributed to: Electric:_____ Development Engineering:_____ Historic Pres:_____