

Town of Union and Village of Johnson City Fence Code

300-53.14. VISIBILITY AT INTERSECTIONS

On corner lots, no obstruction of vision shall be erected, installed, planted, parked or otherwise placed within the triangular area formed by the intersecting street lines and a straight line adjoining said street lines at points which are 25 feet distant from the point of intersection, measured along said street lines. In such area no shrubbery, nor fences of masonry, wood or other material which creates a solid visual barrier, shall be erected higher than two feet from the accepted street grade of the abutting top of curb, or from the crown of the abutting road, if there is no curbing, nor shall branches or foliage of trees be permitted less than 10 feet from the ground. An open fence of chain link wire, wrought iron, split, rail or other similar material which does not screen or obstruct views, light and air may be permitted in the triangular area, provided it does not obstruct visibility.

Article 53. Setbacks, Yards, and Encroachments

§ 300-53.15. Fences.

- A. Fences shall not be considered structures under this chapter and, as such, may be erected in any district, subject to the provisions of this chapter.
- B. No fence shall be erected or encroach upon a public right-of-way.
- C. Any fence shall have its finished or decorative side facing the adjacent properties. The fence posts and other supporting structures of the fence shall face the interior of the area to be fenced.
- D. The height of all fences shall be measured from the average finished grade of the lot at the base of the fence.
- E. No solid fences over 24 inches in height shall be permitted in the triangular area formed by the intersecting street lines and a straight line joining the street lines at points which are 25 feet in distance from the point of intersection measured along the street lines. Measurement of height shall be from the grade of the abutting top of curb or from the crown of the abutting road, if there is no curbing. Split-rail fences, cyclone fences or other similarly open fences are permitted in the triangular area, provided that they do not create a traffic hazard and block visibility.
- F. Except for animal husbandry, stables, riding academies and kennel uses in an RR District, livestock, poultry, cattle, barbed wire and/or electrically charged fencing are prohibited. Barbed wire can also be used in nonresidential districts, provided that the barbed wire starts at least six feet in height above the grade.
- G. In residential districts, no fences shall be constructed, established or built in excess of six feet in height, with the exception of tennis or recreation courts which may be 12 feet in height. In nonresidential districts, fences for nonresidential uses may be constructed, established or built up to 10 feet in height above the average natural grade, provided that they do not create a traffic hazard.

As adopted by Village Board May 7, 2019 and Town Board May 15, 2019

H. Solid fences shall maintain an eight-foot setback from the street property line or shall be no greater than three feet in height. If the fence is to be located on a corner lot, the provisions of Subsection E of this section shall also apply. Split-rail and similarly open fences are permitted to be placed in the eight-foot street setback, provided that they do not create a traffic hazard or block visibility.

I. Every fence shall be maintained in a safe, sound and upright condition. No fence shall be erected which will create a safety problem for people using the public right-of-way.

J. Construction materials specifications shall be as follows:

1. Fences shall be constructed of wood, chain link, wrought iron or PVC permanent fencing material

2. Materials such as sheet metal, razor wire, page wire, pallets, doors, old building materials or non traditional fence materials are prohibited.

3. Temporary fences are permitted only for the duration of a construction project.