



Town of Gates

Fence Permits

Required Documentation:

1. **Permit Application** with Fence height & lineal feet listed
2. **Survey map** with fence location hi-lighted and lineal feet of fence sections
3. **Insurance or Exemption Form** (One of the following):
 - a. Contractor: General Liability & Worker's Compensation
 - b. Contractor without Insurance: CE-200 Form filled out on website: <http://www.wcb.ny.gov>
 - c. Homeowner performing the work: BP-1 Form
4. **Easement Waiver** (If proposed fence will be located on an Easement, indicated on a Survey Map)

General Code Requirements:

- Maximum height for a fence in a residential district is **6 feet** measured from ground.
- Fence cannot be in a front yard and must be setback from the front property line at least: **50 feet for state and county roads** and **35 feet for Town or other roads**, exclusive of parking requirements.
- The most **pleasant or decorative side of a fence** must face adjacent lots with **all posts** being located in the yard of the owner.
- **No barbed wire, spikes, chipped glass, electricity or similar materials** or devices can be used in residential districts.
- Fences shall allow access to rear yard (eg: gate entrance). **It cannot impede or obstruct access to the rear of the yard** for the allowance of emergency equipment.
- Fence is **not required to be setback** from **side or rear lot lines**.
- **Homeowner is responsible** for ensuring fence is on their own property. Town does not survey property boundaries.
- **Corner lots** have two front yards, for each street it faces.

Additional Requirements for Non-Residential Districts:

- The minimum height for a fence, in a non-residential district, is **6 feet** and the maximum height is **8 feet**.
- **Barbed wire and electric fences** are permitted upon approval of a Conditional Use Permit by the Town Board.

Current code information, and specific details, may be found at www.townofgates.org