

ORDINANCE NO. 10-5-11

TOWN OF SARATOGA  
FENCES AND WALLS

SECTION 1 – REVOCATION OF PREVIOUS ORDINANCE

Town of Saratoga Ordinance 8-6-03 shall be revoked upon the passage of this Ordinance.

SECTION 2 - PERMITS

Permits are required for all fences and walls including dog runs. When applying for permit please provide detailed plot plan of fence location, fence height and materials to be used to erect the fence.

EXCEPTION:

No permit is required for Agricultural wire fences and open wire fences erected in other districts solely to keep out animals.

FENCES LOCATED ON PROPERTY LINES (LESS THAN THE REQUIRED 12 INCH SET BACK INSIDE THE PROPERTY LINE) THAT WERE CONSTRUCTED PRIOR TO JULY 16, 2003, AND PROVIDING THAT SUCH FENCES MEET THE SPECIFICATION STANDARDS PUT FORTH IN THIS ORDINANCE MAY REMAIN IN PLACE WITH THE APPROVING CONSENT OF THE ABUTING PROPERTY OWNERS.

MUNICIPALITIES-GOVERNMENT PARCELS ARE EXEMPT FROM THIS ORDINANCE.

Section 3 - LOCATION:

Not within road right-of-way without Town Board approval.

No closer than 12" from any lot line, unless by mutual agreement with adjoining property owner. If within 30' street setback area, may not be higher than 2 1/2'

EXCEPTION:

Does not apply to "open fences" such as chain link or split-rail, if they do not interfere with a clear vision triangle at an intersection. Fences whose primary purpose is to enclose dogs shall be at least 9' from lot line.

Section 4 - APPEARANCE:

Fences and walls shall be constructed and maintained so as to be pleasing in appearance and not degrade adjoining property.

If replacing a fence the existing fence must be removed.

Maximum height of six (6) feet from finished grade to top of fence, except in salvage yards where seven (7) feet high fences are required.

If both sides of fence are not identical in appearance, the more pleasing side must be placed toward the adjacent property.

Section 5 - PROHIBITED FENCES:

Barbed wire, spike or picket fences, other than those with round tops.

EXCEPTIONS:

Barbed wire fences may be erected in Agricultural District, and may be on the property line. Barbed wire fences may be erected in Industrial District, but must be at least 12" from any lot line.

Section 6 - SWIMMING POOLS:

All permanent outdoor swimming pools must be enclosed to a height of not less than 5' and guarded against accidental trespassers or frequenters. A gate is required on any steps leading to a deck along a swimming pool.

EXCEPTION:

Above-ground pools are not required to be fenced if they have removable ladders.

Section 7 – Fees

The fence permit fee shall follow the fee schedule in effect at the time of permit submission.

ANY PERSON VIOLATING THIS ORDINANCE SHALL UPON CONVICTION THEREOF, FORFEIT NOT LESS THAN \$50.00, NOT MORE THAN \$100.00 PER DAY, PLUS COST OF PROSECUTION, DURING WHICH THIS ORDINANCE VIOLATION SHALL CONTINUE.

THIS ORDINANCE SHALL TAKE EFFECT UPON ITS PUBLICATION AND POSTING IN THE TOWN.

ADOPTED 10-5-2011

Terry Rickaby  
Chairman

Douglas Passineau  
Supervisor

Patty Heeg  
Supervisor

John Frank  
Supervisor

Dan Forbes  
Supervisor

Heidi Kawleski  
Clerk

