

VILLAGE OF FRANKFORT

See fence codes

PERMIT GUIDELINES FOR FENCE INSTALLATION

1. Submit a building permit application.
2. Submit a plat of survey identifying the location of the proposed fence.
3. Submit details on the proposed fence height, style and depiction of fence.
4. Various subdivisions require Homeowners Association approval – submit approval letter if applicable.
5. See attachment for guidelines on fences in various zoning districts
6. All contractors are required to be registered in the Village of Frankfort.

18. Home day care centers or preschools.

Part 6: Fences and Walls

- a. Building Permit Required. No fence shall be erected, or substantially altered, without a building permit issued by the Code Official and payment of applicable fees. Any fence which shall be erected, or shall be in the process of erection, or maintained contrary to the provisions of this Code, is deemed a nuisance and it shall be the duty of the Building Inspector and Chief of Police to abate the same.
- b. Definitions. A fence is defined as any structure, partition or enclosure, of wood, iron, metal, or other material, enclosing or dividing a piece of land. A fence shall not include naturally growing shrubs, bushes and other foliage. The following are common types of fences:
 1. Decorative Fence. A fence used mostly for aesthetics, which adds to the visual beauty of the property. This fence may not exceed forty-eight (48) inches with its upper-most rail or fifty-four (54) inches to the top of its upper-most post when installed in a front yard. Fifty percent of the square footage of the overall dimensions of the fence shall be open. A woven or cyclone type fence is not considered a decorative fence and is not permitted in any residential district.
 2. Hazard Enclosure. This fence is intended to enclose swimming pools, pets, excavations and similar uses. This fence must be a minimum of forty-eight (48) inches high, with the mesh material spaced close enough to prevent children and animals from entering. All gates are to be equipped with child-proof latches.
 3. Security or Protection Fence (Business and Industrial). A fence used for enclosing the lot, or part of the lot, for security and protection of property.
 4. Retention Fence (Residential and Historical). A fence to retain children, animals and other similar uses, or to prevent outside intrusion. This fence may be installed in rear yards only.
 5. Solid Fence. A fence in which eighty (80) percent or more of the surface area of the fence is solid. Fencing shall be constructed with the finished or decorative side facing the adjacent or abutting property or street.
- c. Locations in Rights-of-Way and Utility Easements. No private fences shall be allowed or constructed on public street, highway or alley right-of-ways. Fences may, by permit, be placed on public utility easements, so long as the structures do not interfere in any way with existing underground, ground or over ground utilities. Further, the Village or any utility company having

authority to use such easements shall not be liable for repair or replacement of such fences, in the event they are moved, damaged or destroyed by virtue of the lawful use of said easement. Fences in violation may be summarily removed by the Village.

- d. **Barbed Wire.** No barbed wire or barbed wire fences shall be allowed on private property in residential zones, or on lots in any zone being used for single or multiple family dwelling purposes. No barbed wire or barbed wire fences shall be allowed on private property in business or industrial zones where the property lines of such property abut lots or parcels zoned or being used for single or multiple family purposes, or on fences in front yards. Barbed wire may be allowed on the top of fencing in the I-2 district subject to special use approval by the Planning Commission.
- e. **Dangerous Fences.** No fence shall be constructed of material obviously intended to inflict great bodily harm, should a person or animal attempt to climb or scale it. Such materials include, but are not limited to, electrically charged wires or other electrical conduit, broken glass, razor blades and sharp or ragged metal spikes or spears.
- f. **Construction Requirements.** All fences shall be constructed in conformity with the wind stress, foundation, structural and other requirements of the building codes and laws of the Village.
- g. **Good Repair.** All fences shall be maintained in good, structurally sound repair and in a neat, clean, presentable and attractive condition. If, on inspection by the Code Official, any fence, in their determination, does not meet these requirements, they shall order the owner or occupier of the premises, by registered or certified mail, to make the necessary repairs or improvements within thirty (30) days. Should the owner or occupier of the premises fail to make repairs or improvements as directed, the owner or occupier shall be in violation of the Code and the Code Official shall cause a complaint to be issued and processed against said owner or occupier, in accordance with the rules of the Circuit Court of Will County, Illinois.
- h. **Residential District Fences.** In residential zones, in front yards no fences may exceed four (4) feet above ground level to the upper most rail, or 54 inches to the top of the upper-most post. In such zones, fences along the side property lines to the rear of the front yard and along the rear lot line may not exceed five (5) feet in height above ground level.

All fences located in what is defined to be the front yard, or that abut or face street right-of-ways shall be a Decorative Fence, as defined in paragraph (b) above.

- i. **Business or Industrial Fences.** In business or industrial zoned districts, fences may not exceed six (6) feet in height in business areas, and eight (8) feet in

industrial areas above ground level. No fence or wall, other than a decorative fence of 4 feet or less in height, shall be erected, constructed or maintained within fifty (50) feet from the front lot line. For purposes of security only, fences for business or industrial zoned districts may be provided along side and rear yard lot lines.

- j. Non-Conforming Fences. Fences existing at the time of adoption of this Ordinance which are not in violation of paragraph (e) above, and are not located on public street, highway and alley right-of-ways, but which violate other sections of this Ordinance may continue to be maintained and to exist, but may not be replaced if destroyed or removed, to the extent that the violations would be continued.

Part 7: Swimming Pools

- a. Fencing. Every outdoor swimming pool, whether above ground or level with the ground, having a maximum depth of over eighteen (18) inches, shall be completely surrounded by a fence not less than four (4) feet, nor more than five (5) feet in height. A building, existing wall or pool wall may be used as part of such enclosure as long as the barrier requirements are met as required by the building code. Such required fence shall comply with all requirements of other Village ordinances pertaining to fences, and the provisions of this Section shall not be construed to require or permit any fence heights greater than permitted by such other ordinances. (Am. Ord. 1887, passed 04.15.02)
- b. Gates or Doors. All gates or doors opening through the required fence shall be designed for security, in accordance with the Building Code of the Village of Frankfort.
- c. Screening. If the fencing provided is anything other than solid fencing, the pool shall be effectively screened from view from outside the lot by densely-planted compact trees or hedges, providing at least fifty percent opacity when viewed between two (2) feet and five (5) feet above ground.
- d. Setback Requirements. All outdoor swimming pools are considered accessory uses, and shall meet minimum yard requirements and, in addition thereto, shall be set back an additional two (2) feet for each one (1) foot of structure height exceeding five (5) feet. For the purpose of this section, the words "structure height" shall include any railings or other projections above the pool surface.
- e. Water Discharge. The water discharged from a swimming pool shall be drained into the sanitary sewer or storm water system, as approved by the Village.