

Town of Wilton Fence Ordinance

Fences

Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

Fence: Any structure regardless of composition, that is erected or maintained for the purpose of enclosing a piece of land or dividing a piece of land into distinct portions Exception: A living fence.

Front Yard: Applies to that portion of the yard in front of the front building line of any building. On corner properties adjacent to a public or private street, alley or highway shall also be considered as a “front yard” for purposes of this chapter. This definition shall not apply for purpose of swimming pool protection fences.

Height: The distance from the existing grade to the top of the fence.

Permit Required.

No fence from the adoption of this chapter shall be erected without a permit and approval of the Building Inspector / Code Enforcement Officer. Any person or persons, corporation, firm or association intending to erect a fence shall, prior to the commencement of work, make application to the Building Inspector/Code Enforcement Officer on a form provided by the Building Department. Said application shall be accompanied by a site plan (survey) showing the proposed location of the fence and materials/type of fencing to be installed. Such materials and location shall be in compliance with this chapter and any pertinent local or state laws. Upon approval, a permit shall be issued which will be in effect for one year from the date of issuance. Upon completion of said work, the fence construction shall be inspected by the Building Inspector and issuance of a certificate of compliance shall be issued if work has been completed in compliance with this chapter.

Height Regulations.

No fence shall be more than eight feet in height at the rear of a home or building situated in a residential district. The fence shall not extend forward of the front building line of any existing or proposed building. No other fence or portions of a fence shall be higher than 48 inches. This restriction shall not apply to construction of fences in all zoning districts or commercial type projects.

Location Restrictions.

Any fence hereby erected shall be placed a minimum of six inches from any property line and twenty-four inches from the front property line. Survey stakes or pins shall be identifiable for inspection to insure proper placement at inspection.

Materials and Composition.

- A. Any fence, wall or similar structure as well as shrubbery (living fence) which unduly cuts off light or air and may cause a nuisance, a fire hazard or dangerous condition or is an obstruction to combating fires which may affect public safety is hereby expressly prohibited. Further, no fence shall be erected in the front yard in a residential district or along a public right-of-way unless the fence is uniformly less than 50% solid.
- B. The following fences and fence materials are strictly prohibited:
 - (1) Barbed wire (exception agricultural)
 - (2) Short sharply pointed fences
 - (3) Canvas Fences
 - (4) Cloth fences
 - (5) Electrically charged fences. (Exception agricultural and these shall contain hazard signs)
 - (6) Poultry fences
 - (7) Turkey Wire.
- C. All chain link fences erected shall be erected with the closed loop at the top of the fence. All other fences shall be erected with the finish side facing the nearest adjacent property line where applicable.
- D. All entrances or gates shall open into the property.
- E. Notwithstanding the provisions of this section, the building Inspector/Code Enforcement Officer may issue a permit for the construction of a security fence for commercial and industrial properties upon application and approval of the Town of Wilton Planning Board.
- F. Color of fences shall be restricted to earth tones and neutral color tones.
- G. All fences or walls shall be erected within the property line, and none shall be erected so as to encroach upon a neighboring property, public right-of-way or interfere with vehicular or pedestrian traffic or interfere with visibility on corner lots and or other structures or vehicles whether stationary or transitory, on public or private property.

Authority of Town Officials.

The Building Inspector/ Code Enforcement Officer or Highway Superintendent shall have the authority to direct in writing the removal, trimming or modification of any fence, living fence or wall on public or private property wherever the same shall interfere with adequate visibility of operators of motor vehicles at street intersections or curbs. Any person who shall refuse or neglect to comply with such written direction shall be in violation of this chapter and subject to its penalties.

Penalties for offenses.

Any person, firm or corporation or his or her agent, servant worker or employee violating any provisions of this chapter shall be punishable by a fine not exceeding \$500 or by imprisonment for not more than 30 days, or both. Each day's continuance of a violation after notice to cease or correct shall be deemed a separate and distinct offense and shall be punishable accordingly.