

VILLAGE OF BRIGHTWATERS  
40 SENECA DRIVE, P.O. BOX 601  
BRIGHTWATERS, NEW YORK 11718  
665-1280/1281 FAX 665-2830

FENCE PERMIT

FEE \$25.00

Date \_\_\_\_\_

Name of Applicant \_\_\_\_\_

Address \_\_\_\_\_ Brightwaters, NY

Telephone No. \_\_\_\_\_

County Map #0501-\_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Location of property \_\_\_\_\_

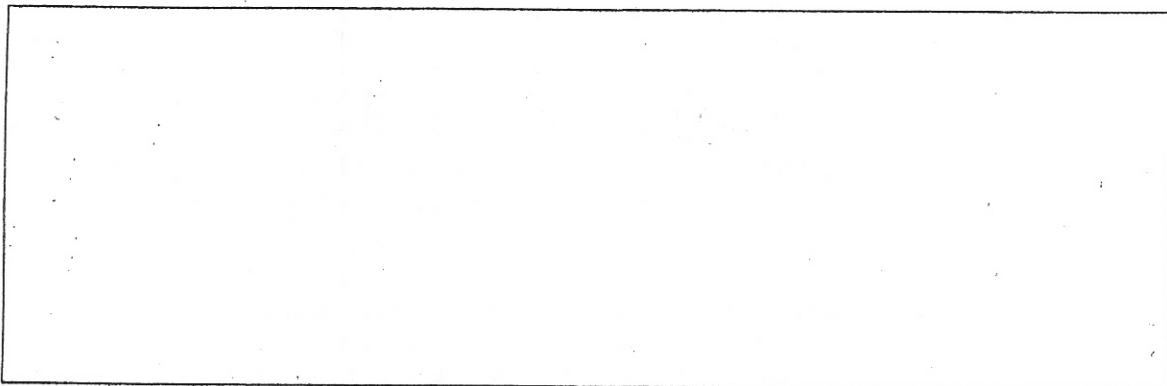
Nearest cross street \_\_\_\_\_ Corner Plot Yes \_\_\_ No \_\_\_

Type of fence material. \_\_\_\_\_  
Attach picture of fencing to permit.

Height (no higher than Six (6) ft. \_\_\_\_\_)

Drawing - Fence installation to be indicated by XXX's in relation to property and house location. Indicate streets and dimensions. If a survey is not available, and upon approval of the Building Inspector, use the box below. See back of form for regulations. Note: Street property lines are not necessarily indicated by the paved street.

FINAL INSPECTION REQUIRED UPON COMPLETION OF FENCE INSTALLATION



Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Notary

\*\*\*\*\*

Approved \_\_\_\_\_ Date: \_\_\_\_\_ Expires: \_\_\_\_\_

Disapproved \_\_\_\_\_ Reason: \_\_\_\_\_

\_\_\_\_\_  
Building Inspector

Final inspection required: \_\_\_\_\_

\$25.00 Fee paid: \_\_\_\_\_ Gen. Rec.# \_\_\_\_\_

**§ 128-26. Fences, hedges and retaining walls.<sup>1</sup>****A. Residence A and B Districts.**

- (1) In any Residence A or Residence B District, no fence which is more than six feet high shall be permitted; provided, however, that the finished side of any fence shall face outward from the property on which it is constructed. Every fence facing a public street shall be nonsolid and ventilating and shall be screened from view to half of its height above ground level by natural plantings spaced 36 inches apart at ground level. [Amended 11-6-1995 by L.L. No. 7-1995; 8-6-2001 by L.L. No. 4-2001; 6-2-2003 by L.L. No. 5-2003]
- (2) In the case of an interior lot, a rear fence may extend the entire width of the rear line. No fence or hedge in any residence district shall extend nearer a street property or a side street property line than the front line of the dwelling. The height of the fence shall be measured above the ground level.
- (3) In the case of corner lots, a natural fence or artificial or man-made fence, screened from view by a natural fence no higher than six feet, may extend along the rear property line to a point 15 feet from the street property line, thence parallel to the architectural side of the dwelling to a point perpendicular to the rear corner of the architectural side of the dwelling facing the street. [Amended 11-6-1995 by L.L. No. 7-1995; 6-2-2003 by L.L. No. 5-2003]
- (4) No fence can be constructed prior to the issuance of an approved building permit. Applications shall be accompanied by a survey indicating planned placement of fencing on the property and a fee as established by the Board of Trustees.

**B. Residence C District.** In a Residence C District, a solid rustic fence six feet in height or adequate screen planting approved by the Code Enforcement Officer shall be provided along any property line which divides a Residence C District from any other residential district; provided, however, that no fence or screen planting under this section shall extend nearer a street property line or a side street property line than 15 feet. The height of a fence shall be measured above ground level.**C. Business districts.**

- (1) Any fence erected in a business district must have an approved fence permit, be of a chain link type and no more than eight feet in height. [Amended 5-2-1994 by L.L. No. 1-1994]
- (2) Notwithstanding the provisions of any other section with respect to the maintenance or erection of fences on any premises, all or part of which is used for business, there shall be erected and maintained a solid board fence along the rear and side property lines in cases where the contiguous property is zoned for residential use, with the finished side facing the residential property, said fence or fences to be sufficiently high to screen the contents from public view and at least seven feet high, the maintenance of which in good repair is a prerequisite to the continued use of such premises.

**D. Fences or hedges across lot fronts are prohibited in every residential district.** No fence in any district shall be equipped with any razor-like wire. [Amended 5-2-1994 by L.L. No. 1-1994]**E. No retaining wall may be higher than three feet above the lower ground level at its base, and the ground being retained must be level with its top, and its average grade must at least equal or be higher than its top. It must be constructed of a nonwood static material and may not be positioned on the Village's right-of-way. [Added 8-5-2002 by L.L. No. 8-2002]**