



**BUILDING PERMIT APPLICATION - FENCE** (Fill out all applicable information)

Property Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Zoning: ☐ Residential ☐ Commercial

Materials Used: \_\_\_\_\_ Estimated Costs: \_\_\_\_\_

Fence Specifics: Height \_\_\_\_\_ Dimensions of Property Boundaries: \_\_\_\_\_

**General Guidelines:**

Owner/Applicant is responsible to contain the fence within the boundaries of the property.

Corner Lots may have additional restrictions.

Fences in front yards may not exceed three (3) feet. Fences in front yards shall be constructed of materials decorative in nature and not designed to confine animals or people. Specifically prohibited are privacy fences, chain link & other materials commonly defined as “chicken wire” or similar in nature.

No Fence, except fences erected upon public or parochial school grounds or in public parks & in public playgrounds shall be constructed of a height greater than three (3) feet in the front yard or eight (8) feet elsewhere.

Construction Documents provided: ☐ Yes ☐ No

**NO FENCES IN ANY ROAD RIGHT(S)-OF-WAY**

**Property Owner:** \_\_\_\_\_ **Contact Person:** \_\_\_\_\_

Business Name (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ ST: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

**Fence Company Name:** \_\_\_\_\_ **Contact Person:** \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ ST: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

INSURANCE PROVIDED: ☐ YES ☐ NO

**IN THE EVENT THE FENCING CONTRACTOR DOES NOT PROVIDE INSURANCE, IT SHALL BE THE RESPONSIBILITY OF THE HOMEOWNER.**

**All Construction shall conform to the 2003 International Codes/2002 National Electrical Code  
PRIOR to digging contractor is responsible for calling Kansas One Call for utility locates by dialing 811**

**Application Completed By:**

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date Signed: \_\_\_\_\_

\*\*\*\*\*OFFICE USE ONLY\*\*\*\*\*

Application Received By: \_\_\_\_\_ Date Received: \_\_\_\_\_

C/R Permit # \_\_\_\_\_ - \_\_\_\_\_ Permit Received by: \_\_\_\_\_

Fees: \$ \_\_\_\_\_

# FENCE REQUIREMENTS

**IT IS THE OWNER/APPLICANTS RESPONSIBILITY TO LOCATE WHERE THE PROPERTY BOUNDARIES ARE AND TO CONFINE ALL WORK WITHIN THOSE BOUNDARIES.**

A permit is required for a fence: 4-202a; replaces 2003 IBC, Sect. 105-2, in the City of Baldwin, City Code.

As Per the City of Baldwin, City Code 4-208 “**The Building Permit shall be posted in a visible area accessible by the public.**”

**ANY** fence placed in any city right-of-way, floodplain or drainage easement shall be relocated at the property owners’ expense.

**NO** Construction Materials or Debris shall be burned or buried inside the corporate limits of Baldwin City.

**PRIOR** to the installation of any fence or excavation work done, **THE CONTRACTOR MUST** contact Kansas One Call (811) to have the underground utilities marked.

Please call, 785-594-6907, if you have any questions regarding this handout.

**THANK YOU!**

# FENCE HANDOUT

**26-109 Specialty Accessory Uses:** The following uses, activities, or items shall be the accessory uses or restrictions allowable:

**4. Fences or Walls: Fences or walls, subject to the following:**

A. Fences or walls may be constructed to a maximum height of eight (8) feet above the average grade subject to the restrictions of this Article. A permit shall be required for all fences or walls where a new fence or wall is constructed or an existing fence or wall is being extended. A fence permit shall also be required for the replacement or reconstruction of 50 percent (50%) or more of the linear feet of the entire existing fence. Any such replacement or reconstruction shall comply with all the provisions of this Article except setbacks. In determining the height of a fence, the material used in the fence posts shall not be considered.

B. Fences or walls (including retaining walls) in any planned district shall be approved by the Planning Commission as part of the development plan prior to the issuance of any fence permit.

C. Retaining walls may be permitted where they are reasonably necessary due to the topography of the lot, where the wall is located at least two (2) feet from any street right-of-way, and where the wall does not extend more than six (6) inches above the ground level of the land being retained.

D. All fences or walls constructed prior to the adoption of these Regulations which do not meet the standards of this Article may be replaced and maintained resulting in a fence the same size, type and material; provided, however, that no fence shall be replaced or reconstructed in a manner which obstructs the sight distance triangles as defined in this Article.

E. In all districts, the following restrictions and standards shall apply to all fences and walls:

**1) Location.**

a) Front yard. Fences erected in the front yard shall be constructed with materials not designed to confine animals or people, but shall be erected of materials that are decorative in nature. Suitable materials include, but are not limited to, the following:

- (1) Wrought iron
- (2) Picket
- (3) Split rail
- (4) Other decorative materials approved by the building inspector or generally recognized as decorative in nature.

Specifically prohibited in front yards are privacy fences and chain link and other materials commonly defined as "chicken wire" or similar nature.

b) Rear yard. A fence or wall may be constructed on the rear property line on all lots whose rear lot lines abut another lot or a designated thoroughfare. Fencing any platted easement shall be at the risk of the landowner, subject to the design requirements of the City. In the case of a double frontage lot whose rear yard abuts a collector or local street, a fence or wall may be constructed, except the provisions for a front yard as stated above shall apply for both frontages.

c) Side yard. A fence or wall may be constructed on the side property line. No fence shall be permitted in any platted easement.

d) Corner lot. A fence or wall not more than three (3) feet in height may project into or enclose any required front or side yard along the street frontage of the lot.

## **2) Design Standards.**

a) All fences and walls shall be constructed with a finished side facing outward from the property. The posts and support beams shall be on the inside or shall be designed as an integral part of the finished surface.

b) All fence segments abutting a designated thoroughfare, except on corner lots, shall provide one (1) gate opening per lot to allow access to the area between the fence and the edge of the street for maintenance and mowing.

c) Spikes and Barbed Wire Fences. No person shall place or permit to be placed or remain on any fence or wall, within five (5) feet of any public street or sidewalk or less than six (6) feet above grade, any spikes or sharp pointed cresting, or any barbed wire, or anything dangerous and liable to snag, tear, cut or otherwise injure anyone coming in contact therewith.

d) Electric Fences. No person shall erect a fence containing uninsulated electric conductors that may be exposed to human contact anywhere within the City.



## BUILDING AND CODES DEPARTMENT

### **APPLICATIONS FOR FENCE PERMITS IN THE CITY OF BALDWIN CITY, KANSAS, SHALL INCLUDE BUT NOT LIMITED TO, THE FOLLOWING ITEMS**

1. **Application must be filled out completely and entirely to be accepted.** Including full names, addresses, E- mail address, phone numbers of all property owners / contractors involved.
2. Contractor must provide a copy of workman's comp, and or a copy of general liability insurance to City of Baldwin City. Optionally, the home owner can state in writing the acknowledgement of their responsibility for insurance coverage during construction to cover any and all accidents.
3. Construction drawings of proposed fence plans shall include: Material to be used for proposed fence, length of sections per each side. Distances from proposed fence to adjacent property lines. Total proposed linear feet of fence to be installed.
4. Drawings shall include fence post section, approximate depth, and proposed diameter of post hole, proposed material to be installed in to fence post hole. (ready-mix / sack Crete / other)
5. Contractor / installer / home owner shall call the inspection line at 785 594-6907 at least 24 hours prior to the completion of project, for final approval.

# PRIVATELY-OWNED LINES CAN BE LOCATED FOR A FEE

Water, natural gas, and residential electric lines are usually owned by the utility up to the meter. Some sewer districts own only the mains; others extend their ownership to laterals up to the property line. The customer typically owns everything beyond these points.

Customer-owned lines usually include any that serve outbuildings, hot tubs, security lighting, pools, and natural gas grills.

The free locating service available through 811 applies **ONLY** to facilities owned by utilities. The diagram below shows a variety of utilities, some owned by the utility and some by the homeowner.

Those utilities marked by dotted lines are typically owned by the homeowner. Private locating services will mark these for a fee.



- |   |                    |   |                          |
|---|--------------------|---|--------------------------|
|  | <b>WATER</b>       |  | <b>ELECTRIC</b>          |
|  | <b>SEWER</b>       |  | <b>PHONE &amp; CABLE</b> |
|  | <b>GAS AND OIL</b> |   |                          |

**DON'T FORGET!**  
After calling 811, wait **two business days** before you begin digging!

Homeowner Property Line



Know what's below.  
Call before you dig.