

## TOWN OF COLCHESTER FENCE REGULATIONS:

### COLCHESTER ZONING REGULATIONS SUPPLEMENT 40 Article Two - Page 15 2.10 Fences

#### A. General Requirements.

In this section, fence and wall shall be interchangeable terms. Fence height shall be the vertical distance as measured from the average pre construction grade to the highest point of the fence.

#### B. Specific Requirements. All fences are subject to the following provisions:

1. A fence shall be erected within the boundaries of the applicant's property and shall be placed wholly within but not on the property boundaries.
2. A fence shall be erected outside road right of ways as well as all bike/ped permanent easement areas.
3. A fence shall be erected so that its smooth or finished side faces an abutting property or roadway.
4. All fence posts shall be placed on the inside of the fence, except for a fence to contain livestock.
5. No part of any fence shall be placed in such a manner as to visually obstruct vehicular or pedestrian traffic.
6. Any fence shall require a permit. A fence under six (6) feet in height shall require a building permit.
7. A fence over six (6) feet in height shall require approval by the DRB as a conditional use subject to the provisions of Article 8, Conditional Use Review. In no case shall a fence height exceed 14 feet in height.
8. A fence over six (6) feet in height shall meet the accessory structure setback requirements for the zoning district, unless otherwise approved by the DRB as a conditional use subject to the provisions of Article 8, Conditional Use Review.
9. No fence shall be erected in such a manner as to inhibit or divert the natural drainage flow or cause the blockage or damming of surface water.
10. No fence shall be erected that may create a fire hazard or other dangerous condition or that may result in obstruction to fire fighting.
11. Fences shall be maintained in a safe and substantial condition.
12. No fence shall be located or constructed on a terrace or wall that will have an overall height of more than that permitted, unless otherwise approved by the DRB as a conditional use subject to the provisions of Article 8, Conditional Use Review.

#### C. Prohibited Fences and Materials. The following fences and fencing materials are specifically prohibited:

1. Barbed, razor or ribbon wire or broken glass as part of any fence except fences erected by a municipal, state, or federal entity.
2. Pointed metal fences except fences erected by a municipal, state, or federal entity.
3. Canvas and/or cloth fences, except when used to protect shrubs and vegetation.
4. Poultry and/or turkey wire fences within minimum front, side and rear yards. COLCHESTER ZONING REGULATIONS SUPPLEMENT 40 Article Two - Page 16
5. Temporary fences, unless for snow control. Snow control fences shall be allowed from November 1 through to the following May 1.
6. Expandable fences and collapsible fences, except during construction of a building or for municipal, state, or federal projects.

7. Chain link fences erected with the open loop at the top of the fence.

D. Exemption

All existing fences that do not conform to the provisions of these regulations may be continued as they presently exist, except that these fences shall not be altered, extended, replaced or modified except in accordance with these regulations.

(2021)