



City of Council Bluffs
Building Division

FENCE PERMIT APPLICATION

Location of Work Address: _____
Street, City, State, Zip

Property Owner Name: _____

Address: _____
Property owner's address if different than location of work address

Contractor Name: _____ Company Name: _____

Copy of Insurance on File with City Yes ___ No ___ (If No, a copy must be placed on file prior to receiving a permit)

Contractor Address: _____

Phone #: _____ Cell Phone #: _____ Fax #: _____

Applicant E-mail address: _____

Applicant: (Select one) Property Owner ___ Contractor ___ Sub-Contractor ___ Business ___

Application Date: _____ Proposed Work Start Date: _____ Completion Date: _____

Description of Work: Indicate on attached drawing location of installation

*Contractor/Owner is responsible for hiring a licensed surveyor to locate property lines.

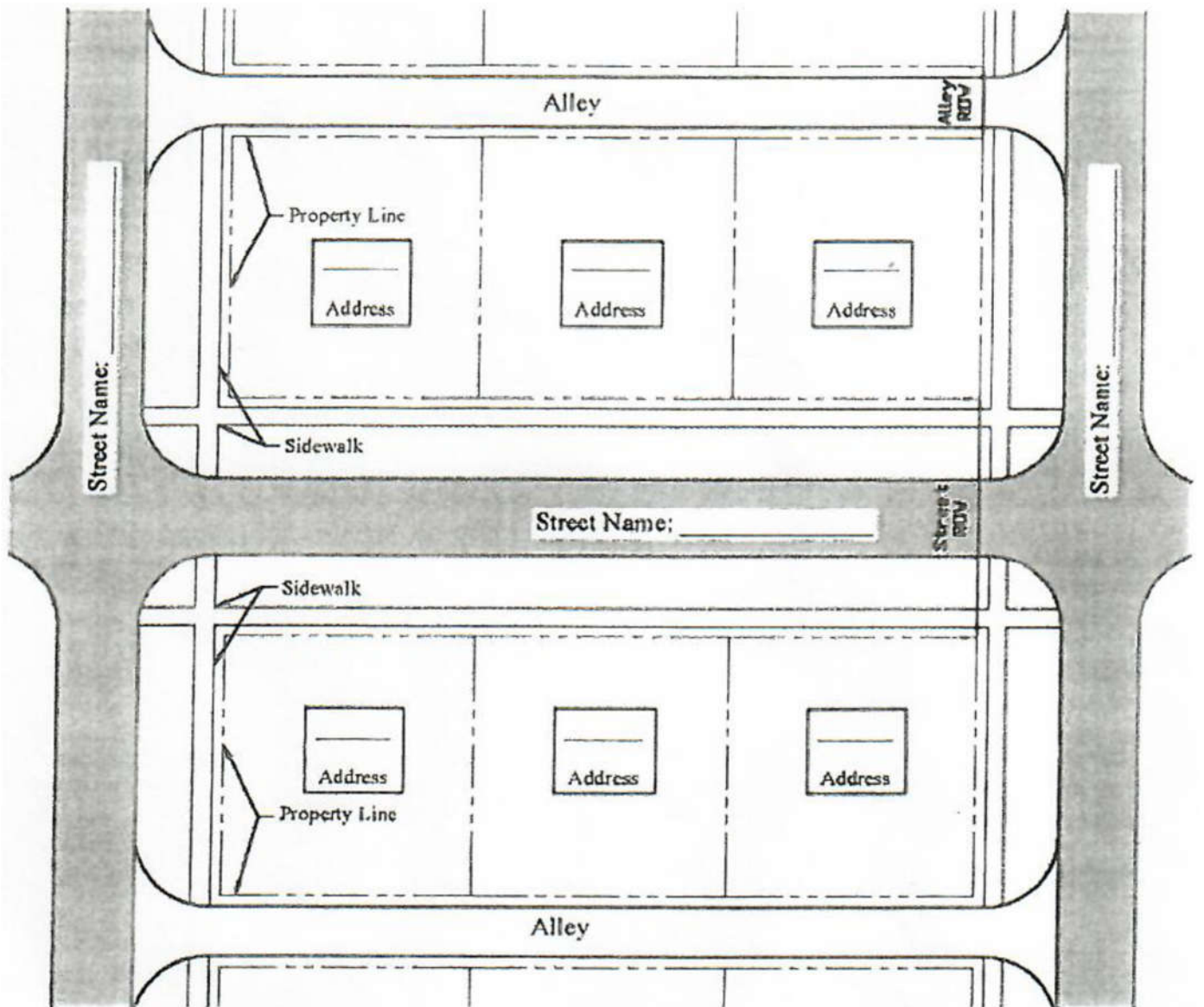
Applicant Signature: _____

By signing this application, I hereby agree to abide by the terms of the Permit Conditions and if applicable, any Supplemental Permit Conditions as indicated in Code Section 15.24.040 – Fence Regulations.

NOTICE
This permit becomes null & void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced.
I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of law and ordinances governing this type of work will be complied with whether specified herein or not. The granting of permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

APPROVED by: _____
DISAPPROVED by: _____
Date: _____
PERMIT FEE: \$ _____

Please indicate on drawing the location of the work to be completed.



**Additional drawings may be provided to clarify the work to be completed.*

Provide additional description or information of features to be constructed (if needed):

Initial cost to move fence at homeowner's expense should property line dispute develop \$ _____



FENCE MATERIAL/TYPE

Please select one from the options below that most closely resembles the fence you are proposing to install:

Wood:



Vinyl:



Metal:



15.24.040 Fence Regulations

Fences, including electric fences, masonry walls, vegetation, ornamental iron, chain link, open wood, solid wood or metal, forming a physical barrier, whether above or below ground, placed on private property, used for any purpose shall conform to the following requirements:

A. General Requirements for All Zoning Districts.

1. No person or entity shall be allowed to erect or otherwise install any fencing, under the requirements of this section, unless they have first applied for and received a permit from the city of Council Bluffs Building Division.
 - a. As part of the permit, the applicants shall certify that they will abide by all applicable municipal codes of the City of Council Bluffs and shall assume full responsibility for any public or private property disputes associated with the installation of the applicant's fence, including, but not limited to, trespass and property line/boundary location disputes.
 - b. Fees for such permits shall be established by the city council and shall be enumerated in Chapter 2 of the Council Bluffs Municipal Code.
2. No fence placed on any lot shall project over the property line. No fence or obstruction shall be placed in the public right-of-way.
3. The height of a fence shall be measured from the grade on which the fence is placed.
4. The finished side of any fence shall be directed toward the street right-of-way and adjoining properties.
5. No fence or any other obstruction shall be placed within an equilateral triangle having sides of thirty-five (35) feet each running along the edge of the pavement, or curb if present, of each abutting street. The apex of this triangle shall be at the point of the intersection of the edges of the pavement or curbs of such streets when extended out to a point.
6. No fence shall be placed within three feet of a fire hydrant. No fence shall block visibility or access to a fire hydrant from the street.

B. General Requirements for Open Space/Recreation and Industrial Districts.

1. A fence placed in any yard shall not exceed eight feet in height.
2. In I-2 and I-3 districts when the parcel is fifty (50) contiguous acres or more, a fence not to exceed ten (10) feet in height is permitted in the interior, street side and rear yards. In the front yard, the height of the fence shall not exceed eight feet unless its placement meets the setback requirements for structures. Fencing material for a ten (10) foot tall fence shall be limited to vinyl-coated chain link material with no sharp or pointed projections or barbed wire strands permitted.
3. Barbed wire fences zero to six feet in height are permitted in A-1 and A-2 districts for agricultural uses only.
4. Security fences with sharp or pointed projections or containing barbed wire strands are allowed in the A-2, I-1, I-2 and I-3 districts if placed atop a conforming fence of at least six feet in height, with total fence height not to exceed eight feet.
5. Fence, electrically charged security may be allowed in an I-1, I-2 and I-3 District in accordance with CBMC 13.16.485, subject to the following conditions:
 - a. The site shall not be within three hundred (300) feet of a residential district, or a legal non-conforming residential use;
 - b. The use shall comply with all requirements for conforming use and site development regulations in a underlying zoning district;
 - c. Shall not be located within the area defined as the front yard setback, street side yard setback, or the area between a structure and the front property line or street side property line, if greater than the minimum required setback; and
 - d. Shall not be located within the corridor design overlay district (CDO).

C. General Requirements for Residential and Commercial Districts.

1. In a front yard or a street side yard, the height of a fence shall not exceed four feet, unless its placement meets the setback requirements for principal and accessory structures. Exception: ornamental iron fences located in front or street side yards may exceed four feet in height, but are limited to six feet in overall height.
2. No solid fence shall be placed within a front yard or street side yard which creates a safety hazard by obstructing the clear view of pedestrians or vehicles.
3. In an interior side yard or rear yard, the height of a fence, excepting vegetation fences, shall not exceed six feet. Fences in residential areas proposed to exceed six feet in height shall be reviewed on a case-by-case basis by the mayor or designee.

4. Security fences with sharp or pointed projections or containing barbed wire strands may be permitted in a C-2 district when placed on top of an otherwise conforming fence, if the following conditions are met:
 - a. The site shall not abut any residential district; and
 - b. The use shall comply with all requirements for conforming uses and the site development regulations in a C-2 district.
5. Fence, electrically charged security may be allowed in C-2 District in accordance with CBMC 13.16.485, subject to the following conditions:
 - a. The site shall not be within 300 feet of a residential district, or a legal non-conforming residential use;
 - b. The use shall comply with all requirements for conforming use and site development regulations in a C-2 District;
 - c. Shall not be located within the area defined as the front yard setback, street side yard setback, or the area between a structure and the front property line or street side property line, if greater than the minimum required setback; and
 - d. Shall not be located within the corridor design overlay district (CDO).

D. Required Fences.

1. A fence shall be required where any conforming commercial or industrial use abuts a residential district. The fence shall be provided at the abutting side and rear property lines. A fence shall also be required for any open storage area in an industrial district which blocks all view of the storage area at or beyond the property line. The fence shall be provided by one of the following methods:
 - a. A wood and/or masonry fence, at least fifty (50) percent opaque, six feet in height;
 - b. A vegetation fence capable of providing a substantially opaque barrier and attaining a height of six feet within three years of planting;
 - c. A landscaped earth berm with a maximum slope of three to one vertical/horizontal, no more than six feet above the existing grade of the property line separating the zoning districts; or
 - d. Any combination of the described methods that achieves a cumulative height of six feet.

2. All swimming pools shall be fenced in accordance with Council Bluffs Municipal Code 17.02.065.

E. Maintenance. Upon placement of a fence, appropriate measures shall be taken by the fence owner to ensure continued maintenance.

(Ord. 5963 § 1, 2008)

(Ord. No. 6255, § 1, 1-11-2016)