



## City of Prospect Fence Permit Application

Application Date

Permit Number

Issued to	Address	Phone Number
Company/Individual of installation	Location of Fence installation	
Subdivision	Issued by	Title

The signature of Builder and or Owner serves as acknowledgement that all construction will proceed in accordance with, and without variation from the submitted plans. I further attest that all plans submitted have been approved by the Home Owners Association of location where construction is to take place. **Misrepresentations about the proposed construction made herein shall void the permit immediately.**

In the event that any damage to ANY utility or property occurs the owner of above stated property shall bear the responsibility of repairing and any cost incurred from such damage. When crossing an easement that contains a pipe, **NO POST ARE ALLOWED TO BE PLACED IN THAT EASEMENT. THIS PERMIT IS ISSUED WITH THE UNDERSTANDING THAT "BUD" WILL BE CONTACTED BEFORE ANY DIGGING TAKES PLACE.**

All fences constructed in the City of Prospect must be built as not to obstruct the natural flow of water and the homeowner shall bear responsibility to maintain said flow.

Signature of Builder	Signature of Owner
<b>X</b> _____	<b>X</b> _____

OFFICE USE ONLY
<p><b>The following Items have been received:</b></p> <p>Letter of approval from Home Owners Association (where applicable) <input type="checkbox"/></p> <p>Plot plan w/ location of Fence <input type="checkbox"/></p> <p>Drawing or written description of Fence <input type="checkbox"/></p> <p>All Deposits/fees <input type="checkbox"/></p>

Revised8/05

## CHAPTER 152: FENCES

### Section

152.01 Building permit required to erect fence

152.02 Issuance of permit upon meeting standards

152.03 Permit fee

152.99 Penalty

### **§ 152.01 BUILDING PERMIT REQUIRED TO ERECT FENCE.**

It shall be unlawful for any person to erect a fence within the city without a building permit for same to be issued by the City Clerk or City Administrator.

(Ord. 108-1983, passed 6-20-83) Penalty, see § 152.99

### **§ 152.02 ISSUANCE OF PERMIT UPON MEETING STANDARDS.**

The City Clerk or City Administrator shall issue a building permit for erection of a fence or free-standing wall within the city upon due application and payment of the building permit fee and provided that the fence or free-standing wall to be erected complies with all zoning regulations and other city, county, and state laws and regulations; and further provided that the fence or free-standing wall does not constitute a public health or safety problem, and meets with the general aesthetics of the area in which it is to be erected. Fences or free-standing walls must meet the required setback lines and the following building materials guidelines: permitted building materials are wood or approved wood lookalike substitute, brick, wrought iron, or aluminum that appears like wrought iron, or stone. Chain link is prohibited. The finished side of a wooden fence shall be placed to face the adjoining properties. On residential lots of less than three acres located within subdivisions, fences or free-standing walls are restricted to the back yard of a residence and are not allowed to be constructed more than half-way toward the front of the side of the residence or its attached garage. On corner lots where the backyard of a house is also the street side yard, a fence or free-standing wall must be no closer than five feet behind the building setback line of the street to which the street side yard abuts. Notwithstanding the foregoing, no fence or free-standing wall over four feet in height may be erected in such a manner as to be closer than 15 feet from any building setback line, and at no point may a fence or free-standing wall over four feet in height be closer than 12 feet from any neighboring dwelling. No fence or free-standing wall, whether in a residential, commercial or agricultural area of the city, may exceed six feet in height.

(Ord. 108-1983, passed 6-20-83; Am. Ord. 448-2005, passed 3-31-05; Am. Ord. 470-2006, passed 8-2-06; Am. Ord. 476-2007, passed 5-21-07)

### **§152.03 PERMIT FEE.**

The permit fee, payable to the city, shall be in the amount of \$35.

(Ord. 108-1983, passed 6-20-83; Am. Ord. 266-1993, passed 6-21-93)

### **§ 152.99 PENALTY.**

Any person found to be in violation of this chapter shall be subjected to a fine of not less than \$50 nor more than \$500 for each offense, plus the cost to the city for removal of that fence. Each 24-hour period during which a fence stands in violation of this chapter shall constitute a separate offense. This chapter is subject to enforcement by the Code Enforcement Board. A violation of any provision of this chapter shall be considered a civil offense in accordance with KRS 65.8808.

(Ord. 108-1983, passed 6-20-83; Am. Ord. 372-1998, passed 5-18-98)