

Fence Permit

Office of
COLLIERVILLE CODE COMPLIANCE
Collierville, Tennessee 38017

Address _____ Subdivision _____

Height _____ Material _____

Residential Dist. _____ Commercial Dist. _____ Historic Dist. _____

Owner _____ Phone _____

Owner Email Address _____

Contractor Name _____

Contractor Address _____ Phone _____

Pool Barrier _____ Yes _____ No _____

****NO SIGNAGE OF FENCE COMPANY/CONTRACTOR ALLOWED ON FENCE****

Collierville Zoning Ordinance, Chapter 151, Section 151.006

- C. Fences, Walls, and Hedges may be permitted in any required yard or along the edge of any yard except as prohibited in Subsection (B) and in accordance with the following criteria:
- (1) Fence permit required- It shall be unlawful for any contractor, individual, or property owner to commence the installation of a fence or wall until the Code Compliance Officer has issued a Fence Permit for such work. Any Fence Permit issued in conflict with the provisions of this ordinance shall be null and void. It shall be the responsibility of the contractor, individual, or property owner to correct any violations that may exist as determined by the Code Compliance Officer within a reasonable time period specified by the Code Compliance Officer.
 - (2) Fences and walls with the exception of retaining walls of not more than forty-eight (48") inches in height may be allowed in front yards, subject to review and approval of the Design Review Commission or the Historic District Commission (if located in the Collierville Historic District).
 - (3) Fences and walls with the exception of retaining walls in front, side and rear yards must be constructed of wood, brick, vinyl, or ornamental iron or aluminum, and may not exceed a height of six (6) feet (exclusive of minimum required ground clearance), unless otherwise provided for in the Design Standards Manual. The Design review Commission may approve alternative material. Height shall be measured from the finished surface of the top of the fence to the finished grade. In side and rear yards, fences may be constructed on the lot line except as limited by the approved final subdivision plat or site plan. On interior lots, fences and walls exceeding 48 inches in height shall not extend beyond the front face of the structure except as provided in these regulations.
 - (4) Fences, walls and hedges shall not obstruct visibility for sidewalks, streets, and other public ways. No fence, wall or hedge shall be erected or placed in such a manner as to impede vision between a height of two and one-half (2½) and ten (10) feet. This restriction applies to that area formed by the centerline of streets at a distance of one hundred (100) feet from their intersections.
 - (5) On corner lots, fences, walls and hedges shall be permitted in side and rear yards. Fences and walls exceeding 48 inches in height shall not be permitted beyond the front face of the primary structure or the front yard setback line, whichever distance from the property line is greater, on the street side on which the house faces. However, on the street side on which the house does not face, a fence or wall not exceeding six (6) feet in height may extend no more than ten (10) feet into the front yard setback. In no case shall a fence or wall greater than 48 inches in height be located closer than twenty (20) feet from the back edge of the curb.
 - (6) All fences, regardless of type or material, shall have the finished side facing public right-of-ways, common open areas, parkland or greenbelt areas and other public areas.

- (7) A fence or wall being installed that varies in height with other fences shall transition the height of the fence to match the adjoining fence. The transition shall be provided over a minimum distance of eight (8) feet or 4:1 ratio. Abrupt changes in height between fences shall not be permitted.
- (8) Specifically prohibited fencing materials shall include vinyl coated chain link and chain link (except as may be authorized by the Design and Environmental Review Commission for legally approved animal boarding or health care facilities, side and rear yards of RI and GI Districts when abutting similar zoned properties, municipal and governmental facilities, and when used for sports facilities to protect health, safety and public welfare), wire mesh or single wire or electrified fencing (except in relation to active livestock and farming operations or when used in combination with wooden fences as may be authorized by the design Review Commission), cinder block or concrete block, and barbed wire.
- (9) **Fences and walls must be installed to provide sufficient clearance from the bottom of the fence to the ground so drainage will flow freely and not negatively impact any adjacent property owner.** Fences located in or along drainage easements shall have a minimum ground clearance of two (2) inches. Greater clearance may be required by the Town Engineer to prevent adverse effects on drainage flow.
- (10) No fence or wall shall block access to any above ground, pad mounted electrical transformer installed and maintained by Memphis Light, Gas, and Water. A fifteen (15) foot clear access must be provided for maintenance of MLGW pad mounted transformers.
- (11) Fences of double frontage lots and reverse frontage lots where rear or side yards face a public right-of-way shall be maintained by the property owner or by an established homeowner's association. In subdivisions where there is no homeowners association, access gates shall be installed on all properties which abut public right-of-way. All landscaped areas from the fence line to the pavement edge shall be maintained by the property owner in accordance with Town regulations. All fences on double frontage lots must have the finished side of the fence facing the public right-of-way.
- (12) Fences, walls and hedges that abut a public right-of-way or Town park and greenbelt property shall be maintained and kept in good repair by the property owner and/or homeowner association.
- (13) Double fences shall be allowed in the side and rear yards with the exception of double frontage or reverse frontage lots where rear property lines face a public right-of-way. A fence permit shall be required prior to the installation of a double fence.

A double fence may be installed on the opposite side of a common property line where a fence has been installed that does not provide adequate screening measures including, but not limited to, height of opposing fence installed below the prescribed maximum height or the use of transparent materials such as chain-link fencing. Double fences shall be installed against the property line so as to prevent non-maintainable land between fences.

- (14) Lack of proper maintenance and upkeep of a fence or wall shall constitute a violation of these regulations. Lack of proper maintenance shall include, but not be limited to, rotten or deteriorated structural members, missing or broken components, excessive sagging of structural members, or warping or distortion of planks and fence or wall materials.
- (15) In accordance with the Standard Swimming Pool Code adopted by the Town of Collierville amended, fencing for pools shall be a minimum of forty-eight (48) inches in height as measured from the finished grade. All other fence provisions in the Standard Swimming Pool Code as amended shall apply.
- (16) Fences, walls and hedges installed in or along public easements (utility, drainage, pedestrian, etc.) are subject to removal at the owners' expense in the event maintenance or construction work is required within or along the public easement.

NOTE: Issuance of Building Permit shall NOT be held to permit or to be an approval of the violation of any Town, County or State law.

PERMIT VOID: *If construction not begun within six (6) months from date permit issued; if incorrect information is given on application for permit.*

Permit Fee _____ Paid Date _____ Receipt Number _____

Responsible Person _____

Planning Approval _____ Engineering Approval _____ Codes Approval _____

THE SUBDIVISION COVENANTS MUST BE REVIEWED BY THE OWNER/BUILDER FOR COMPLIANCE.
COVENANTS ARE NOT ENFORCEABLE BY THE TOWN.

NO SIGNAGE OF FENCE COMPANY/CONTRACTOR ALLOWED ON FENCE

**Requirements for
Swimming Pool Barriers (Fences)**

1. All outdoor and indoor swimming pools shall be surrounded by a barrier.
2. The top of the barrier shall be not less than 48 inches above grade where measured on the side of the barrier that faces away from the pool.
3. The vertical clearance between grade and the bottom of the barrier shall not exceed 2 inches for grade surfaces that are not solid, such as grass or gravel, where measured on the side that faces away from the pool.
4. The vertical clearances between a surface below the barrier to a solid surface, such as concrete, and the bottom of the barrier shall not exceed 4 inches where measured on the side of the required barrier that faces away from the pool.
5. Where the top of the pool is above grade (above ground pool) the barrier shall be installed on grade or shall be mounted on top of the pool structure.
6. Openings in the barrier shall not allow the passage of a 4 inch diameter sphere.
7. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members shall not exceed 4 inches. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches in width.
8. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be located on the pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches in width.
9. The pool side of the required barrier shall be not less than 20 inches from the water's edge.
10. Access gates shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device.
11. Gates not intended for pedestrian use, such as utility or service gates, shall remain locked when not in use.
12. Double gates or multiple gates shall have at least one leaf secured in place and the adjacent leaf shall be secured with a self-latching device. The gate and barrier shall not have openings larger than $\frac{1}{2}$ inch within 18 inches of the latch release mechanism.
13. Where the release mechanism of the self-latching device is located less than 54 inches from grade, the release mechanism shall be located on the pool side of the gate at least 3 inches below the top of the gate, and the gate and barrier shall not have openings greater than $\frac{1}{2}$ inch with 18 inches of the release mechanism.
14. Where a wall of a dwelling or structure serves as part of the barrier, doors and operable windows with a sill height of less than 48 inches that provide direct access to the pool through the wall, shall be equipped with an alarm that produces an audible warning when the door or its screen or window, is opened.

TOWN OF COLLIERVILLE

Notable Fence Regulation Changes Effective 1/1/2016

Planning Division
500 Poplar View Pkwy
Collierville, TN 38017

Telephone: (901) 457-2360
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Below is a summary of changes to fence/wall section of the Zoning Ordinance (§151.006) that became effective on January 1, 2016.

Residential Front Yard Fences: In FAR, R-L, and R-L1 Zoning Districts (typically a large-lot rural setting), fences in front yards can now be taller than 4 feet but no taller than 6 feet and these fence permits can be reviewed administratively by staff if they fully comply with the Design Guidelines. With those exceptions, residential front yard fences outside of the Historic District shall be reviewed by the Design Review Commission (DRC) prior to the issuance of a fence permit. In the Historic District, the Historic District Commission (HDC) reviews residential front yard fences.

Measurement of Fence and Wall Height for Lots with Steep Grade Changes: As before, fence height is measured to include the body of the fence, plus allowing a maximum of six inches (on average between posts) above the finished grade (i.e. for drainage purposes). Masonry columns and fence posts are permitted to extend a maximum of 12 inches above the body of the fence.

Effective in 2016, to allow for minor variation in topography (less than one foot of grade change over twelve feet), the height of a fence or wall may vary up to six inches. In cases where the slope is greater than one foot of grade change over twelve feet between the ends of a particular section of a fence or wall, the height of that section of the fence or wall may vary up to eighteen inches provided any fence or wall steps are proportional. The average finished grade for such sloping lots shall be construed as the average grade measured at a point three feet on each side of the fence. In the case of a fence on a retaining wall, adjacent grade shall be the grade of the top of the wall.

Fence Materials: Effective in 2016, the following changes have been made related to what materials are allowed:

- Wooden fence boards used for any nonresidential property (retail, office, church, school, etc) are only allowed if they are naturally rot resistant wood (redwood, cypress and cedar). Posts and stringers can still be pressure treated lumber.
- Fence boards used within a perimeter fence required in Planned Developments, Common Open Space, Reversed Frontage Fence, or a fence

abutting an arterial street or collector street (Collierville Major Road Plan), in subdivisions developed after January 1, 2016, must be naturally rot resistant wood (redwood, cypress and cedar). Posts and stringers can still be pressure treated lumber. Because this change applies only to new lots, fences for homes or common areas developed prior to 2016 can still replace their existing fences with pressure treated lumber.

- Formed concrete walls/ panels are now expressly permitted provided they are within side or rear yards, certain front yard encroachments allowed for corner lots, Common Open Space, or along the rear property line of Reverse and Double-Frontage Lots. Although these have been permitted for years by the DRC, the Zoning Ordinance was silent on this material.
- Plastic and Composite Materials (100% recycled plastic, recycled plastic and waste wood fiber/sawdust) are now expressly permitted.

Opaque Fences in Front Yards Generally Prohibited:

The body of a fence located between a street and a principal structure shall have a maximum opacity of 75%. Exceptions to this include required pool barriers, required screening fences/walls, and fences/walls used in perimeter Common Open Spaces or Reversed Frontage Fences.

Drainage Flow: As before, all fences/walls must be installed to provide sufficient clearance from the bottom of the fence to the ground so drainage will flow freely and not negatively impact any adjacent property owner. The ordinance has been clarified to say that "sufficient clearance" shall be defined by the Town Engineer. Fences located in or along drainage easements must still have a minimum ground clearance of two inches.

Fences Must Be Maintained: Language was added to say that fences shall be maintained and kept in good repair by the property owner and/or homeowner association. Examples of a lack of proper maintenance include, but are not be limited to, rotten or deteriorated structural members, missing or broken components, excessive sagging of structural members or warping or distortion of planks and fence or wall materials. Lack of proper maintenance and upkeep of a fence or wall shall constitute a violation of the Zoning Ordinance and enforceable in Municipal Court.