

LOCAL LAW NO.: 3 - 2024

A LOCAL LAW AMENDING §192-95 OF THE DEWITT TOWN CODE TO ESTABLISH NEW CRITERIA FOR FENCES AND WALLS CONSTRUCTED WITHIN THE TOWN OF DEWITT

Be it enacted by the Town Board of the Town of DeWitt, Onondaga County, State of New York, that an amended Chapter 192, Article XVII, Section 192-95 of the DeWitt Town Code entitled “Fences and Walls” is adopted as follows:

CHAPTER 192, ARTICLE XVII, SECTION 192-95 – FENCES AND WALLS

§192-95 Fences and Walls.

A. Residential Districts. In all residential districts:

1. A fence or wall may be no more than four (4) feet high from the finished lot grade in the front yard and no more than six (6) feet high from the finished lot grade in the rear yard and side yard(s).
2. An outside perimeter fence or wall must be a minimum of six (6) inches from all property lines.
3. A development permit is required for erection of a fence or wall, except that no development permit shall be required for erection of a fence or wall that is less than four (4) feet in height and located at least six (6) feet from all property lines.
4. Permitted materials are limited to wood, stone, other natural material, brick, ornamental metal, vinyl, and black-colored chain link, with the finished side facing adjoining properties.
5. Explicitly prohibited materials include barbed wire, concertina wire, electric fencing, sharp or jagged-edge wire, and any other material which may cause injury.
6. Fence and wall segments on a single lot side (e.g., front, rear, or side) shall be of uniform height, material, type, and color, and shall be uniform for the entire length of the fence or wall.
7. The top edges of fences or walls must be free of sharp points, jagged edges, or other projections that could reasonably be expected to injure persons or animals.
8. If a fence is constructed of pickets, such pickets must be made of not less than one-inch by three-inch material and have an angle at the top of not less than 90 degrees.
9. At all street intersections there shall not be constructed any obstructions to sightlines of vehicular traffic.

- B. Nonresidential districts. In all nonresidential districts, fences and walls shall be reviewed and approved as a part of site plan review.
- C. Good repair. Every fence or wall must be maintained in good repair by its owner. The Code Enforcement Officer, in his or her discretion, may make a determination that a fence or wall is in disrepair in violation of this Section and may require certain repairs to restore the fence or wall to a state of good repair.
- D. Non-conforming fences and walls. Any existing fence or wall that was legally permitted and compliant as of the effective date of this Section is permitted to continue to exist and be repaired at any time, unless the fence or wall has deteriorated more than fifty percent (50%). Such determination shall be made by the Code Enforcement Officer in his or her discretion. All non-conforming fences or walls that have deteriorated more than 50% must be removed and/or reconstructed in conformance with the current requirements of this Section.