



# TOWN OF NEWTON PERMIT TO ERECT FENCE

1. Block: \_\_\_\_\_ Lot: \_\_\_\_\_ Work Site Location: \_\_\_\_\_

Owner: \_\_\_\_\_  
Address: \_\_\_\_\_

\_\_\_\_\_

Telephone #: \_\_\_\_\_

Applicant or Contractor: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_

2. Location of Fence (Check all that apply): **\*\*Provide copy of Survey**

Rear Yard \_\_\_\_\_; Side Yard(s) \_\_\_\_\_; Front Yard \_\_\_\_\_

3. Height of Fence: \_\_\_\_\_; \_\_\_\_\_; \_\_\_\_\_  
Rear Yard Side Yard(s) Front Yard

4. Description of Material to Be Used: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature of Property Owner or  
Applicant/Contractor

\_\_\_\_\_  
Zoning Officer

Date: \_\_\_\_\_

### 320-24.A Fences or Walls:

1. Fences or walls in excess of 18 inches in height shall be considered as accessory uses to a principal permitted use and shall be permitted in accordance with the general standards set forth below:
2. Wherever possible, natural screening shall be used to achieve privacy. However, where a privacy fence appears to offer a better alternative than the absence of such fence or natural screening due to circumstances involving the characteristics of the affected properties, fences conforming to this section shall be permitted.
3. The finished side of all fence surfaces shall face adjacent properties.
4. No fence shall be erected of barbed wire or similar harmful elements, nor constructed in any manner which might be dangerous to persons or animals, except that this restriction shall not apply to farms.
5. No fence or wall shall be erected in a prescribed sight triangle.
6. No fence anywhere in a front yard, including a fence running along or approximately parallel to a side lot line within a front yard, shall be more than four feet high.
7. No fence, running substantially along a rear lot line, or approximately parallel thereto, or otherwise in a rear yard, shall exceed six feet in height measured from average grade corresponding to each eight-foot section of fencing. If such fence has decorative scalloped panels or pickets along its upper edge, height may be measured to the lowest point of such edge, thus allowing posts and corresponding elements to exceed the height limitation of this subsection, but in no event by more than one foot. Where a rear yard or side yard of a corner lot abuts a side lot line and front yard of an adjacent lot, then in no event shall a fence in such rear or side yard on the corner lot exceed four feet in height such portion thereof which lies parallel to or otherwise substantially alongside the front yard of the adjacent lot.

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8. All fencing other than stone fence, stone (or masonry) wall, or iron decorative type fence shall be constructed of wood or a material that is relatively indistinguishable from wood.
9. Walls of masonry or natural stone (not retaining walls), such as New England drywalls and rows of fieldstone, shall not exceed a height of four feet.
10. Without limitation hereto, the following fences and fencing materials are specifically prohibited:
  - a. Barbed wire or other hazardous construction or material unless on a farm;
  - b. Canvas, fabric or cloth fences;
  - c. Electrically charged fences unless on a farm;
  - d. Temporary fences, such as snow or silt fences, except as the latter may be necessary during development or other approved land disturbance;
  - e. Plastic slats or other inserts in woven wire fences.
  - f. Any fence, wall or similar structure as well as shrubbery screening which substantially cuts off light or air or which may cause a nuisance, dangerous condition or a substantial fire-fighting impediment shall be prohibited.
  - g. Notwithstanding Subsection 320-24.A(8), woven wire fencing may be substituted for wood or simulated wood fencing for safety, a dog run or other appropriate reason; provided, however, that the closed loop edge shall be at the top, and no part of such fencing shall lie within a front yard.
  - h. Swimming pool fences. Every private swimming pool shall have a fence enclosure with complies with (BOCA) Building Officials and Code Administrators International.
  - i. Retaining wall: Any retaining wall 48 inches or greater in height shall be designed by a licensed professional Engineer and shall require a building permit.