



FENCE AND WALL GUIDELINES

Fencing Permit Requirement:

Fences are classified as Group U structures and are regulated to a limited degree. They are limited to (6) feet in height (nominal) in the rear and side yards. With potential variations in adjacent ground level and variable methods of construction, it is not uncommon for (6) foot high fences to have portions above six-foot limit. Decorative elements at support posts also often exceed the limitation. Therefore, a modification has been allowed to permit fences to exceed the six-foot limitation that maintains the spirit of the provision while at the same time allowing for minor variances that may exceed the fence height limit.

Fencing Height Restrictions:

From the mid-point of the house side/back to the rear yard, the fence is limited to six (6) feet nominal in height.

Sight Triangle Requirements:

Sight triangles shall be reserved according to the dimensions indicated in the table below. Please contact the Building Department if you are unsure which type of street or access way you are dealing with.

INTERSECTING STREET OR ACCESS WAYS	DRIVEWAY OR SIDEWALK	LOCAL	COLLECTOR	ARTERIAL
DRIVEWAY OR SIDEWALK	10' x 10'	10' x 10'	10' x 10'	30' x 30'
LOCAL	10' x 10'	10' x 10'	10' x 10'	30' x 30'
COLLECTOR	10' x 10'	10' x 10'	10' x 10'	30' x 30'
ARTERIAL	30' x 30'	30' x 30'	30' x 30;	60' x 60'

Other Requirements:

A permit is required for construction, installation, substantial alteration, or replacement of any fence or wall. A fence or wall repair is defined as a substantial reconstruction or renewal of an existing fence or wall for the purpose of maintenance. Permit application can be obtained from the Building Department located at 304 S Clarke Ave (City Hall) or online at www.clevermo.com

The location of a fence or wall in or through a storm water detention basin, retention pond, drainage easement or area of special flood hazard is prohibited, unless such fences or walls are formally authorized by the City's Floodplain Administrator through the issuance of a permit.

Fences and walls can be installed up to the property line; but all posts, bases, and other structural parts shall be located completely within the boundaries of the lot on which it is located.

All fences and walls erected adjacent to a public street shall have the finished side of the fences facing toward the street.

Fences and walls installed in or through a utility easement shall be installed at the property owner's risk. The property owner shall be responsible for the cost of repair to the fence or wall removed or damaged by a utility company or the city exercising its rights under the terms of the easement.

Fences or walls may not be constructed using razor wire (concertina wire), barb wire, electric material, cinder block, tires, pallets, or other materials not specifically designed to be used as a fence.

Water meters are not permitted to be behind a fence. The meter must be accessible for monthly reading and for periodic maintenance.

Permit Procedures:

A to-scale Sketch Plan (example provided) should be prepared indicating the location of the property lines, existing structures, and fences, and the location of the proposed fence or wall. Also, include the dimensions and lengths of the proposed fence and the house length to help verify location.

All contractors **MUST** obtain a City of Clever business license prior to the issuance of any permit for work within the city limits (\$25 fee). Business licenses may be obtained for the City Clerk's Office, located at 304 S Clarke Ave. For additional information call 417-743-2544.

The owner/contractor is responsible for locating underground utilities (1-800-DIG-RITE).

You may locate a fence or wall on your property line, but the City is not responsible if your fence is not on the exact line. To know exactly where your property line is, you will need to employ the services of a surveyor.

In residential areas it is common for the right of way to extend beyond the paved street or sidewalk. This area is typically landscaped and maintained by the property owner and may appear to be part of the lot but is within the right of way.

Disputes between neighbors over the location of property lines and fence locations are not arbitrated by the City. All applicants are encouraged to contact all neighboring property owners prior to any fence or wall installation.

There is a permitting fee of \$45 residential and \$120 commercial for the construction, installation, substantial alteration, or replacement of a fence or wall.

Retaining Walls:

Retaining walls that are not over four feet in heights measured from the bottom of the footing to the top of the wall are not required to have a building permit for their construction unless the wall is supporting a surcharge. A surcharge is defined as a load supported above the level of the top of a retaining wall.

A guardrail is required where the retaining wall is along open sided walking surfaces and is located more than 30 inches, measured vertically, to the grade below at any point within 36 inches high.

Materials:

All materials, including fasteners, supports, ornamental decorations, etc. used in construction of fences and walls as defined herein, shall be resistant to the elements. The following materials shall be prohibited in the construction or use with fences and walls:

- a. Razor wire (concertina wire)
- b. Barb wire
- c. Electric
- d. Cinder block
- e. Tires, pallets or other material not specifically designed to be used as a fence

Exceptions: Security fences located in commercial or manufacturing zoning districts may be comprised of chain link and barbed or razor wire and may be located in the front, side, and rear yards of the property, subject to approval by Building Department staff. All barbed or razor wire shall be placed no less than seven (7) feet above the finished grade.

Construction Requirements:

1. Fences and walls can be installed up to the property line; but all posts, bases and other structural parts shall be located completely within the boundaries of the lot on which it is located. It is the responsibility of the applicant or contractor to locate and identify all property pins prior to the commencement of work. The fence shall not encroach upon neighboring properties or into any city right-of-way.
2. All fences and walls erected adjacent to a public street shall have the finished side of the fences facing toward the street.
3. In residential zoning districts, Rear and side yard fence (mid-point of the house and rearward) shall not exceed six (6) feet in height nominal.
4. The owner and/or occupant of the property shall maintain their fence or wall in good condition at all times. Fences or walls found to be in a deteriorated condition and/or in need of repair shall be subject to the provisions of Chapter 215 of the Clever City Code.
5. Fences or walls installed in or through a utility easement shall be installed at the property owner's risk and the property owner shall be responsible for the cost of repair to the fence or wall removed or damaged by a utility company or the City exercising its rights under the terms of the easement.
6. Fences or walls erected at the intersection of streets or driveways shall not be located within a reserved sight triangle.
7. Exceptions to height requirements in the side yard may be granted by City Staff responsible for plan review where irregular sidewalls or other unusual circumstances exist.
8. Any application for the construction of a fence or wall that is proposed to exceed six (6) feet nominal in height, in residential districts, shall be constructed in accordance with the design criteria listed below, or by an alternate design prepared by a design professional.
(See Drawing 1)
 - A. Fence posts shall be a minimum of 6 x 6 inch nominal wood
 - B. Minimum post piers shall be 12 inches diameter with a minimum depth of 36 inches.
 - C. The post shall be set into the pier a minimum of 30 inches
 - D. Fence posts shall be a maximum of 72 inches on center
 - E. Minimum of three (3) 2 x 4 inch fence rails
 - F. Maximum fence height is restricted to eight (8) feet nominal.

9. All fence or wall construction with electric materials that carry an electric current intended to generate an electric shock upon contact shall install warning signage on the fence. There shall be at least one (1) clearly visible warning sign located on the exterior of each side of the fence and every twenty-five (25) feet of the entire length of the portion of the fence comprised of electric materials as described above. Each warning sign shall clearly and legibly indicate that an electric fence is in use and have an area no less than twenty-five (25) square inches on either side.

10. All fences or walls constructed with electric materials that carry an electric current intended to generate an electric shock upon contact shall be located completely within the boundaries of a separate fence or wall composed of non-electric materials and be installed at a height no higher than the height of the separate fence or wall which encloses it.

11. It is the responsibility of the applicant or contractor to contact Missouri One Call for utility locates 1-800-344-7483 prior to the commencement of work and to not start any work until all utility locations have been identified and marked.

12. It is the responsibility of the applicant or contractor to research and meet any Codes, Covenants and Restrictions (CCR) on fences or walls in your subdivision.

13. Fences or walls shall not be installed in or through a storm water detention basin, retention pond, drainage easement or area of special flood hazard, unless such fences or walls are formally authorized by the City's Floodplain Administrator through the issuance of a permit. If any existing drainage easements are underground, the fence may be allowed with the understanding that if any easement requires repair or modification, the fence will be removed at the owner's expense. If, during or after construction of the fence, the underground pipe is damaged, it will be repaired at the fence owner's expense.

14. Fences shall not enclose the water meter, water metering devices and pits. They shall remain outside of the fence boundaries with full access. In no case shall a fence encroach into a public space or into a sidewalk. All fences shall remain a minimum of twelve (12) inches from the closest sidewalk edge.

15. In cases where fences are not erected on property lines due to easements or other restrictions, a gate shall be installed to allow access to the unenclosed space for maintenance activities.