



**INCORPORATED VILLAGE OF OCEAN BEACH**

P.O. BOX 457, OCEAN BEACH, NEW YORK 11770-0457  
TEL: (631) 583-5940 FAX: (631) 583-7597

**CONSTRUCTION OF A FENCE**  
**FEE: \$100.00 (Non-Refundable Fee)**  
**PERMIT/APPLICATION**

DATE SUBMITTED: \_\_\_\_\_

PROPERTY OWNER: \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_

INFORMATION REQUIRED FOR BUILDING INSPECTOR'S REVIEW:  
(All fences shall conform to Inc. Village Code of Ocean Beach 164-28)

*Survey with Site Plan Drawing of Proposed Fence:* \_\_\_\_\_ *Yes* \_\_\_\_\_ *No* \_\_\_\_\_

Height of Fence: \_\_\_\_\_

Distance From Property Line: \_\_\_\_\_

Fence Material To Be Used: \_\_\_\_\_

\_\_\_\_\_

Description of Fence: \_\_\_\_\_

CONTRACTOR: \_\_\_\_\_

APPROVAL: \_\_\_\_\_

Gerard S. Driscoll, Building Inspector

*Upon completion, a new Survey may be required at the discretion of the Code Enforcement Officer*

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FOR OFFICE USE ONLY

Date Application Received: \_\_\_\_\_ Fee Paid: \_\_\_\_\_ Cash Receipt No.: \_\_\_\_\_

## **PROCEDURE FOR THE CONSTRUCTION OF A FENCE**

Pursuant to §164-28. Fences and walls, arbors, trellises, patios, ground-level deck and refuse can storage bins.

And

Definitions: §164-3. Fence Material.

### **FOR THE BUILDING INSPECTOR'S REVIEW:**

- Submit a current survey and a site plan drawing of the property showing the location of the proposed fence.
- Describe the height of the fence and distance.
- Describe the fence material to be used.

Following approval by the Building Inspector, a copy of the above will be filed in property file and a copy will be given to homeowner to post at the premises.

FENCE -- A vertical, unroofed structure erected as a barrier or for the purposes of enclosing or screening outdoor space, which is either self-supporting or fastened to and supported by posts or other supports. A wooden "fence" may have openings to admit the passage of light and air, or it may be solid or partially solid to prevent the free passage of light and air. A "fence" less than four feet in height is not a structure. [Added 5-21-1994 by L.L. No. 1-1994]

FENCE MATERIAL -- All fences are to be constructed of wood or nonferrous materials with openings no less than four square inches evenly patterned throughout. All posts will be of wood and nominally four-inch-by-four-inch posts will be set into the ground no less than four feet zero inches or equivalent. Open grid wire fencing no heavier than 14-gauge with minimum four-inch-by-four-inch support posts will be allowed on side yard property lines only. Fences set back eight feet from side, front and rear property lines can be constructed of solid facing materials and cannot exceed six feet in height. [Added 9-13-1997 by L.L. No. 12-1997]



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**164-28. Fences and walls, arbors, trellises, patios, ground-level decks and refuse can storage bins. [Amended 5-21-1994 by L.L. No. 1-1994; 3-8-1997 by L.L. No. 3-1997; 8-9-1997 by L.L. No. 9-1997; 9-13-1997 by L.L. No. 12-1997]**

- A. No fence shall be erected, altered or repaired within the Village of Ocean Beach, except upon the filing with the Building Inspector of a plan for the fence with a survey of the property showing the location of the fence.
- B. No fence shall be erected within the Village of Ocean Beach within eight feet of the front, rear or side lines of any lot, which fence exceeds four feet in height measured from the grade where the fence is erected or as otherwise provided in this herein. Fences can be erected within the Village of Ocean Beach within the rear and side yard setbacks, No fence can exceed four feet in height measured from grade on the front yard property line, except a fence that is set back five feet from the existing concrete walk can be constructed to a height of six feet measured from existing grade.
- C. (Reserved)
- D. Exceptions to setback requirements; conversions; power pole restrictions.
- (1) A fence need not comply with the lot line setbacks provided in § 164-28B hereof, so long as:
    - (a) A front yard fence does not exceed six feet in height measured from the grade where the fence is erected, is erected entirely on the owner's property and is no closer than five feet to any part of the concrete walk in front of the property.
    - (b) A side yard fence does not exceed eight feet in height and is erected on the side lot line but no closer than four feet from the rear power lines and is totally constructed of wood or a combination of nonferrous materials.
    - (c) A rear yard fence does not exceed eight feet in height and is at least four feet from the rear power lines and is totally constructed of wood or a combination of nonferrous materials.
  - (2) An existing legal fence may be converted to the respective heights as set forth in this section by adding fence material as listed under § 164-3B and additionally said fence must meet all other requirements for fences as contained in § 164-28.
  - (3) No fence may be directly fastened to a power line pole, and no fence may be constructed within four feet of any power line pole or four feet from the vertical line of any power pole.
- E. Any fence which is designed or constructed so as to have a front or outside (a "good side") and a rear or inside (a "bad side") shall be installed so that the good side faces abutting streets or lots and so that the bad side faces in toward the premises on which the fence is erected.
- F. No fence shall be erected or maintained so as to interfere with natural surface drainage or in contravention of any fire, health or police regulations of the village. Fences shall include emergency access gates to the rear of property devoid of padlock or other locking devices. Gates shall open both in and out to allow access for emergency and non-emergency services. Gates shall be clearly defined and kept free of all vegetation.
- G. The provisions of this section regarding deer fences shall not be applicable and of no force and effect and a moratorium declared as to the provisions regarding the same from the effective date until such time as the moratorium shall be lifted by a duly adopted resolution of the Board of Trustees.
- H. The construction and maintenance of arbors, patios, trellises, ground-level decks and refuse can storage bins as defined in § 164-3 shall be permitted.
- I. All fences, arbors and trellises shall be constructed of fence materials as defined in § 164-3. FENCE MATERIAL — All fences are to be constructed of wood or nonferrous materials with openings no less than four square inches evenly patterned throughout. All posts will be of wood and nominally four-inch-by-four-inch posts will be set into the ground no less than four feet zero inches or equivalent. Open grid wire fencing no heavier than 14-gauge with minimum four-inch-by-four-inch support posts will be allowed on side yard property lines only. Fences set back eight feet from side, front and rear property lines can be constructed of solid facing materials and cannot exceed six feet in height. [Added 9-13-1997 by L.L. No. 12-1997]