Village of Brookfield
Building & Planning Department
8820 Brookfield Avenue
Brookfield, IL
60513

Fence

Permit Application

Part 1: Property Information

Name of Property Owner: Last_____, First_____

Property Address: _____

Brookfield, IL 60513

PIN# __ __ - __ __ - __ __ __ - __ __ __ Lot: _____ Block: _____ Subdivision: _____

Property Owner Phone Numbers: Daytime_____ Evening_____

Part 2: Contractor(s), If Applicable

General Contractor:

Last Name _____, First Name _____

Business Name _____

Business Phone _____, Business Fax _____

Business Address _____
City State Zip Code

Part 3: Fence Attributes

A COPY OF THE PROPERTY'S PLAT OF SURVEY IS REQUIRED. Please indicate where the fence is located on the submitted plat. Fences **MUST** be installed inside the property line and constructed with the finished side facing outwards.

NO BACK-TO-BACK FENCES ARE PERMITTED. It is the responsibility of the homeowner and his or her installer to verify that fences will only be installed along a property line where a fence does not already exist. Fences installed in violation of this provision will be required to be removed.

Style of Fence:_____

Height and Length:_____ Project Value: _____

Location on Property:_____

Disclaimer: It is the responsibility of the homeowner and his or her installer to erect the fence on the homeowner's property. The Village of Brookfield is not responsible for any encroachments onto the neighboring homeowner's property.

Part 4: Signatures

Only 1 signature is required for the permit application. Applications without a signature will not be accepted.

Signature of Owner: _____ **Date:** _____

Signature of Contractor: _____ **Date:** _____

Revised: 7.11.2006
8.31.2007

ORDINANCE NO. 2006 - 55

AN ORDINANCE AMENDING CHAPTER 6 ENTITLED "BUILDINGS" OF THE CODE OF ORDINANCES OF THE VILLAGE OF BROOKFIELD, COOK COUNTY, ILLINOIS

PASSED AND APPROVED BY
THE PRESIDENT AND BOARD OF TRUSTEES
THE 26TH DAY OF JUNE, 2006.

Published in Pamphlet form by
Authority of the Corporate
Authorities of the Village
Brookfield, Illinois this 27th day
of June, 2006.

ORDINANCE NO. 2006 - 55

AN ORDINANCE AMENDING CHAPTER 6 ENTITLED "BUILDINGS" OF THE CODE OF ORDINANCES OF THE VILLAGE OF BROOKFIELD, COOK COUNTY, ILLINOIS

WHEREAS, the Code of Ordinances of the Village of Brookfield, Illinois provides for the regulation of fences and hedges;

WHEREAS, in the opinion of a majority of the corporate authorities of the Village of Brookfield, it is advisable, necessary and in the public interest that the Village of Brookfield amend its Code of Ordinances pertaining to the regulation of fences and hedges.

NOW, THEREFORE, BE IT ORDAINED, by the President and the Board of Trustees of the Village of Brookfield, Cook County, Illinois, that Chapter 7 entitled "BUSINESSES, TRADES AND OCCUPATIONS" of the Code of Ordinances of the Village of Brookfield, as amended, is hereby further amended as follows:

Section 1: That section 06-18 entitled, "Fence and Hedge Regulations Generally" of Chapter 6 entitled "BUILDINGS" of the Code of Ordinances of the Village of Brookfield, as amended, is further amended to read as follows:

SEC. 06-18. Fence and hedge regulations generally

(a) DEFINITIONS. For the purposes of this section, the following definitions shall be applicable:

FENCE. An artificially constructed barrier of wood, metal, brick, stone, concrete, or plastic/vinyl erected to enclose, screen, or separate areas.

FENCE HEIGHT. The vertical distance measured from the side of the fence that is exterior to the property or from the lowest adjacent ground level to the top of the fence material.

FRONT YARD. As defined by the Brookfield Zoning Ordinance.

HEDGE. A barrier of densely compacted brush, shrubs, low trees or similar materials grown to enclose, screen, or separate areas.

SPAN. The entire length of a fence, generally parallel to a lot line and located within the area of a given front, side or rear yard as established by the Village Zoning Ordinance, or where a yard requirement is not established, generally parallel to the parcel or zoning lot line.

(b) Permits.

(1) Unless otherwise exempted, all work involving the construction, relocation or extension of fences or the planting of hedges shall require a permit issued by the Village. Any fences required to be installed pursuant to the regulations of the Village, including but not limited to enclosures of construction sites, demolition sites, and swimming pools, shall be required to obtain a Village permit.

(2) Exemption. Any temporary fence not exceeding four (4) feet in height, being installed for a period of less than eight (8) months in any calendar year, and whose purpose is to protect home garden crops is exempted from permit review where such fence is not in conflict with the Prohibited Locations section of this ordinance.

(c) Prohibited Locations.

(42) inches in height.

No other type of fencing material or hedges shall be permitted, nor shall appurtenances be allowed to be attached to permitted fencing.

(3) In any zoning districts where a front or side yard requirement is not established by the Village Zoning Ordinance, no fence shall be permitted within five (5) feet of the front property line nor within five (5) feet of any side property line abutting a street right-of-way except in that area located between the rear of the primary structure and the rear property line where a fence or hedge shall be permitted along the property line.

(4) No private fence, hedge or other material is permitted to be located upon any public property in the Village without approval of the Village Board.

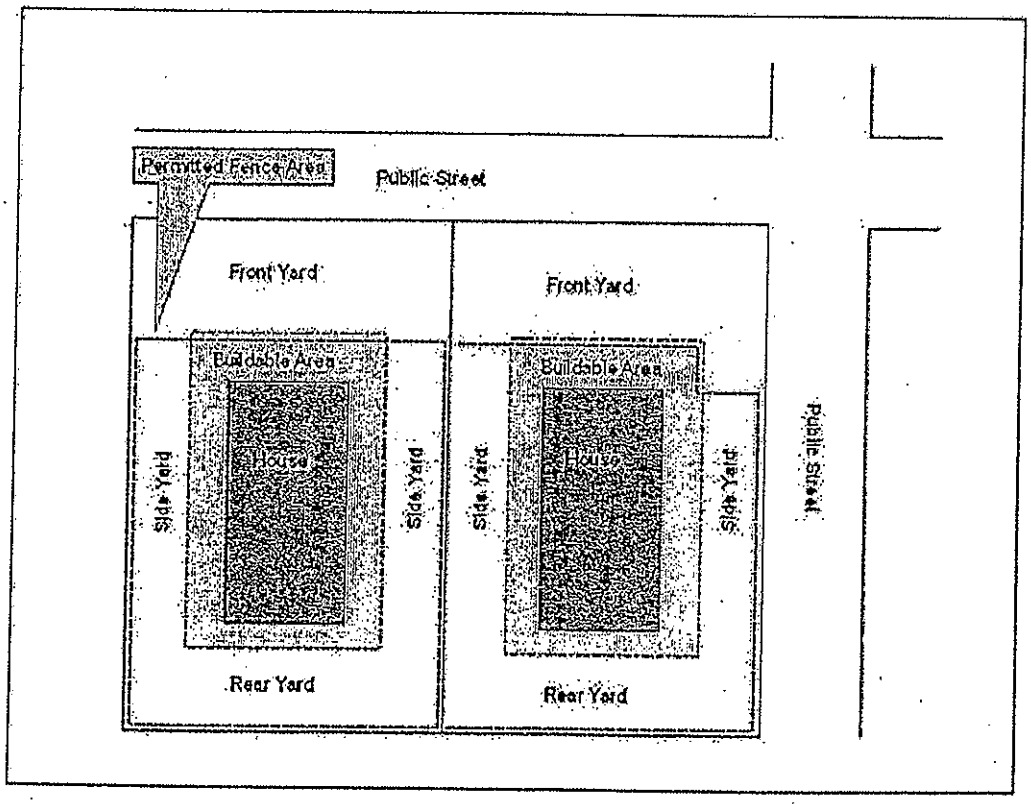
(d) Height Regulations.

(1) No fence or hedge greater than six (6) feet in height shall be constructed or planted, as applicable, on property zoned for residential use unless otherwise exempted.

(2) Any hedge situated within ten (10) feet of the lot line and where fencing is prohibited by this ordinance shall hereafter be maintained at a height not to exceed thirty (30) inches in height.

(e) Required Maintenance. Any property owner receiving the permit to erect a fence or plant a hedge and the property owner's successors and heirs who thereafter receive title to the property, shall maintain the fence erected in good repair or hedge planted in neatly pruned condition. All fences shall be required to be maintained in a manner and in a condition equal to that of the fence when it was erected. No hedge shall be permitted to encroach within one foot of any public sidewalk or the property line.

(1) In residentially zoned districts, unless otherwise exempted, no fence or hedge shall be permitted in the required front setback established by the Village Zoning Ordinance nor in that side yard abutting a street right-of-way, except in that area located between the front of the primary habitable building and the rear lot line, where a fence or hedge shall be permitted (See Illustration); unless a rear lot line abuts another zoning lot's side lot line, whereupon the total side yard setback shall be maintained.



(2) However, on corner lots only, a double rail split-rail fence may be placed along the property line at the corner of the lot common to both streets and which shall not extend in excess of eight feet in either direction from the corner of the lot where the top of the highest rail shall not exceed thirty-six (36) inches in height nor any support post exceed forty-two

(f) Lot Line. Only one (1) fence shall be permitted along any lot line.

(g) Construction Requirements.

(1) All fences shall be constructed of new material. No single strand, electric, barbed wire or similarly hazardous fence shall be allowed within the Village.

(2) Every fence constructed, erected, altered or enlarged after the effective date of this ordinance shall be of an architectural design common to the Village and shall be so designed and constructed as to be compatible with its environment and surrounding properties from an architectural standpoint.

(3) No fence shall be of such architectural design that the same is manifestly inferior or is so radically different as to impair marketability or property values of the existing property in the same immediate vicinity.

(4) All fences shall be constructed with the finished or smooth side facing outward, that is all posts and supporting beams shall face toward the permit holder's property.

(5) Uniform design shall be maintained along the entire length of each fence span.

(6) The attachment of any fencing, screening or other material added to an existing fence. is prohibited. However, this shall not preclude the installation of privacy slats to chain link fencing.

(h) Non-Conforming Fences and Hedges. In all cases when a fence is erected or a hedge is planted, as applicable, contrary to the provisions of this Code, the Code Enforcement Officer shall forthwith notify by Certified Mail, the owner or agent of the land on which the fence or hedge is located. The notice shall describe the manner in which the fence or hedge violates this Code. Except in circumstances where the condition of the fence or hedge presents a danger to public health or safety,

the notice shall notify and permit the property owner to make such repairs as necessary to make such fence or hedge comply with the provisions of this ordinance within thirty (30) days. A property owner may apply to the Village Manager and upon the showing of good cause, the Village Manager may approve in writing an extension of the compliance period by not more than an additional sixty (60) days. Whenever a legal non-conforming fence and hedge cannot be maintained in compliance with the maintenance standards set forth in this Code, such non-conforming fence or hedge shall be removed.

(i) Redress.

Appeals. In the event any person affected by this ordinance desires appeal from the decision or interpretation of the decision or interpretation of the Code Enforcement Officer or other officer of the Village, such person shall have the right to file an appeal of the decision or interpretation with the Village Plan Commission within (30) days after receipt of notice of non-conformity or written denial or interpretation. The notice of appeal filed with the Plan Commission shall specify the grounds thereof. Upon receipt of the written appeal and their receipt of a filing fee in the amount of $675.00, a public meeting shall be scheduled. The Code Enforcement Officer or other authorized officer shall transmit to the Plan Commission all materials constituting the record upon which the action appealed was taken, the Plan Commission shall then formally review the appeal at a public meeting and shall make a recommendation to the President and Board of Trustees which shall thereafter consider and take final action on such appeal.

The standards and regulations herein contained are the minimum standards and regulations found to be acceptable by the Village. No authority is implied or granted to any official, commission or board to grant variation from the requirements of this section 06-18.

Section 2: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 3: This Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication in pamphlet form as provided by law and all ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

AYES: Trustee Hall, Dorobiala, Towner and President Garvey

NAYS: Trustee Stevanovich, Ketchmark and Edwards

ABSENT: None

Michael J. Garvey, Village President

PASSED: This 26th day of June, 2006.

APPROVED: This 26th day of June, 2006.

PUBLISHED: This 26th day of June, 2006.

ATTEST:

Dan J. Raddatz, Village Clerk