

# FENCE GUIDELINES



CITY OF LANCASTER  
ENGINEERING DEPARTMENT  
BUILDING DEPARTMENT  
121 East Chestnut Street  
Suite 100  
Lancaster, Ohio 43130-3825  
Telephone (740) 687-6614  
Facsimile (740) 681-5030

---

## PERMITS

The City's zoning code does not require a permit to erect a fence six-feet or less in height. Over six-feet requires a permit and inspections.

A fence with its height in excess of six-feet is deemed a structure and a building permit must be obtained from the City's Certified Building Department before work may begin.

Properties in a Federal Emergency Management Agency's designated Special Flood Hazard Area require a *Development Permit for Special Flood Hazard Area in the City of Lancaster, Ohio* from the Engineering Department before a fence may be erected. (1331.08 L.C.O.) FEMA Flood Insurance Rate Maps for the City of Lancaster are available at the Engineering Department office, main branch of the Fairfield County District Library, or from a Map Search at [www.store.msc.fema.gov](http://www.store.msc.fema.gov).

## OTHER FENCE REQUIREMENTS

### Swimming Pools- City Zoning Code section 1125.05

A "private swimming pool" as regulated herein, means any pool or open tank **not** located within a completely enclosed building and containing water to depth, at any point greater than one and one-half (1 ½ ) feet. A private spa or hot tub with a lockable cover shall not be considered as a "swimming pool" subject to the provisions of this Section. No such swimming pool, exclusive of portable swimming pools with an area of less than 100 square feet shall be allowed in any residential district unless the following conditions and requirements are complied with:

Section (d) of the zoning code reads:

Any private swimming pool, or the property on which the pool is located, shall be enclosed by a wall or fence constructed so as to prevent uncontrolled access. Such wall or fence shall not be less than six (6) feet in height, maintained in good condition, and affixed with an operable gate and lock.

Please see the complete zoning code section 1125.05 for swimming pools for more information about pools prior to installation.

## **OTHER FENCE REQUIREMENTS (continued)**

Fences erected in residential district must have the "good side" facing the adjoining property. (1123.012 (a)(3) L.C.O.)

The construction of a partition fence with barbed wire in a residential district is prohibited unless written consent of the adjoining owner is first obtained. Such consent is not necessary to the use of one or two barbed wires, provided neither is less than forty-eight inches from the ground, and are placed on top of a fence other than a barbed wire fence. (521.05 (a) L.C.O.)

Fences charged with an electrical current are prohibited in the City of Lancaster. (521.05 (b) L.C.O.)

Maximum height of a fence in a residential front yard is four-feet. (1213.10 (b)(3) L.C.O.)

## **RECOMMENDED REQUIREMENTS**

### Open Ornamental (Rail, Split Rail or picket)

- Post-hole depth 24-inches or deeper
- Maximum height of 5-feet

### Chain Link Fences

- Post-hole depth 24-inches or deeper
- Maximum height of 5-feet

### Privacy Fences

- Post hole depth of 36-inches or deeper
- Maximum height of 8-feet with building permit, 6-feet without building permit

## **IMPORTANT POINTS TO REMEMBER**

A property owner should find his/her property's corner monuments or property pins at each corner of his/her property for all property lines along which a fence is to be erected before erecting the fence to ascertain the fence will not encroach on the adjoining property. If the property corners cannot be found, then it is recommended that a surveyor registered in the state of Ohio be hired to locate and/or identify the property's corners.

A property owner desiring to erect a fence may not enter the adjoining property for the purpose of either erecting the fence or subsequently maintaining the fence without the adjoining owner's permission.

Developments or subdivisions may have established deed, plat restrictions or conveyances that control the erection of fences within that development or subdivision. The City does not regulate nor enforce these private covenants; other homeowners or civic associations within a development or a subdivision may regulate them as well as other deed/plat restrictions.

Utility workers lawfully entering a utility easement for the underlying purpose of the easement may remove a fence in a utility easement and not be held accountable for reinstalling or repairing the fence.

Fences may not be installed in a designated drainage easement. A property owner erecting a fence in a drainage easement may be held liable by other property owners for damages that may occur as a result of the fence impeding the flow of water in that drainage easement.

The State of Ohio has adopted laws governing the erection of livestock fences for agricultural lands. The Extension Service may be contacted for information on these fences. These regulations typically do not apply within the corporation limits of a municipality.

Ohio Revised Code requires anyone excavating, including the digging of fence post-holes, to contact the Ohio Utilities Protection Service and the owners of non-registered underground utilities a minimum of 48-hours before digging. This free service is available 24-hours per day, 7-days per week, including holidays at 1-800-362-2764.