

## I. PERMITS

A. To obtain a permit for the construction or erection of a fence, you must provide the following information with a completed permit application form, available at the Building Department.

1. Tape Location or Instrument Survey Map:  
Copies of this map are often included with the papers received at a closing or at the office of the mortgage holder. Frequently, a copy may be found in the Town Building Department files. Please call ahead to determine availability.
  - a. The tape location or survey map must show the following information;
  - b. The location of proposed fence;
  - c. The length and height of the proposed fence;
  - d. The type of fence (material)
2. Cost of Construction (Value)  
This must be reported to the Building Department on the application for a building permit. The value of construction is defined as:  
“The cost of the improvement, including the value of donated or own material or labor. For contractor performed work, it is the total contract cost.”
3. Contractors as Applicants (Requirements):  
The contractor will provide original certification of Workman’s Compensation and Liability Insurance coverage, naming the Town of Greece as the certificate holder. For self-employed contractors, a waiver of Workman’s Compensation may be submitted.
4. Permit Fees  
Permit fees vary from year to year. They are user fees that offset the cost of permitting, inspection, and records maintenance. The State of New York requires records for this type of permit and inspections must be performed. The Town of Greece must maintain these records and keep them on file for seven years after the demolition of the fence.

B. To Obtain a Permit for an Existing Fence, it is not always possible for the Town to issue a permit for an existing fence installation. Often, existing fences that were installed without a permit do not conform to the Building Code or Zoning Ordinance and must be removed, modified, or a variance required.

**Corner Lot:** The rear yard shall extend from the corner yard to the side lot line.

**Side Yard:** The space between the side of a building and a side lot line, extending from the front yard to the rear yard.

**Closed Construction Fence:** If the component materials comprise more than fifty (50) percent of the area of any and all portions of the fence.

**Open Construction:** If the component materials comprise fifty (50) percent or less of any and all portions of the fence.

**Front Yard:** The space between the front of a building, as determined by the Building Inspector, and the front lot line, extending the entire width of the lot on which said building is located. For “waterfront lots”, the front yard shall be space between the dwelling unit and the shoreline.

**Rear Yard:** The space between the rear of the building and the rear lot line. In the care of an interior lot, the rear yard shall extend the entire width of said lot.

## II. INSPECTIONS

Except when used as part of the required enclosure of a swimming pool, fences are not inspected. If the fence serves as a pool enclosure, an inspection request must be made by calling 723-1923. If the pool enclosure passes inspection, a Certificate of Compliance will be mailed to the permit applicant.

## III. GLOSSARY OF TERMS USED IN THIS BROCHURE

These definitions are taken from the “Town of Greece Zoning Ordinance”. Specific questions relating to locating fences can be answered at the Building Department counter. Please bring a copy of your map.

**Fence Height:** Except for fences which are located on decks or aboveground pools, the height of a fence shall be measured from the top of said lot. Six foot fences shall be permitted in rear yards only. Four foot open construction fences are allowed in front yard.

**Through Lot:** A lot which has frontage on two parallel or generally parallel streets.

**Waterfront Lot:** A lot which adjoins Lake Ontario, Braddock Bay, Cranberry Pond, Long Pond, Round Pond, and Salmon Creek.

**Street:** A public highway or a private road, driveway or easement which provides vehicular access for three (3) or more lots.

**Farm:** A lot or any combination of contiguous lots either owned or leased which comprises not less than 10 acres in area and which is principally used for agricultural purposes, including but not limited to horticulture; plant nurseries; apiaries; fish hatcheries; animal or poultry husbandry; dairying; pasturing; and the customary accessory structures necessary for the storage or sale of the agricultural goods produced on said lot. This definition shall not include stables, as defined by the Zoning Ordinance, or stockyards or commercial feedlots.

**Stable:** (Private) A stable which is an accessory use for the family which resides on the premises and on/at where horses, ponies or similar types of animals, regardless of size, breed or species, are kept or fed, but not for remuneration, sale or hire. (Public) A stable on/at where horses, ponies or similar types of animals, regardless of size, breed or species, are kept or fed for remuneration, hire or sale.

## IV. FENCE ACTING AS POOL ENCLOSURE

With the exception of above ground pools with restricted access and have at least forty eight (48) inches between pool decking or adjoining grade and the pool top. All swimming pools shall be enclosed as set forth below:

The enclosure shall be at least four (4) feet in height and a maximum clearance to grade of two inches.

Horizontal openings between pickets, on picket type fences, shall not exceed four (4) inches.

Where a chain link fence is provided, the openings between links shall not exceed two and one quarter inches (2.25)

Horizontal members less than forty five inches (45) require a max spacing of one and three quarter inches (1.75)

Railings and fences shall be sufficient to resist loads, as defined by Appendix G of the “Residential Code of New York State.”

Gates provided for an enclosure shall open away from the pool, be self-closing and latching with the latch handle located within the enclosure a minimum of three (3) inches down from the top of the gate and at least forty eight (48) inches above grade, or walking surface.

**Pool alarms are required for all pools installed or substantially modified after December 14th, 2006.**

**The wall of a dwelling is permitted to serve as part of the enclosure if:**

A swinging door and or a sliding door in the wall shall be self-closing and self-latching or equipped an alarm that meets the following standard provided in UL2017.



**INFORMATION**

**National Spa & Pool Institute**  
2111 Eisenhower , street  
Alexandria, Virginia 22314  
I -703-838-0083

**American Red Cross**  
50 Prince Street  
Rochester, New York 14607  
461-9800

**International Code Council**  
500 New Jersey Avenue  
Washington, DC 2001-2070  
www.iccsafe.org

**New York State Uniform Fire  
Prevention & Building Code**  
New York State Department of State  
41 State Street  
Albany, NY 12231  
(585) 671-9760

**Zoning Ordinance**  
Town of Greece  
One Vince Tofany Boulevard  
Greece, New York 14612

**Code of the Town of Greece**  
Swimming Pool Law  
Town of Greece  
One Vince Tofany Boulevard  
Greece, New York 14612



**Town Of Greece  
Technical Services**

**TOWN OF GREECE  
1 VINCE TOFANY BOULEVARD  
GREECE, NEW YORK 14612**

**RESIDENTIAL FENCES**

A building permit is required for the following:

- All permanent fences
- Replacement fences
- Walls serving the same purpose as a fence

Repair may be made to an existing fence with similar materials to recreate the original condition, without a permit if:

- The current fence complies in all respects with current regulations;
- The current fence was originally constructed with a valid building permit.

**Smoke & Carbon Monoxide Detectors are required to be installed in every dwelling by New York State Law.**

**TOWN OF GREECE  
1 VINCE TOFANY BOULEVARD  
GREECE, NEW YORK 14612  
585-723-2443**