



# FENCES

May 2022

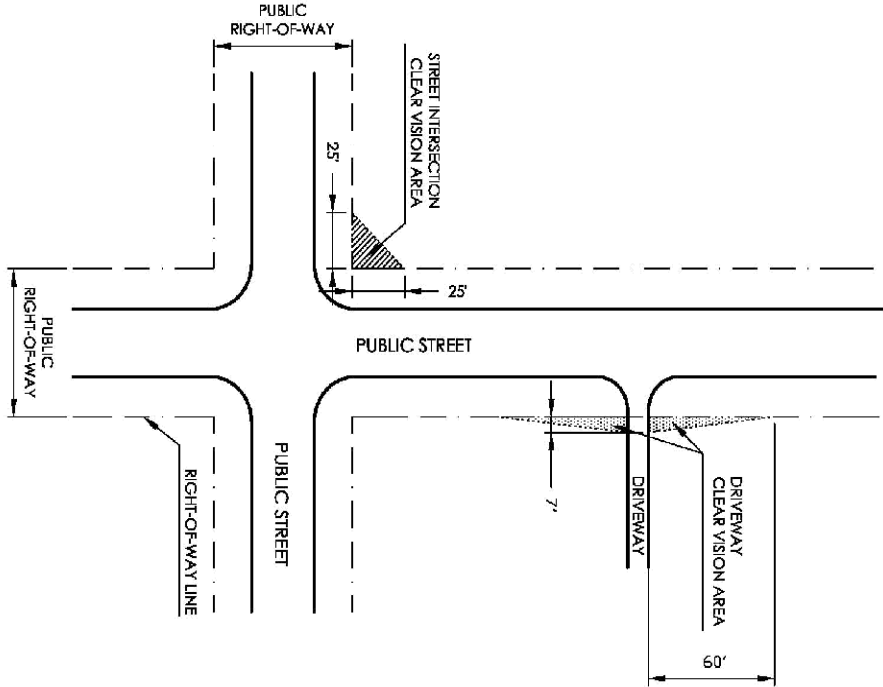
## Authority

Residential fences on properties within the City of Mason are regulated by the City's Ordinances adopted by the City Council. Website reference: <http://mason.mi.us>, select City Charter and Ordinances under the Your Government tab. The purpose of regulating fences is to:

- Create a safe, walkable environment for community members of all ages and abilities.
- Preserve and protect the character and attractiveness of residential neighborhoods.
- Prevent reduction in visibility at corners and intersections of streets and driveways.

## Quick Reference

	Requirement	Ordinance Reference
Definitions	<p><b>Fence</b> means any wall (except a retaining wall or lawful sign), screen, partition or similar structure that encloses land, divides land into distinct portions, separates contiguous properties, prevents intrusion from without or straying from within, obstructs the passage of light or air into adjacent land, or obstructs the view of property.</p> <p><b>Clear vision area</b> means the unobstructed view across a corner space which is created by the intersection of two vehicular ways that allows a motorist to see on-coming traffic or pedestrians (See figure 100-103 in Ch. 100). This vision area shall be clear of any opaque obstructions within a specified distance along or from the right-of-way line(s) of all streets and drives.</p> <p><b>Corner lot</b> means a lot that is situated at the junction of at least two streets at which the angle of interception is no greater than 135 degrees and defined as having one front yard, one rear yard and two side yards.</p> <p><b>Front yard</b> ... On a corner lot, the front yard shall be the yard fronting on a street with the largest setback. (See Sec. 1-2 for full definition; See also Rear Yard, Side Yard.)</p>	Sec. 1-2 Definitions
Fences and walls	Except as otherwise permitted in this chapter, fences or walls shall have a maximum height of six feet and shall be <u>ornamental in design</u> . No fence or wall with a height greater than three feet shall be constructed in the front yard of a residential building.	Sec 94-172(d)(2) General Regulations
Height	Front yard – 3 feet maximum. Side or rear yard – 6 feet maximum.	Sec 94-172(d)(2)
*Vision clearance across corner lot	<p><i>Fences may be built on the property line except in the following instances:</i></p> <p>a. Nothing shall interfere with the traffic visibility across the <u>triangular area of a lot formed by the intersection of two public or private streets or combination thereof</u> measuring 25 feet along the road right-of-way lines in each direction from the corner of said lot.</p> <p>Nothing shall interfere with traffic visibility across the <u>triangular area adjacent to the intersection of a public or private street and a driveway</u> formed by measuring seven feet along the driveway lines and 60 feet along the road right-of-way in each direction from the edge of said driveway.</p>	Sec. 94-172(d)(3)

	<p>No fence, structure, or planting taller than three feet shall be erected or maintained in said triangular areas except trees with branches no lower than eight feet above the ground. However, nothing shall be permitted** in the triangular area adjacent to a driveway. **Staff will interpret this to be consistent with Sec. 1-2 Definition above which states 'no opaque obstructions.'</p> <p>b. In all manufacturing zones, where corner lots abut a railroad and a major or minor street, no fence shall be erected or maintained within a triangular area formed by measuring 200 feet along the property lines in each direction from the corner of said lot. However, if the intersection is controlled by automatic flashers installed and pursuant to legal authority, the clear vision area may be reduced in accordance with subsection 94-172(h)(3) a.</p>	
	 <p>The diagram illustrates two types of clear vision areas. The first is a 'STREET INTERSECTION CLEAR VISION AREA', which is a right-angled triangle with 25-foot legs extending from the corner of the intersection. The second is a 'DRIVEWAY CLEAR VISION AREA', which is a rectangular area extending 60 feet from the driveway edge and 7 feet into the driveway. The diagram also shows 'PUBLIC RIGHT-OF-WAY' lines and 'PUBLIC STREET' labels.</p>	<p>Figure 100-103 in Chapter 100</p>
<p>Materials and maintenance</p>	<p>All exterior surfaces, including fences shall be maintained in a good condition. All exterior wood surfaces, other than naturally decay-resistant wood, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. <i>It is customary, but not required, that the good finished side of a fence faces your neighbor.</i></p>	<p>Sec. 6-142. Protective treatment</p>
<p>Building Permit</p>	<p>Not required if 6-feet in height or less (see height maximum). Building Permits are required for retaining walls 4 ft or higher, or any height when supporting surcharge.</p>	<p>2015 MBC</p>
<p>Stormwater</p>	<p>Post-holes for fences do not require a Soil Erosion Permit/Waiver from Ingham County. However, placement of a fence should not obstruct the flow of surface water across properties, especially in areas designated as a drainage easement. Please contact the City for additional information if you plan to place a fence near the edge of a waterbody, or in a manner that affects the natural flow of surface water/drainage on the ground between you and your neighbor. See also our FAQ on Drainage-Grading-Landscaping-Sump Pumps.</p>	<p>Sec. 94-177(o) Grading and filling of property.</p>
<p>District Requirements</p>	<p>Additional requirements may apply if the property is located within the Downtown Historic District. Check with your Condo or Homeowners Association before installing a fence to see if additional restrictions apply.</p>	<p>Sec. 31-4 Historic Preservation</p>

## Frequently Asked Questions (FAQs)

---

### **Can the City tell me where my property line is?**

It is the responsibility of the property owner to determine where your property lines are located. If a survey is not included with your mortgage papers, call or visit the City of Mason Assessor's office to see if we have a property survey on file. If not, you may wish to hire a surveyor to determine and mark your lot lines. Placing a fence that goes over a lot line onto your neighbor's property is not allowed; additional expense may be incurred to remedy the situation.

### **I have an issue with neighbor's fence. Can the City help?**

If you believe your neighbor's fence encroaches onto your property, you may initiate private legal action. City government does not arbitrate these disputes. If you have a concern about a neighborhood fence and would like an inspector to investigate whether the fence was built in compliance with the City Ordinances, call Customer Service at 517-676-9155.

## Resources

---

More questions and not sure how to proceed? Our team is always willing to discuss your plans. Contact our Customer Service Desk at 517-676-9155.

**Always call before you dig!** Contact **MISS DIG** at least three (3) business days prior to excavating on your property. Visit [www.missdig.org](http://www.missdig.org) or call 811 or 1-800-482-7171.