



**CITY OF GENEVA
BUILDING DIVISION**
109 JAMES STREET
GENEVA, IL 60134
630/262.0280
www.geneva.il.us

Fence Permit Information

Revised: 12/29/21

A building permit is required prior to installing or replacing your fence. The following are guidelines and comments for obtaining a building permit.

Application and Drawing Procedures:

- An Application for Permit is to be filled out and submitted to the Building Division.
- For general permit application questions for any property within the City of Geneva, please contact the Building Division at 630 262-0280 or pdf@geneva.il.us.
- For any property that is a designated Historic Landmark or located within the Geneva Historic District, approval is required by the Historic Preservation Commission (HPC) prior to obtaining a permit through the Building Division. Please contact Michael Lambert, Preservation Planner, at 630 938-4541 or mlambert@geneva.il.us for more information.
- Mill Creek residents with building permit questions should contact the Kane County Building Division at 630 232-3485 or keriazakosELeas@co.kane.il.us because Mill Creek properties are not under the jurisdiction of the City of Geneva.
- The contractor's name, address, phone number and, if required, their license numbers are to be filled out when submitting the application.
- Submit one (1) copy of the plat of survey illustrating with a colored pen or highlighter the exact location you wish to install the fence. This information will help us verify compliance with the various rules and regulations.
- Complete and submit the attached Affidavit of Compliance with Storm Water Drainage and Detention Regulations. The Property Index Number (PIN) can be found on the closing papers for your house and also on your real estate tax bill from Kane County. You will find your legal description for your property on your Plat of Survey. On the second page, the property owners are asked to sign the affidavit in the presence of a Notary Public. This shows your compliance to raise the fence 4 inches from the ground. Please bring the signed and notarized Affidavit of Compliance to the Building Division. If raising the fence 4" from the ground will present a problem for you, please read the Fence Permit Attachment Regarding Ordinance No. 2001-57 to possibly obtain a variance from the Public Works Department.
- After the paperwork has been submitted, it will be reviewed by the Public Works Engineering Division and the Building Division to approve the location and height of the fence.
- Allow 10 working days for the permit application to be reviewed and approved. A staff member will call you when your permit is ready to be picked up and paid for.

Fees:

- **Fence fee:** \$75.00 to be paid when the permit is picked up.
- **Re-inspection fee:** \$50.00 to be paid prior to re-inspection if an inspection has failed.
- **Type of Payment:** Cash, check (made payable to the City of Geneva), MasterCard and Visa.

General Comments:

- **The application packet and stamped City approved plans are to be on the job site at all times.**
- A minimum of 24-hour notice is required when scheduling any inspection.
- Compliance with the indicated codes, ordinances, and inspections required.
- No fence or wall shall be erected or placed upon any property without first obtaining a fence permit. Plans indicating specific locations, material, type, and height of the proposed fence or wall shall accompany the permit application.

Fence Construction Standards:

- Location: A fence, including all posts, bases and other structural parts shall be located completely within the boundaries of the lot on which it is located. No fence shall be located closer than 12 inches to a public sidewalk.
- A copy of the plat of survey of the lot upon which the fence or wall is to be constructed shall be submitted to illustrate the location of the proposed fence.
- Construction: Fences shall be designed and constructed to resist a horizontal wind pressure of not less than thirty (30) pounds per square foot.
- Finished side: All fences shall be designed and constructed with the finished surface facing the neighboring property with the support posts placed to the inside, except in such cases where the posts are an integral part of the fence design which enhances the appearance of the fence.
- Gate opening: Except for the corner lots and rear yard of through lots, every fence which creates a wholly enclosed area and adjoins an existing or proposed street right-of-way, shall include a gate to provide access to the right-of-way. This provision does not apply to corner lots or to the rear yard of a through lot.
- Business and Industrial: Property within any business or industrial zoning district which abuts residentially zoned property shall be landscaped and screened in accordance with the provisions of article 11 of this ordinance.
- No fence or wall shall exceed a maximum of three (3) feet above the street grade within the visibility triangle. The purpose of this requirement is to provide for visual clearance and traffic safety.
- Clearance from utilities located at grade. All fences must maintain:
 - Three (3) foot clearance from all sides of utility pedestals
 - Six (6) foot frontal clearance and three (3) foot side clearance from all transformers
- Fence must be a minimum of 4 inches and a maximum of 6 inches from grade at the bottom edge.
- Ten (10) foot frontal clearance and three (3) foot side clearance from all switch boxes.
- Barbed Wire and Electric Fences: Barbed wire, razor wire, concertina, and the electrification of fences are expressly prohibited except in accordance with Chapter 21, Section 21-15 of the Geneva Municipal Code.
- Swimming Pools: See fence requirements under Appendix A (Building Codes) of the Geneva Municipal Code.
- Tennis Courts: Fences surrounding tennis courts shall not exceed a height of twelve (12) feet.

Fences located in drainage easements on your plat of survey:

Fences are prohibited from occupying drainage easements. They must be set a minimum of 4 inches off the ground and the owners must sign an Affidavit of Compliance that shows their agreement to comply.

Maximum Fence Height:

Residential Districts:

- | | |
|------------------------|-----------------------|
| 1. Street setback | Forty-two (42) inches |
| 2. Side setback | Six (6) feet |
| 3. Rear setback | Six (6) feet |
| 4. Visibility triangle | Three (3) feet |

Inspections – Clarification and Details:

The following is a list of inspections which may be required for your project and the approximate amount of time it takes for each inspection.

- ✓ **Final Inspection** **¼ hour**

The following are general guidelines and details on the types of inspections that may be required for your project. For further clarification please call our office and speak with one of our Building Inspectors.

Final:

- ✓ At this inspection we confirm that the fence was installed per the approved plans.

Building Codes:

The following are the Building Codes the City of Geneva has adopted.

- City of Geneva Municipal Code
- 2009 Int'l Building Code w/amendments
- 2015 Int'l Mechanical Code
- 2005 Nat'l Electrical Code
- 2014 State Plumbing Code
- 2015 Int'l Residential Code w/amendments
- 2009 Int'l Fire Code w/amendments
- 2018 Int'l Energy Conservation Code
- 2015 Int'l Swimming Pool and Spa Code (ISPSC) w/amendments
- 2015 Int'l Fuel and Gas Code w/amendments

Homeowner and Contractor Responsibilities:

- It is the responsibility of the homeowner/contractor to schedule with the Building Division the required inspections.
- The required inspections are indicated on the Plan Review Form and Weather Card, which is attached to the permit and the Field Copy of drawings. When scheduling an inspection, please have the address and permit number available.
- Inspections require a minimum of 24 hour notice. Please call (630) 262-0280 to schedule inspections.

Call **J.U.L.I.E.** (Joint Underground Location for Inspectors and Engineers) at least 48 hours prior to digging on site to locate any underground utilities. **(1-800/892-0123)**

- Electric Utilities Red
- Comcast (Cable) Orange
- Northern Illinois Gas (NICOR) Yellow
- Sewer Utilities Green
- Telephone Utilities Orange
- Water Utilities Blue

AFFIDAVIT OF COMPLIANCE WITH
STORM WATER DRAINAGE AND
DETENTION REGULATIONS OF THE
CITY OF GENEVA, KANE COUNTY, ILLINOIS
AND RELEASE OF MUNICIPAL LIABILITY

The City of Geneva has adopted Storm Water Drainage and Detention Regulations [the "Regulations"] (Appendix E of the Geneva Municipal Code) on August 20, 2001. These Regulations generally prohibit the erection of fences in areas which impede the flow of storm water of drainage. The Regulations provide for limited relief from this prohibition. First, if a fence lies within an easement dedicated for storm water and surface water drainage, a minimum vertical clearance of four (4) inches is required to be maintained from the ground surface to the bottom of the fence. This minimum 4-inch clearance must be maintained for the entire length of that portion of the fence that is installed in or across the easement. Second, any request for a variance from the minimum vertical clearance of four (4) inches must comply with the variance procedure set forth at Section 202.k.2 a of the Regulations.

Applicant, being first duly sworn, on oath deposes and states as follows:

1. Applicant is the owner of record of the real property commonly known as _____, Geneva, Illinois and legally described as:

Property Index Number: _____

[Note: For the purposes of this Affidavit, the term "applicant" shall be deemed to include one of more applicants. All owners of record must execute this Affidavit]

2. Applicant has applied for a building permit to construct a fence, a portion of which is to be located within a dedicated easement for storm water and/or surface water drainage.
3. Applicant has read the requirements for construction of fences within easements dedicated for storm water drainage set forth in the Regulations and agrees to comply with the Regulations.
4. Applicant, applicant's heirs, successors and/or assigns hereby indemnifies, hold harmless and releases the City of Geneva, its elected and appointed officers and employees, from any liability asserted by applicant or third parties in connection with the placement of a fence or any other structure or form of landscaping within dedicated storm water drainage easements if the fence impedes the flow of storm water or drainage.

5. Applicant shall remove the fence and relocate the fence, at Applicant's sole expense, in the event the City of Geneva requires access upon or across the dedicated easement to re-establish the drainage flow.

This Affidavit executed the _____ day of _____, 202__.

Applicant

Applicant

Signed and sworn to before me

This _____ day of _____, 202__.

Notary Public

This instrument prepared by:
Charles A. Radovich
City Attorney
City of Geneva
22 South First Street
Geneva, Illinois 60134

Please return to:

City of Geneva
Building Department
109 James Street
Geneva, IL 60134

FENCE PERMIT ATTACHMENT

REGARDING

ORDINANCE No. 2001- 57

AN ORDINANCE AMENDING APPENDIX E, "STORMWATER DRAINAGE AND DETENTION REGULATIONS" OF THE GENEVA MUNICIPAL CODE

Fences

1. **Fences within drainage routes:** Fences shall not be permitted where they impede the flow of storm water or drainage.

2. **Fences within easements:** If the fence lies within an easement which contains drainage rights, a minimum vertical clearance of four (4) inches from the ground surface to the bottom of the fence must be maintained. The vertical clearance shall be maintained for the entire length of that portion of the fence that is installed in or across the easement. Requests for a variance to the four (4) inch vertical clearance requirement shall be submitted and will be considered in accordance with Section 202.k.2.a. Applications for fences installed in or across an easement containing drainage rights shall have an affidavit and release attached, prepared by the property owner, stating that he/she has read the requirements for fences located in easements and that he/she agrees to comply with them and that he/she does for himself/herself, his/her heirs, successors and assigns indemnify and hold harmless the City from any liability asserted by others in connection with the placement of the fence or any other structure or form of landscaping within the easement area by the City if the fence or landscaping impedes the flow of storm water or drainage. The affidavit may be recorded at the owner's expense by the City in the Office of the Kane County Recorder. In the event the City shall determine it necessary to excavate or have access across the easement, the owner shall remove the fence at the City's direction and in the event of failure thereof, the City may remove the same at owner's expense and the City shall not be required to replace the same.

Variance Procedure:

- a. A variance from the four (4) inch vertical clearance requirement for fences within drainage easements will be considered upon submittal of the following items:
 - i. A written request explaining the need for a variance and the non-economic hardship, which will result from compliance with the four

(4) inch vertical clearance requirement. Specify the vertical clearance (i.e., 1", 2", 3") which would not create a non-economic hardship.

- ii. Details of the proposed fence including a calculation of the percentage of open surface area, which will allow free flow of surface run-off.
- iii. Affidavit and release certificate in accordance with the attached Exhibit 202.k.2 .a.iii.

b. Exceptions to a variance for zero (0) inch vertical clearance. No variance shall be required in the following situation:

- i. The proposed fence is constructed parallel to the drainage flow.
- ii. The proposed fence is skewed or perpendicular to the drainage flow and meets all of the following conditions:
 - a. Drainage flow is classified as side lot line or minor rear lot line flow; and
 - b. 50% of the fence ground surface area is open and will allow free flow of surface run-off; and
 - c. The minimum ground surface "opening" in a fence shall be able to pass a one (1) inch diameter sphere to be considered "open surface area".

c. Exceptions to a variance for two (2) inch vertical clearance. No variance shall be required in the following situation:

- i. The proposed fence is constructed parallel to the drainage flow.
- ii. The proposed fence is skewed or perpendicular to the drainage flow and meets all of the following conditions:
 - a. Drain flow is classified as side lot line, minor rear lot line, or 100-year block overflow; and
 - b. 50% of the fence ground surface area is open and will allow free flow of surface run-off; and

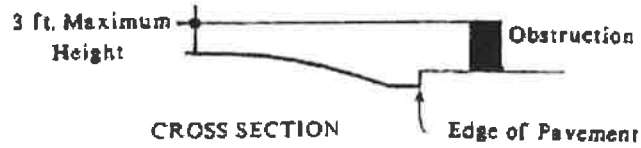
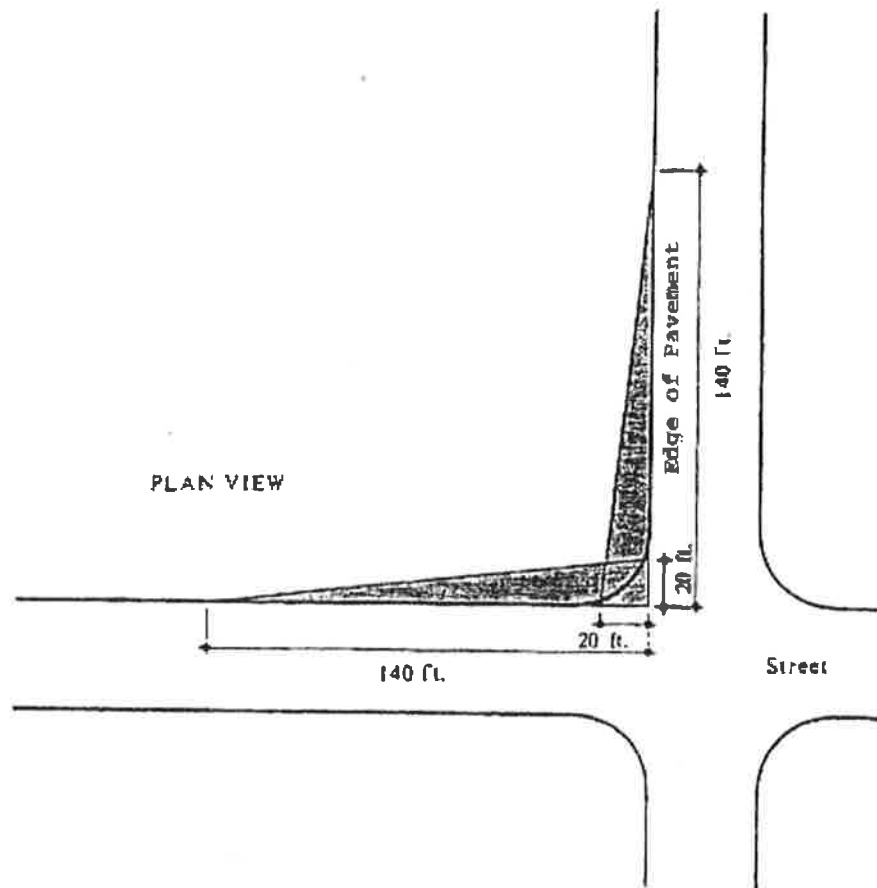
- c. The minimum ground surface "opening" in a fence shall be able to pass a one (1) inch sphere to be considered "open surface area".
- d. No Variance shall be permitted in the event:
 - i. The proposed fence is located around a storm water management basin or perpendicular to the emergency overflow route of a storm water management basin, or
 - ii. The fence impedes the flow of storm water or drainage.

Notwithstanding any guideline given herein, the Director of Public Works may deny any variance request, which, in the interest of public health, safety and welfare, he/she determines that the provisions of this Appendix are not satisfied.

3. Definitions:

- a. **Side lot line flow:** Rainfall run-off, which accumulates and is conveyed along the side lot line and has an upstream tributary area of one (1) acre or less
- b. **Minor rear lot line flow:** Rainfall run-off, which accumulates and is conveyed along the rear lot line and has an upstream tributary area of one (1) acre or less
- c. **Major rear lot line flow:** Rainfall run-off, which accumulates and is conveyed along the rear lot line of a lot or lots and has an upstream tributary area of more than one (1) acre
- d. **100 year block overflow:** The 100 year overflow route by which runoff would be conveyed in extreme rainfall events or failure of the storm sewer/drainage systems, as identified by the Director of Public Works or his/her designee

VISIBILITY TRIANGLE:





CITY OF GENEVA
BUILDING DEPARTMENT
109 JAMES STREET
GENEVA, IL 60134
630/262.0280
pdf@geneva.il.us

For Office Use Only

PERMIT NUMBER _____

BIN NUMBER _____

APPLICATION FOR PERMIT

PROJECT ADDRESS _____

APPLICANT _____ Check here if applicant is property owner

Name _____
 Address _____
City State Zip
 Email _____ Phone _____

PROPERTY OWNER _____

Name _____
 Address _____
City State Zip
 Email _____ Phone _____

CONTRACTOR _____

Name _____
 Address _____
City State Zip
 Email _____ Phone _____
 Roofing License _____ Plumbing License _____

BUILDING TYPE

Residential
 Commercial
 Other

TYPE OF WORK - GENERAL

Change of Tenant Addition
 Remodel Demolition
 New construction Other

TYPE OF WORK - SPECIFIC (Check all that apply)

Driveway/Parking Replace Windows Fence Electric
 Sidewalk Roof/Siding Patio Plumbing
 Basement/Attic Sign/Awning Shed HVAC
 Kitchen/Bath Irrigation System Deck Other

DESCRIPTION OF WORK _____

Applications will not be accepted without supporting documentation, attach additional sheets and submit plans/drawings, plat of survey, etc. as needed to illustrate proposed work

HISTORIC PRESERVATION

Is subject property located in the Historic District or a Historic Landmark? Historic Preservation Commission review is required for exterior improvements.
 Yes No

ZONING

What zoning district is the property located in? _____
 Is the use permitted at this location? Yes No
 Is a variance needed? Yes No

PROJECT COST

What is the estimated project cost? _____

I HEREBY CERTIFY THAT I AM THE OWNER OF RECORD OR THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER OF RECORD; THAT I HAVE BEEN AUTHORIZED BY THE OWNER TO MAKE THIS APPLICATION AND TO SCHEDULE ALL NECESSARY INSPECTIONS AS AN AGENT, AND THAT I AGREE TO CONFORM TO ALL APPLICABLE CODES, LAWS, AND ORDINANCES OF THE CITY OF GENEVA.

Signature _____ Date _____

For Office Use Only

FEEES	ROUTING
Building Permit Fee _____	Engineering _____
Fire Department Fee _____	Historic Preservation _____
Plumbing Fee _____	Fire _____
Public Works Fee _____	Tree Preservation Review _____
Tree Preservation Fee _____	Electric _____
TOTAL FEES _____	City Engineer _____
	Planning/Zoning _____
	First Inspection Services _____