

Residential Fences and Walls

Permit Required

- No permit is required from the Town of Grand Island for the installation of a fence or wall at one-family and two-family homes.
- The Town does have regulations that govern the installation of fences and walls. The following is a summary of those regulations.

Definitions

- Structure:
 - Anything constructed, the use of which requires permanent or temporary location on the ground or attachment to something having permanent or temporary location on the ground. Excludes patios, walkways and pavements at ground level.
 - The following structures are permitted in residential districts, provided that such structures are not constructed or conducted until the main building has been constructed:
 - Fences and walls subject to the provisions of this code.

Structural Requirements

- All structures shall meet the requirements of the NYS Building Code for loading conditions including:
 - Wind Load – 115 mph
 - Any type of foundation is permitted as long as it can support the imposed loads.
 - Any type of framing materials are acceptable as long as they can support the imposed loads.

General Requirements

- All solid fences shall be installed so that the better side shall face outward; and all bracing shall be on the inside of the fence.
- Fencing may be limited in the Town Center District to comply with pedestrian access.
- Height Requirements:
 - The height of all fences or walls shall be measured from the average finished grade of the lot.

- No fence or wall in a residential district shall exceed seven feet in height.
- A fence of 12 feet shall be allowed to enclose a tennis court.
- No fence or wall, other than a necessary retaining wall, over three feet in height shall extend into the required minimum front yard of any lot.
 - Rear yard exceptions for through lots. On a through lot where the rear lot line coincides with a street line, a front yard equivalent shall be provided. The rear yard depth requirements in the district regulations shall not apply on that portion of a through lot where the front yard equivalent is required; and
 - Side yard rule for corner lots. On corner lots, all structures shall be no closer to the right-of-way than the minimum front yard setback of the adjacent lots.
- Fences in rear yards of shoreline lots shall not be opaque and shall not exceed four feet in height. This subsection, limiting accessory uses and structures, applies to shoreline lots and does not apply to the portion of riverside lots, if any, not adjacent to the Niagara River.
- Notwithstanding any other provision of this section, fences shall comply with the corner visibility requirements of this article as follows:
 - Within the triangle formed by two intersecting street line rights-of-way and line joining points on such street lines 30 feet from the intersection, no fence, wall, hedge, or dense foliage shall be erected, planted, or maintained so as to block the area between the heights of three feet and 10 feet high.
- Location Requirements:
 - Fences may be installed anywhere on the Owner's property up to the property line with the following exceptions:
 - Fences and walls shall not be installed in wetland areas without prior approval of the NYS Department of Environmental Conservation (DEC) or the United States Army Corp of Engineers (USACE).
 - It is recommended fences not be installed in recorded easements. Fences installed in easements may be removed as needed to provide access to the easement with no requirement for the fence to be reinstalled.