

# City of St. Charles Fence



Building & Code Enforcement Division  
2 East Main Street  
St. Charles IL 60174  
630.377.4406 (Office)  
<http://www.stcharlesil.gov>  
[permits@stcharlesil.gov](mailto:permits@stcharlesil.gov)

**Please direct any and all questions to the City of St. Charles Building & Code Enforcement Division: Monday through Friday (8 AM to 4:30 PM) at 630.377.4406**

A building permit is required prior to the installation of a new, alteration, major repair or replacement of an existing fence. The following are guidelines and requirements for obtaining a building permit.

## Check List for Submittal of Application:

- Is your property located in the **Historic Preservation District**? Yes/No- If yes, you will need to file a **Certificate of Appropriateness (COA)** application and plans will need to be reviewed by the Historic Preservation Commission.
- A **Building Permit Application** is to be filled out and submitted to the Building & Code Enforcement Division. Enter the contractor's names, addresses, phone numbers, and email addresses.
- Three (3) copies of the plat of survey.** On each survey the location of the fence is to be highlighted.
- Three (3) copies of the fence design details.**
- Fence Release and Indemnity Agreement** – required if the fence is located inside a Public Utility or Drainage Easement. Notaries are available at the Municipal Center.
- Submittal fee** – to be paid at time of submitting the application. Payable by Cash, Check or Credit Card payments allowed in our office only.
  - **Fence- \$85.00** \*\*In addition a recording fee may apply, see below.
  - **Kane County Recording Fee - \$80.00** if the fence is located within an easement.
  - **Dupage County Recording Fee - \$57.00** if the fence is located within an easement.
- Contractor Requirement - the contractor completing the work must submit a certificate of insurance that meets our requirements for a general contractor. Please see the attached guide for contractor requirements**

**\* Applications missing submittal items will not be accepted. Contractor requirements must be submitted at the time of application.**

## Building Codes:

The following are the Building Codes, which the City of St. Charles has adopted:

- St. Charles Municipal Code
- 2021 Int'l Residential Code/revisions

## **Inspections - Clarification and Details:**

The following are general guidelines and details on the types of inspections that might possibly be required for your project:

### **Fence Final:**

The following items are checked at a Fence Final inspection:

- Height of the fence from the surrounding grade does not exceed the maximum fence height in the yard it is placed. (Table 17.22.1 in the Fence Packets)
- If the fence is located in an easement, 2" clearance is required from the bottom of the fence to grade (except for chain-link fences).
- For corner lots or through lots (backyard faces a street), if fence is installed per Height Exception under Table 17.22-2, check required 5 ft. setback and that required landscaping has been installed.
- Finished side of the fence to be facing outward towards the neighboring properties.
- Front, side and rear yard setbacks are correct.
- Style of fence and the height of the fence are the same as what was approved.
- Proper access clearance has been maintained for utility boxes, i.e. electric transformers, telephone, etc.

### **General Comments:**

- The Permit Conditions form and stamped "FIELD COPY" of the plans are to be on the job site.
- If there are any comments or conditions regarding fences installed over or in a utility/drainage easement, they will appear in the Permit Conditions.
- If there are any comments or conditions from the City of St. Charles Electric Department they will appear in the Permit Conditions.
- A final inspection is to be scheduled with the Building & Code Enforcement Department at 630.377.4406.

## **Zoning Standards for Fences and Walls (17.22.020.C)**

### **1. Construction Requirements**

- a. A fence or wall, 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 twelve (12) inches from a public sidewalk.
- b. All fences shall be erected so that the finished side of the fence faces outward, or away, from the lot on which the fence is erected, except that where a fence on a residential lot is within five feet of property containing a nonresidential use or that is zoned for a nonresidential use, any part of the fence that satisfies this condition may be erected so that the finished side faces inward on the residential lot.
- c. All metal fences shall be at least nine (9) gauge wire or a minimum of .148 inch diameter wire.
- d. In residential districts, chain link and woven wire fences are prohibited in front yards and exterior side yards. If located in a rear yard in a residential district, chain link and woven wire fences are prohibited within twenty (20) feet of any right of way line.
- e. Barbed wire, razor wire and fences of similar material are permitted only in the BC, BR, M1, M2 and PL Districts.

### **2. Maintenance**

All fences shall be maintained in good condition at all times by the owner and/or occupant of the property. If a fence is found to be in a deteriorated condition and/or in need of repair, the Building Commissioner may order the fence to be repaired, replaced or removed depending upon the condition of the fence. Such order shall be in writing.

### **3. Height Requirements**

All fences shall comply with the height requirements listed in Table 17.22-1 (Maximum Allowable Fence Height), except as provided in Table 17.22-2 (Fence Height Exception).

<b>Fence Location</b>	<b>RE, RS, RT &amp; RM Districts</b>	<b>BL, BC, BR, &amp; OR Districts</b>	<b>CBD-1 &amp; CBD-2 Districts</b>	<b>M-1, M-2 &amp; PL Districts</b>
In Required Front Yard	4 feet	6 feet, 4 inches	4 feet	4 feet
In Required Rear Yard	6 feet, 4 inches	8 feet	6 feet, 4 inches	15 feet
In Required Exterior Side Yard and Required Rear Yard of Through Lot	If yard is adjacent to a Front Yard on an adjoining lot: 4 feet (See also Table 17.22.2 Fence Height Exceptions) If yard is adjacent to an Exterior Side Yard, Rear Yard, or Rear Yard of Through Lot on an adjoining lot: 6 feet, 4 inches	6 feet, 4 inches	4 feet	4 feet
In Required Interior Side Yard	6 feet, 4 inches	8 feet	6 feet, 4 inches	15 feet
In Buildable Area of Lot	6 feet, 4 inches	8 feet	6 feet, 4 inches	15 feet
Sight Triangle	All fences are subject to the sight triangle requirements of Section 17.22.010 (G).			

<b>Exception</b>	<b>Maximum Allowable Fence Heights</b>	<b>Where Exception Applies</b>
Fences within 40 feet of the right of way of major arterials.	4 feet or less (except where the provisions of this Title are more restrictive)	Any lot abutting Main Street (Illinois Route 64), Randall Road and Kirk Road
Fences in Exterior Side Yards and in the Rear Yard of Through Lots that are adjacent to a Front Yard on an adjoining lot: Where the fence is set back from the right of way line a minimum of 5 feet and the area between the fence and the right of way line is landscaped with at minimum one shrub for every 5 feet of fence length. The landscaping design may be flexible in its arrangement by grouping plant materials and providing open areas around gates or other fence openings.	6 feet 4 inches	Residential Districts
Fences on lots in residential districts abutting a nonresidential use or vacant property zoned for nonresidential use	Interior side and rear yards only: (8) feet; may be higher than 8 feet where required by topographic conditions to provide screening between a 6 ft. high person standing in the first floor of the residence and a 6 ft. high person standing in the parking area of the nonresidential use, but in no case more than ten (10) feet	Residential Districts
For tennis courts: shall be erected not less than 5 feet from a lot line and the finished side of the fence shall face outward or away from the lot on which the fence is erected	12 feet in all yards; open fences only	All Districts
Swimming Pools	In accordance with St. Charles Municipal Code requirements as set forth in Title 15	All Districts
Public or private utility facility (for security or screening purposes)	15 feet in all yards	All Districts
Public or private school, public park land, other publicly owned land, or golf course/driving range	15 feet in any yard; 25 feet for backstops located on ball fields	All Districts

**4. Prohibitions and Limitations**

**a. Fences in Detention/Retention Areas**

Fences shall not be installed less than ten (10) feet from any stormwater inlet or outlet opening; however, the City Engineer may require a greater distance in keeping with generally accepted engineering practice.

**b. Fences in Utility Easements**

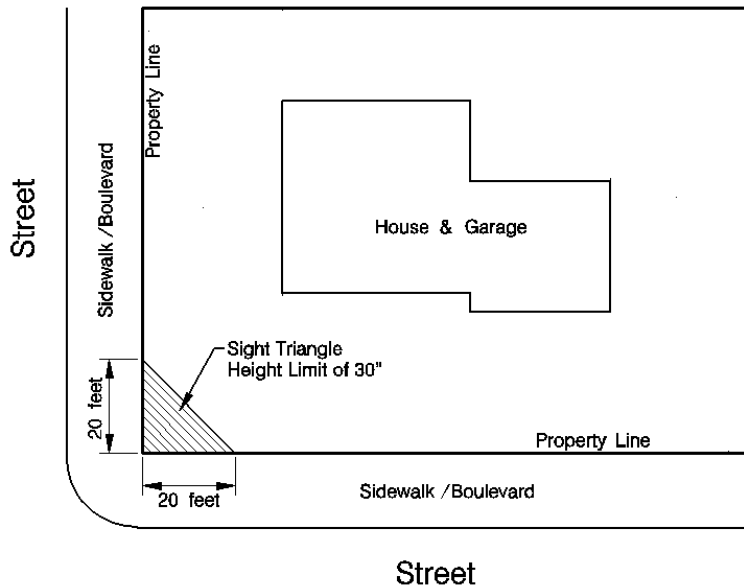
Fences shall not be permitted in utility easements where such fence would interfere with the operations of a utility. Applications for a permit for a fence to be installed in or across a utility easement shall be subject to an affidavit and release by the property owner, in a form acceptable to the City, 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, heirs, successors and assigns indemnify and hold harmless the City from any liability asserted by others in connection with the placement of the fence and that he/she permits the removal of any fence or any other structure or form of landscaping within the utility easement area by the City if the fence or landscaping obstructs the City utility or access thereto. The affidavit shall be recorded at the property owner’s expense by the City in the Office of the County Recorder of Deeds.

**Fence Clearance Requirements (18.04.010.C)**

<b>Minimum Vertical Clearance above ground</b>			
<b>Fence Type</b>	<b>Inside Easement</b>	<b>Outside Easement</b>	<b>In Floodplain</b>
<b>Privacy:</b> Less than 50% open surface area <i>(solid panel, stockade, board-on-board)</i>	2"	None	not allowed
<b>Non-Privacy:</b> More than 50% open surface area and able to pass a one (1") inch diameter sphere <i>(Picket, decorative metal)</i>	2"	None	2"
<b>Chainlink:</b> More than 50% open surface area and able to pass a two (2") inch diameter sphere	None	None	None

### Sight Triangle (17.22.010.F)

Notwithstanding any other provisions of this Title, a Sight Triangle shall be maintained on lots at the intersection of two (2) streets, of a street and an alley, and of a street and an active railroad right-of-way in conformance with this Section. The purpose of the Sight Triangle is to avoid the obstruction of the view of motorists in relation to oncoming traffic. Two sides of the Sight Triangle shall be measured along the right of way lines abutting the lot, from their intersection to a point 20 feet distant. The third side of the triangle shall be a line connecting the ends of the first two lines. See Figure 17.22-1:



Within the Sight Triangle, any sign, wall, fence, landscaping, or other object exceeding thirty (30) inches in height above the adjoining street or right of way grade is prohibited, except as specifically permitted as follows:

1. Within the CBD-1 District, a Sight Triangle is not required except where required by the Director of Public Works as provided in paragraph (5) hereof.
2. Directional signs are permitted within the Sight Triangle.
3. Fences with an opacity of less than fifty percent (50%) not exceeding 3 feet (36 inches) in height are permitted within the Sight Triangle.
4. The area of the Sight Triangle may be reduced and/or the allowable height of obstructions increased by the Director of Public Works if he determines that there would not be an undue risk to public safety because of traffic control devices, street design or alignment, or the relative grade of the property and the adjoining streets, alleys, or railroad rights of way.
5. The area of the Sight Triangle may be increased and/or the allowable height of obstructions reduced by the Director of Public Works if he determines that there would be an undue risk to public safety because of traffic control devices, street design or alignment, or the relative grade of the property and the adjoining streets, alleys, or railroad rights of way.

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**Call (630) 377-4406 to schedule Building Inspections at least 24-48 hours before the inspection is needed. Inspections will be scheduled based on availability.**

**Call J.U.L.I.E. (811) or (800) 892-0123 Before you Dig- prior to any digging to locate any underground utilities.**

**Release and Indemnity Agreement**  
**Improvements Located in Utility and/or Drainage Easements in the City of St. Charles**  
**(Including Fences, Patios, Other Yard Structures and Landscaping)**

- I (We), the undersigned, certify that I (we) are the owner of record of the real estate described herein, that I (we) have read Section 17.22.030 and Section 18.04.010.C, "Fences", of the St. Charles Municipal Code and agree to comply with its requirements regarding improvements located in utility or drainage easement areas.
- I (We) hereby release and agree to hold harmless the City of St. Charles, its officers, agents and employees from any liability or loss, including reasonable attorneys' fees, arising out of or in connection with the moving or removal of any improvements within the easement area.
- I (We) hereby agree to maintain all improvements within the easement area so that flow of stormwater or drainage is not impeded at any time.
- I (We) hereby further agree that in the event the City shall determine it necessary to excavate or have access across the easement, or require any improvements be modified or removed to provide for necessary flow of stormwater, the owner shall modify or remove the improvements 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 same.
- I (We) further agree that the City of St. Charles, its officers, agents, and employees shall not be required to replace any such improvements.
- I (We) further agree that the required minimum vertical clearance shall be provided from the ground surface to the bottom of the fence and shall be maintained at all times.

This release and indemnity agreement shall be binding upon and inure to the benefit of my (our) heirs, successors, and assigns.

\_\_\_\_\_  
\_\_\_\_\_  
Signature(s) of Owners

\_\_\_\_\_  
Address

\_\_\_\_\_  
Date

This instrument prepared by:  
Community Development Department  
City of St. Charles, 2 East Main Street, St. Charles, IL 60174-1984  
State of Illinois)  
  ) SS  
County of Kane)

I, the undersigned, a Notary Public, in and for said County and State, DO HEREBY CERTIFY that \_\_\_\_\_ personally known to me to be the same person(s) whose name(s) subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that \_\_\_\_\_ signed, sealed and delivered the said instrument as \_\_\_\_\_ free and voluntary act, for the uses and purposes therein set forth. Given under my hand notarial seal this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

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*Two East Main Street  
St. Charles, IL 60174  
630.377.4400*

The City of St. Charles is updating their contractor requirements for submitting building and right-of-way permits. Starting January 1, 2025, the following contractor requirements are required to be submitted for permit.

### **GENERAL CONTRACTORS**

**All contractors shall file with the City, prior to the issuance of a building permit, a Certificate of Insurance with coverages as follows:**

- Public liability insurance for one person in the sum of \$100,000 and for one accident in the sum of \$300,000 or a combined single limit of \$300,000
- Property damage insurance in the amount of \$50,000 limited to not less than \$10,000 for each accident.

### **Work in City Right of Way/Public Property**

- Commercial general liability insurance with limits not less than:
  - \$1,000,000.00 for property damage resulting from any one incident.
  - \$2,000,000.00 general aggregate.
  - \$2,000,000.00 for umbrella coverage.
- Worker's compensation within statutory limits and employer's liability limits of not less than \$1,000,000.00.
- Automobile liability limits of not less than \$1,000,000.00.
- List the City of St Charles as the certificate holder

### **PLUMBING CONTRACTORS**

- Plumbing contractors must be licensed in accordance with State statutes (055 license)
- Provide a copy of the plumber's photo ID license and Letter of Intent

### **ELECTRICAL CONTRACTORS**

- Surety company bond payable to the City in the penal sum of \$10,000
- Electrical contractors must be licensed in a municipality in Illinois and provide evidence that such license is in good standing.

### **BLACKTOP, CONCRETE, & PAVER BRICK CONTRACTORS**

- Insurance - same as requirements for general contractors or work in ROW.
- Surety company bond payable to the City in the penal sum of \$10,000
- List City of St Charles as certificate holder.

### **ROOFING CONTRACTORS**

- Roofing contractors must be licensed by the State of Illinois and provide evidence that such license is in good standing
- Commercial roofing contractor must provide a copy of unlimited roofer's license.

### **WATER & SEWER CONTRACTORS**

- Insurance - same as requirements for general contractors or work in ROW.
- Surety company bond payable to the City in the penal sum of \$10,000

### **EXCAVATOR**

- Excavators are typically covered under the general contractor except when they are applying for the permit (e.g. in ground pool):
- Insurance - same as requirements for general contractors or work in ROW.
- Surety company bond payable to the City in the penal sum of \$10,000

### **HVAC**

- HVAC contractors are typically covered under the General Contractor except when they are applying for the permit (e.g. furnace):
- Insurance - same as requirements for general contractors



**CITY OF ST CHARLES**  
**Application for Building Permit for Fence**  
**Building & Code Enforcement Division**  
**Phone: (630) 377-4406**



Application Date: \_\_\_\_\_

Permit No. \_\_\_\_\_

**PLEASE PRINT ALL INFORMATION**

I, \_\_\_\_\_ do hereby apply for a permit for the following described

work located at \_\_\_\_\_ Number of lineal feet: \_\_\_\_\_

Estimated Cost: \_\_\_\_\_

Description of proposed fence (i.e. height, style): \_\_\_\_\_

Check List for Submittal of Application:

- Is your property located in the Historic Preservation District? Yes/No If yes, your application and plans will need to be reviewed by the Historic Preservation Commission. Submit a Certificate of Appropriateness application.
- Building Permit Application – Completely Filled Out.
- Three (3)** Copies of Plat Of Survey – highlight location of proposed fence.
- Three (3)** Copies of specifications from fence contractor.
- Fence Release and Indemnity Agreement – Required if a fence located inside a Public Utility or Drainage Easement. Notaries are available at the Municipal Center.
- The contractor must submit a Certificate of Insurance that meets the general contractor requirements.**
- Submittal fee – to be paid at time of submitting the application.
  - o **Fence- \$85.00 \*\*In addition a recording fee may apply, see below.**
  - o **Kane County Recording Fee – \$80.00 (only if fence is located in an easement) or the Dupage County Recording fee - \$57.00 if located in Dupage County.**
- Payments are payable by Cash, Check or Credit Card. Credit Cards may only be accepted in our office.**

**\*Applications missing submittal items will not be accepted.**

**Owner of the Property:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

Telephone NO. \_\_\_\_\_

Email address: \_\_\_\_\_

**Applicant:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

Telephone NO: \_\_\_\_\_

Email address: \_\_\_\_\_

**Contractor:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

Telephone NO. \_\_\_\_\_

Email address: \_\_\_\_\_

I, the undersigned, certify that if a permit is issued to me, I will comply with all provisions of the building, plumbing, electric and other applicable ordinances of the City of St. Charles and shall perform all work, or cause all work to be performed according to the provisions of said ordinances. I, or my agent, shall personally supervise the work and shall do, or cause to have done, said work according to plans, specifications and other written information supplied as a part of this application. I am familiar with the applicable ordinances and the provision thereof and in signing this application do willingly become responsible for all work accomplished under the permit by all contractors, tradesmen and workmen, and shall call for inspections as required at a minimum of 24-hours before they become due.

PRINT NAME: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

**Building Division Approval:**

Signed: \_\_\_\_\_

Date: \_\_\_\_\_