



October 28, 2019

To Local Fence Installer:

We have recently updated our policies and procedures for installing fences within the limits of the Town of Smyrna. These policies are effective immediately. As no actual "permit" is issued, we do have an application process that must be followed prior to the installation of any fence. There is no fee for this application. I have enclosed a copy of this application, or you may pick one up at Town Hall, or download it from our website (www.townofsmyrna.org).

As a professional, you are aware that most properties have easements on them that are dedicated to the Town or other utility companies. This application process allows us to inform the property owners of any easements on their property so construction can be avoided within these areas.

Below is a copy of our ordinances pertaining to fences:

ALL FENCES MUST MEET SECTIONS 3.080 "OBSTRUCTION" AND 3.180 "FENCES" OF THE TOWN'S ORDINANCES.
3.080. Obstruction to vision at street intersections and railroad intersections prohibited. On a corner lot in any district except the Central Business District within the area formed by the center lines of the intersecting or intercepting streets and/or railroads and a line joining points on such center lines at a distance of seventy-five (75) feet from their intersection, there shall be no obstruction to vision between the height of three and one-half (3 1/2) feet and a height of ten (10) feet above the average grade of each street and/or railroad at the center line thereof. The requirements of this section shall not be construed to prohibit any necessary retaining wall.
3.180 Fences. Fences are allowed to be installed on any lot in any district subject to the following limitations: A. No encroachment on the front setback is allowed. In the case of a lot with multiple road frontages, this would include the front yard setback on which the principal structure faces. On any road frontage, which the principal structure does not face, a fence could encroach on the front yard setback provided the provisions of Article III, Section 3.080 are met. B. Fences and decorative fences are allowed to be located along property lines in the side and rear yards. C. In no case shall a fence or decorative fence encroach upon a public utility or drainage easement without prior written approval of the Director of Utilities or the Town Engineer, whichever is applicable. D. Decorative fences are allowed to encroach upon a front yard setback. However, no fence or decorative fence is allowed to encroach upon public right-of-way.

A BUILDING PERMIT IS REQUIRED FOR ANY FENCE THAT EXCEEDS 7 FEET IN HEIGHT.

THE GAS METER MUST REMAIN OUTSIDE OF THE FENCED AREA. SMYRNA UTILITIES MUST HAVE ACCESS TO THIS METER FOR READING, INSPECTIONS AND MAINTENANCE PURPOSES. ACCESS GATES MAY BE REQUIRED BY SMYRNA UTILITIES IF THERE ARE ANY PUBLIC UTILITY LINES BURIED ON THE PROPERTY.

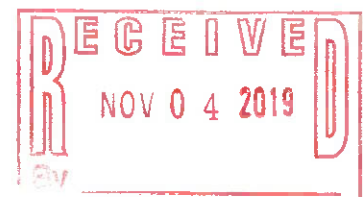
No construction shall begin prior to approval of the application and the marking of any underground utilities.
(Please call 811 to have any underground utilities marked.)

Your cooperation in this matter will be greatly appreciated and may alleviate any misunderstandings between you, the homeowner, and the Town of Smyrna. If you have any questions, please contact our Public Works Department at (615)459-9766.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Rose".

Tom Rose, P.E.
Director of Public Works



INSTRUCTIONS FOR PROPERTY OWNER

AGREEMENT FOR FENCE / ACCESSORY STRUCTURE

1. *When is an application required?*

An application is required anytime you construct, move or replace any accessory structure. This includes, but is not limited, to fences, storage buildings, pools or any structure that may encroach on a public easement. This application is required whether you do the work yourself or hire a contractor.

2. *How do I know if my property has public easements?*

At the time the application is submitted, the appropriate plat or deed will be reviewed to determine if the property has a public utility and/or drainage easement on it. The property owner will be notified and given a copy of the plat showing any recorded easements.

3. *Can a fence or accessory structure be on the property line?*

If the property does not have a public utility and/or drainage easement on it, the property owner will be notified that they are allowed to install the fence on the property line. If the property has a public drainage easement on it, the property owner will be advised that they are allowed to install a fence on the easement line. If the property has a public utility line on it, authorization will be required by Smyrna Utilities. If the application is for a structure, the structure is allowed to be installed no closer than 8-feet from any property line or on the easement line, whichever is farther from the property line.

4. *Are any other approvals required?*

Applications may require authorization from the Public Works Department and/or Utility Department. A building permit is required for all accessory structures *and* for any fence that exceeds 7 feet in height.

If you have a Homeowner's Association, they may want to see this paperwork prior to any construction.

5. *Is there anything else I should be cautious of?*

The gas meter must remain outside of the fenced area. Smyrna Utilities must have access to this meter for reading, inspections and maintenance purposes. If there are any public utility lines on the property, access gates may be required.

6. *Will I receive a fully executed copy of the paperwork?*

A copy of the signed application and the plat will be mailed/emailed to the property owner after completion.

PRIOR TO ANY CONSTRUCTION, YOU MUST CALL 811 TO HAVE ANY UNDERGROUND UTILITIES MARKED

Submit completed application to the Public Works Department in person or email to:

susan.weber@townofsmyrna.org or kathryn.smith@townofsmyrna.org

For questions, please call (615) 459-9766.



AGREEMENT FOR FENCE / ACCESSORY STRUCTURE

INFORMATION IN REFERENCE TO THE STRUCTURE:

Type of Structure: Fence _____ Storage Building _____ Pool _____ Other _____

Fence Material: Chain Link _____ Wooden _____ Other _____ Fence Height _____

Building: Permanent _____ Portable _____

Pool: In Ground _____ Above Ground _____

Other (Please Explain): _____

Separate Building Permit Required by Codes Department? _____ Yes _____ No

APPLICANT INFORMATION:

Name of Owner: _____

Property Address: _____ Phone#: _____

E-Mail Address: _____

Owner's Address (if different): _____

Name of Subdivision: _____ Section: _____

Lot #: _____ or Parcel #: _____

EASEMENT INFORMATION:

Location of Easement: _____

Type of Easement: PUD _____ Drainage _____ Other _____

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A BUILDING PERMIT IS REQUIRED FOR ALL ACCESSORY STRUCTURES AND FOR ANY FENCE THAT EXCEEDS 7 FEET IN HEIGHT. ALL ACCESSORY STRUCTURES MUST MEET MINIMUM BUILDING SETBACK REQUIREMENTS.

THE GAS METER MUST REMAIN OUTSIDE OF THE FENCED AREA. SMYRNA UTILITIES MUST HAVE ACCESS TO THIS METER FOR READING, INSPECTIONS AND MAINTENANCE PURPOSES. ACCESS GATES MAY BE REQUIRED BY SMYRNA UTILITIES IF THERE ARE ANY PUBLIC UTILITY LINES BURIED ON THE PROPERTY.

The Owner hereby requests permission to place a fence/structure within the property boundary limits of the aforementioned site. The Owner is responsible for identifying the property boundary limits and ensuring all portions of fence/structure are within the property boundary limits.

Additional Terms / Comments:

OWNER'S SIGNATURE: _____ **DATE:** _____

OFFICE USE ONLY:

PUBLIC WORKS DEPARTMENT

OWNER ADVISED OF EASEMENTS

By: _____

Title: _____

Date: _____

SMYRNA UTILITIES

NO PUBLIC UTILITIES IN CONST. AREA

By: _____

Title: _____

Date: _____