



Issue Date:	July 22, 2013
Code/Sections:	2006 International Residential Code (IRC), Section R301.1.5
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Approved by:	Technical Review Team

Location of Fences:

The Planning and Development Department has been asked to clarify its policy on fences due to frequent debates among neighbors resulting in complaints received by the city.

The city *recommends* that owners who are installing fences hire a registered land surveyor to locate their property lines prior to installation of the fence if there is any question regarding placement.

The Phoenix Building Construction Code¹ states:

Lot Corner Identification. *In construction applications where legally surveyed lot corner identification markers are not readily verifiable or are missing, the building official, when deemed necessary, shall require lot boundary markers to be surveyed and permanently identified in accordance with State law at the owner’s or applicant’s expense. The survey shall be executed by a registrant licensed to do such work by the Arizona State Board of Technical Registration.*

This section is used to require a survey for construction of swimming pools or buildings **only when** it is unclear whether they might encroach into required setbacks. In general, the city does not require a survey for fences.

Permit Requirements

Fences not over 3 feet high are exempt from permits. Fences not over 7 feet high are exempt from engineering analysis. Permits are required for all fences over 3 feet high to confirm compliance with the Phoenix Zoning Ordinance. Additionally, fences over 7 feet high require structural engineering analysis sealed by an engineer registered in Arizona; analysis must be reviewed and approved prior to building permit issuance.

Verbiage appears on the fence permit application requiring the property owner’s signature acknowledging their responsibility for the placement and height of the fence for which the permit is issued. It also advises of the city’s recommendation to obtain a survey prior to fence installation.

¹ 2012 IRC Section R301.1.5.

Inspections

Inspections on fence permits are performed to confirm fence height and general location for compliance with the approved site plan or plot plan issued with the building permit. The purpose of this inspection is to verify compliance with the Zoning Ordinance. Additionally, if the fence is over 7 feet high, structural components of the fence will be inspected for compliance with approved engineering plans.

Fence Complaints

In response to complaints, investigations are conducted by the Planning and Development Department **only for the following safety reasons**:

- Pool barrier violations,
- Fence is blocking a visibility triangle,
- Fence is redirecting rain runoff resulting in flooding.

Investigations are not conducted by the Planning and Development Department for the location, height or appearance of a fence. Instead, letters are sent to the owner of the property on which the fence is located to let them know of the complaint, and to both parties advising of options such as arbitration or litigation. Additionally, height and appearance issues are referred to the Neighborhood Services Department for review and potential action.