

**We are dedicated to the  
improvement of building and  
public safety through education  
and improvement of building  
codes**

The following codes and ordinances affecting the installation of fences, sheds and retaining walls are available on the towns web site.

[www.frederickco.gov](http://www.frederickco.gov)

**Land use code - section 2.16 fences and walls**

**Land use code - Article 3, specifically section 3.4  
specific use standards**

**Municipal code - section 11-55(c)(2)Obstruction of  
streets and sidewalks**

**For the currently adopted building codes that relate  
to fences , sheds and walls please contact the**

**building official**

**Jason Overholt**

**Chief building official**

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**Town of Frederick  
Building Division  
P. O. Box 435  
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**TOWN OF FREDERICK  
ENGINEERING**

**BUILDING DIVISION**

**RULES AND  
REGULATIONS FOR  
FENCES, SHEDS AND  
RETAINING WALLS**

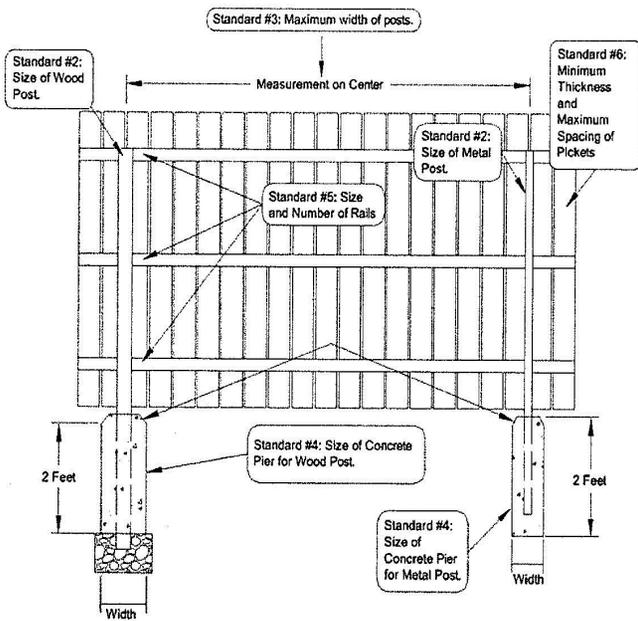


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## Structural Standards and Diagram for Fences up to 6 feet in height

#1: All materials to be treated wood, or resistant to decay, hot dip galvanized steel, or plastic. All wood to be construction grade 2 or better. \*Chain link fence not allowed.

#2: Fence posts shall consist of one of the following: 4 inch by 4 inch wood post or 1 7/8 inch diameter steel pipe (square or round) with a wall thickness of 0.120 inches.

#3: Posts shall be spaced a maximum of 8' on center.

#4: Wood fence posts shall be set in a minimum ten inch diameter concrete pier, extending to a minimum of 2 feet deep. Metal posts shall be set in a minimum 8 inch diameter concrete pier, again extending a minimum of 2 feet deep.

#5: Any wooden stockade style fence that is visually nontransparent shall have a minimum of three 2 inch by 4 inch rails.

#6: Vertical wooden fence boards or pickets shall be a minimum of 1 inch in thickness and all pickets shall be spaced such that a sphere 4 inches in diameter cannot pass through.

The following structures would require a permit if they meet the criteria outlined below. Fences, Sheds and Retaining Walls are impacted by multiple sections of the Town's Codes. This being the case, it is encouraged that you contact the Building Division for help in planning your project before you begin. Our goal is to avoid anyone spending time or money re-constructing something that is not allowed. Please read the following, and again, call the Building Division and we will gladly help you research and plan your project properly.

- 1) **FENCES** that exceed six feet in height require a permit. Also fences cannot obstruct or encroach upon the public right-of-way in such a manner as to impair, obstruct or endanger pedestrians or vehicular traffic (to include obstructing the sight distance triangle and obscuring any traffic control device) or to present a potential hazard to public or private property.
- 2) **DETACHED ACCESSORY STRUCTURES** used as tool and storage sheds, playhouses and similar uses that exceed one story or the floor area exceeds 200 square feet require a permit. Projections that extend beyond the exterior wall of the structure shall not extend over the lot/property line. Any detached accessory structure, regardless of size or height, located within five feet of a dwelling will need a permit to determine proper fire resistance ratings separating the two structures. All structures must meet required setbacks.
- 3) **RETAINING WALLS** over four feet in height measured from the bottom of the footing to the top of the wall require a permit (this includes tiered walls). Any wall over 30 inches above grade, with pedestrian traffic on top will require a guard rail to be installed. Retaining walls can not obstruct or encroach upon the public right-of-way in such a manner as to impair, obstruct or endanger pedestrians or vehicular traffic (to include obstructing the site distance triangle and obscuring any traffic control device) or to present a potential hazard to public or private property.

## How do I get a Permit?

**The following steps should help guide you through the process to acquire your permit!**

- 1.) Come in to the building division or visit our web site ([www.frederickco.gov](http://www.frederickco.gov), click on permits and forms) to get the proper forms to start the process. The first of which is a General Permit Application.

On that form the following information needs to be provided:

- Date
- Property address where the work will be Performed
- Property owners information
- Any hired contractors that will be working on the project. (All contractors need to be licensed with the Town)
- A written description of the work to be Performed.
- A materials and total job cost estimate. (This is used to calculate your fees)
- Also please remember to sign as the applicant.

- 2.) Two copies of a drawing, or set of building plans will need to be provided. These plans will show the details of how your project will be constructed.
- 3.) Two copies of a site plan will also need to be provided. They will need to show the location of your project on the property, and accurate distances to the property line, and all other structures located on the property.
- 4.) When all this information is complete and you are ready to submit your project to the Town for approval, a plan review fee will need to be collected. This fee is also based on the valuation of your project.
- 5.) Once you have submitted your project it will be reviewed by both the Planning Department, and the Building Division. For smaller projects like these the process is usually a quick one. However, depending on the work load it can take up to two weeks. (No work can be performed until your project has been approved and your Permit is issued).

**Please contact us with any questions, we will always do our best to make this process a smooth one for your project!**