

## POOLS

All pools (inground and aboveground) require a Building Permit and a Zoning Permit.

Per Zoning, pools should be to the side or rear of the main structure. They need to be located at least 5' from any side or rear property line.

Pools must have adequate fencing at least 4 feet in height on and around the perimeter of the swimming pool. (per §1021(b))

Above ground pools with walls 4' or higher may have a locked gate at the top of the deck stairs with 42" rails around the deck.

Flexible sided pools must have a fence around them (4' or higher) to prevent unsupervised access by children.

## DECKS AND PORCHES

Uncovered terraces and patios (at ground level) are exempt from Zoning.

All other types of decks and porches (including on mobile homes) require both a Zoning Permit and a Building Permit.

- Decks and porches attached to the main structure must be in compliance with the setbacks for the Zoning District of the property
- See SPECIAL GUIDELINES regarding railing height and spacing of guardrails for decks and porches whose floor is higher than 30" off the ground
- See SPECIAL GUIDELINES for the risers on stairs

## STAIRS AND RAMPS

Stairs, fire escapes and ramps all require a Building Permit to ensure that building codes, fire codes, and ADA regulations are met.

Uncovered stairs and fire escapes are exempt from Zoning Permits.

Ramps do not require a Zoning Permit. They are allowed to encroach into setbacks (but not the public ROW) when it is necessary to do so in order to meet ADA requirements.

This brochure is intended to provide general information to guide the public to understanding the City's Building and Zoning regulations for common projects.

Information within this brochure may not be comprehensive enough to make a final determination about the need for a permit.

Please contact our office to discuss your specific situation and a determination of how these regulations apply to your circumstances.

### Contact Us

**Building and Zoning Department**

(802) 773-1800 ext. \*246  
tarak@rutlandcity.org

Permit forms are available on our website  
[www.rutlandcity.org](http://www.rutlandcity.org)

or in our office at City Hall:  
52 Washington Street, 2<sup>nd</sup> floor

# COMMON SMALL RESIDENTIAL PROJECTS

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**DECKS**  
**FENCES**  
**POOLS**  
**PORCHES**  
**RAMPS**  
**SHEDS**  
**STAIRS**

City of Rutland Vermont

July 2019



## FENCES

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Fences on residential properties, generally, do not require a permit.

They must be located wholly on the fence owner's property. But, they can go right up to the property line.

When deciding upon position, keep in mind the difficulty of maintaining a fence if you are unable to access one side without permission to go onto your neighbor's property.

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However, the following applies to all fences:

- If higher than 10' tall, a Zoning Permit is needed. (per §31-203) Otherwise, fences can be constructed without a permit.
- The construction of a fence may be required per a decision by the Development Review Board (to provide screening around a commercial or industrial lot).
- Fences at least 4' high are required around inground pools.
- Above ground pools with walls 4' or higher may have a locked gate at the top of the deck stairs with 42" rails around the deck.
- If a fence is within a special flood hazard area, special rules may apply. Please call the Zoning Administrator to discuss.
- If a fence was a condition of a special permit issued by the Development Review Board, then a fence must be installed and maintained in keeping with that condition (unless amended).

## FENCES NEAR ROADS

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Fences along roads have additional requirements:

- If constructing a fence immediately adjacent to a public property, sidewalk or street (within the public Right of Way), the City must be notified so the boundary line can be marked. (per §1026)
- On corner lots, fences (as well as shrubbery and trees) must comply with the Sight Ordinance (§4600 – 4605) in order to ensure traffic safety is not impeded.
- No person shall erect a barbed wire fence along any sidewalk or street. (per §4457)

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### PLEASE NOTE

If a fence is deemed to be structurally unsound and in poor repair, the Building Inspector may order its repair or removal. (per §1310 (g))

## SHEDS

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All sheds **over 64 square feet** require both a Zoning Permit and a Building Permit, *even if not permanently affixed to the land.*

Sheds should be to the side or rear of the main structure AND located at least 5' from side and rear property lines.

*Note: Sheds can be located closer than 5' from the property line, if the adjacent neighbor puts their agreement in writing.*

### SPECIAL CIRCUMSTANCES

- If within a floodplain, a special review is required to show the shed will be "floodproofed" (anchored to the ground, allow water to pass through etc.)
- Sheds need to be a minimum of 10' from the main house. Otherwise, fire safety codes require additional fire-rated construction techniques.

To apply for a shed permit, please supply:

- Site plan that shows the proposed location of the shed, dimensions of the shed, and distance from property lines and from any other structures on the property.
- Photo of the shed (if prefabricated)
- Elevation drawings and details (if custom built)
- If a foundation will be poured, foundation details.