



City of Montclair Engineering Division Encroachment Permit General Information & Application Procedure

Within the residential and commercial areas of the City of Montclair, the property line is generally 5 to 15 feet (distance varies throughout the City) behind the curb face. The area between the sidewalk (or curb if no sidewalk exists) and the property line is part of the City right-of-way. The City of Montclair Engineering Division authorizes by issuance of an Encroachment Permit the placement of private infrastructure, including fences, on or in the City right-of-way.

1. The APPLICANT is required to submit an Encroachment Permit Application Form to the Engineering Division. A sketch or drawing of the property layout and encroachment location is required with the application. (Refer to attached sample encroachment property layout examples).
2. Generally, within two (2) business days after the receipt of a completed application, Engineering Division staff will visually inspect the property and determine if an Encroachment Permit can be issued. The APPLICANT does not have to be present for this inspection.

The purpose of the visual inspection is to verify existing conditions and to check for existing fire hydrants, water meters, streetlights, traffic signs, trees, junction boxes or other structures or obstructions requiring special conditions for the Encroachment Permit.

3. The APPLICANT will be notified by phone with the contact information provided in the application when the Encroachment Permit has been issued. Processed Encroachment Permits can be picked up at the Engineering Division front desk during regular City Hall business hours, 7 am through 5:30 pm Monday through Thursday.
4. The Encroachment Permit fee is \$35.00.

Note A: A Building Permit is required for all fences. Building Permits can be obtained from the City's Building Department during regular counter hours, 7 am to 9 am and 4 pm to 5:30 pm Monday through Thursday. An Encroachment Permit from the Engineering Division is required before a Building Permit can be issued.

Note B: Section 11.38.050 of the Montclair Municipal Code, administered by the Planning Division, regulates architectural, material, height and safety (corner cut off/sightline) requirements for fences, hedges and walls. All fences are required to meet the Section 11.38.050 requirements. Planning Department staff is available during regular counter hours, 7 am to 9 am and 4 pm to 5:30 pm Monday through Thursday, to help clarify any questions about this section of the Municipal Code. (Refer to the attached excerpt of section 11.38.050 of the Montclair Municipal Code for specific conditions).