



FENCE ETIQUETTE AND PROPERTY LINES

City of Riverview, MI Building Department

Fence Etiquette: Tips to Avoid Neighbor Disputes

Avoid disputes before installing a fence by practicing fence etiquette—a good neighbor policy. By following zoning regulations and sharing information with neighbors before construction, you can install a new fence AND stay on good terms with neighbors. Property boundary disputes may be resolved by following these guidelines:

Observe Boundaries and Respect Limits: Don't risk having to tear down that fence. Homeowners as well as fencing companies must obtain a permit and know local zoning regulations for height, setbacks, and other restrictions. To avoid disputes, review restrictions with your fence company or zoning department before choosing a fence.

Share your plans: No one likes surprises. Before installing, save yourself a fence dispute and have a conversation with neighbors. If property line issues exist, you must resolve them before installation.

Put the best face outward: Riverview's Ordinance states you must put the finished side of your fence facing the street and/or your neighbor's yard.

Maintain and improve: It's your responsibility to clean and maintain both sides. If an aging section starts to lean, shore it or replace it.

How to find your property lines

Locate Your Plat or Mortgage Survey: Find the mortgage papers received at the time the house was purchased. Most property owners receive a copy of this drawing; however, many lenders don't require a survey at closing and buyers see it as an unneeded expense. Never assume the builder/seller/agent KNOWS where a line is without proof. The only one who can provide that evidence is a Land Surveyor.

Hunt for stakes. On some properties, particularly those more recently developed, you may be able to find markers from when the property was originally divided. Use a metal detector to find the property boundary stakes. Most developers will have driven steel pins (also known as railroad ties, stakes, irons, or rods) into the ground at the corners of the lot. The pins may be 4 to 5 feet underground, but they should be there. That should help you clearly define your property lines. Surveyors and fence companies use electronic stake locators.

Commission a survey: The surest way to establish your property lines is to commission a survey (\$500 to \$2,000) conducted by a land surveyor or civil engineering company. This is a complete look at your property to establish who owns what. If your dispute ever goes to court, this survey will be evidence of your claim.

Resolving an Encroachment Dispute:

Write a letter: A letter puts your neighbor on notice, documents their property line trespass, describes the violation, includes a copy of your plat and requests an action to remedy the situation. File it with your county clerk or land records office to put any subsequent purchasers or lien holders on notice.

Lawsuit: Rare, expensive and usually not necessary. File in civil court and ask for the removal of the encroachment, and damages to pay for restoring your property. Resolution can take many months and maybe years.

Police action: If concrete is about to be poured on part of your land, or your neighbor is damaging your fence, call the police and report it. Take date stamped photos for future use.

Good-to-knows

The term “fence” includes trees or hedges that create barriers.

If you have a valid reason for wanting an extra high structure, to block a nasty view or noisy street, apply to your zoning board for a variance. Neighbors can comment on your request during the variance hearing.

Corner lot side yards are considered front yards in Riverview and front yard fences are prohibited. Talk to the Zoning Director about a variance from the Zoning Board of Appeals.

STATEMENT OF DISCLAIMER

The City of Riverview does not determine or locate property boundary lines nor does the city intercede in resolving disputes between neighbors. Property line disputes are a civil matter and in some cases, may require a court to decide.