

FENCE – A free standing, accessory structure, including entrance and exit gates or openings, designed and constructed for the purpose of enclosing space or separating parcels of land, screening, protection, confinement, and/or privacy.

Section 514. Fences and Walls

A. General Requirements for Fences and Walls. The following general standards shall apply to all fences in the municipalities. Building permits shall not be required for the erection of fencing, except as specifically provided for herein.

1. A plot plan, acceptable drawing, or survey showing the location of the fence or wall must be submitted with a building permit application.
2. Any fence with in-ground poles must be constructed so as to have such poles facing the landowner on whose lot such fence is located.
3. The finished side of a fence or wall should face the adjacent property.
4. No fence in any District shall be erected in such a manner so as to obstruct visibility of a street or driveway intersection, in accordance with this Ordinance.
5. In any District, fences and/or walls shall not obstruct the clear sight triangle for vehicular traffic.
6. No fence or wall shall be erected in any public right-of-way.
7. Fences for public or private tennis courts and similar outdoor recreational facilities may be erected up to eight (8) feet in height, if constructed of a chain link material. Fencing of sport courts shall require a permit from the applicable municipality.
8. Fencing for the purposes of enclosing a garden area shall comply with all fencing regulations
9. No barbed wire or razor wire will be permitted in any residential district. Electric fences shall be permitted for agricultural uses, provided the fence is posted as such and installation shall be per the manufacturer's specifications. Barbed wire shall be permitted for the purpose of fencing livestock.
10. All fences and walls shall be maintained in a sturdy and good condition. Fences and walls which overturn, collapse, fall, or deteriorate, whether in whole or in part, shall be repaired, replaced, or removed within 60 days of receipt of notice thereof. The applicable Zoning Officer shall make such determinations of fence condition.
11. Fences located along a property boundary may be located along the property line.
12. The owner of any fence or wall shall be responsible for maintaining it in good repair. As such, any fence, wall, or other barrier that cannot support 105 pounds in weight without bending, breaking, leaning, or moving shall be deemed insufficiently sturdy. If a fence or wall is not being properly maintained or is deemed insufficiently sturdy, the applicable Zoning Officer shall give written notice to the owner to repair or remove the fence or wall within the period stipulated by the notice. Failure to comply with the order shall be considered a violation of this Ordinance.
13. A retaining wall may be erected along any property line or in any required

yard where it is needed to prevent a landslide or other hazardous condition. The location and placement of retaining walls shall meet the requirements of the applicable municipality's SALDO. Landscaping walls three (3) feet in height or less do not require a permit. Retaining walls taller than three (3) feet require a permit. Walls in excess of six (6) feet in height shall have a safety feature place along the top of the wall such as a fence or railing erected along in all areas that exceed six (6) feet.

14. Any erosion or sedimentation control barrier installed at the request of the DEP shall be removed within three (3) months following authorization by the DEP or an authorized agent of the DEP to do so.

B. Fences and Walls Accessory to Residential Use. The following fences and walls may be erected as an accessory structure to a residential use:

1. Front Yards.

a. Split rail, chain link, and any other fence with 25% or less of the surface area being opaque, not exceeding four (4) feet in height.

b. Masonry wall or fence with 50% or more of the surface area being opaque, not exceeding three (3) feet in height.

2. Side and Rear Yards.

a. Masonry or concrete wall, not exceeding three (3) feet in height.

b. Any other type of fence, not exceeding six (6) feet in height.

c. Security fence for a swimming pool, not exceeding six (6) feet in height.

i. Barbed wire fences shall not be permitted in conjunction with a residential use.

C. Fences and Walls Accessory to a Nonresidential Use. The following fences and walls may be erected as an accessory structure to a nonresidential use in any yard:

1. Front Yards.

a. Masonry or concrete wall, not exceeding three (3) feet in height.

b. Fences with 50% or less of the surface area being opaque, not exceeding four (4) feet in height.

2. Side and Rear Yards.

a. Masonry or concrete wall, not exceeding three (3) feet in height.

b. Fences with more than 50% of the surface area being opaque, not exceeding six (6) feet in height.

FIGURE 1. YARD TYPE ILLUSTRATION

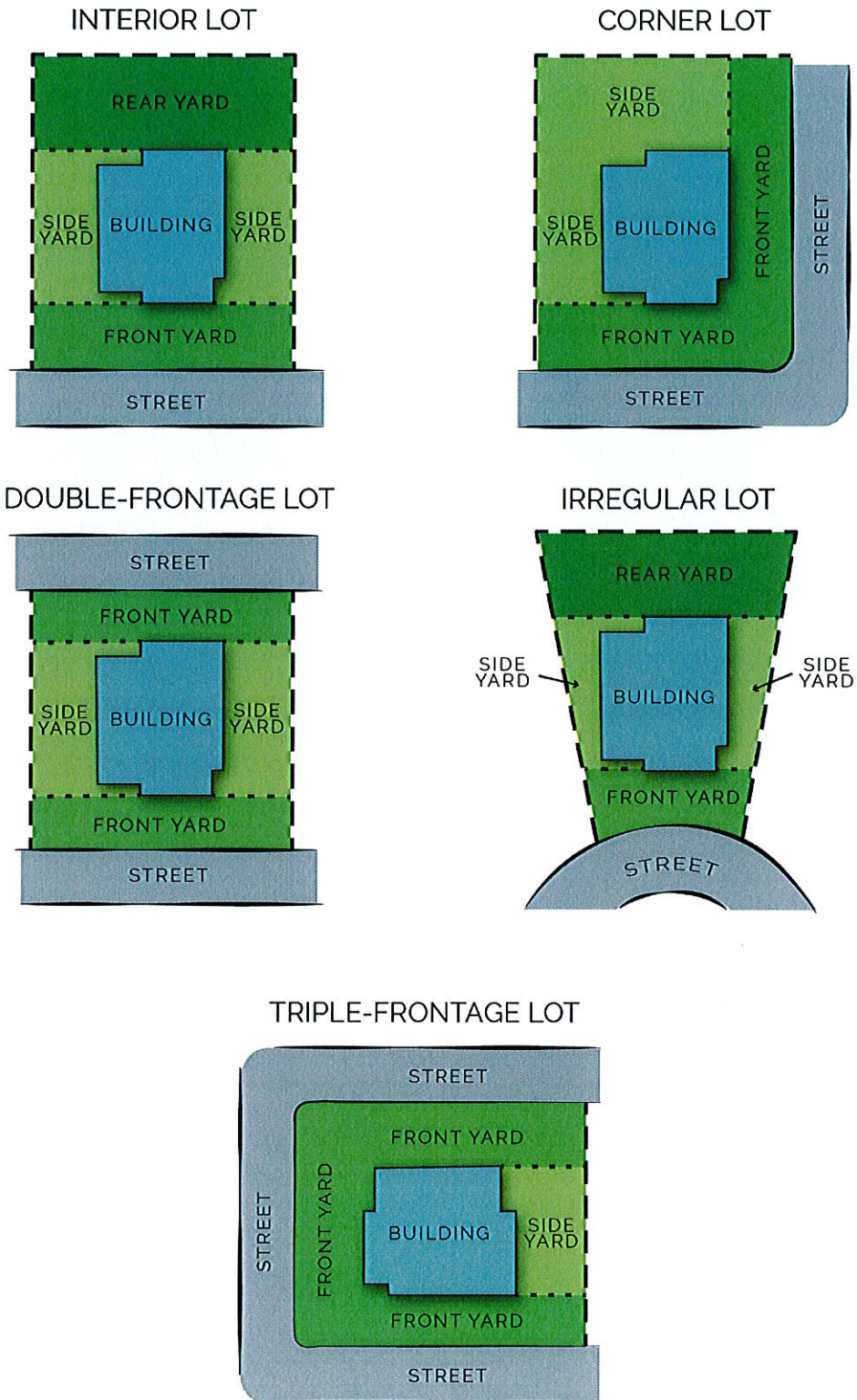


FIGURE 2. ROW LINES

