

Article 31
FENCES

§ 31-1. General Standards applying to all fences

- A. Fences with a height of 36” or less do not require a permit provided the fence is used as a decorative landscape feature and the fence complies with the following standards.
 - (1) Sections shall not exceed 20’ in length.
 - (2) Sections shall not be closer than 10’ to each other
 - (3) Total length of all sections shall not exceed 100’.
- B. Fences with a height greater than 36” and up to seven (7) feet require a zoning compliance permit.
- C. Fences with a height greater than seven (7) feet require a building permit.
- D. The finished side of the fence shall abut the adjacent lot, road right-of-way or easement.
- E. Unless otherwise specified in this chapter, fences shall not contain barbed wire, electric current or charges of electricity.
- F. The issuance of a fence permit is not intended, nor should it be construed, to abolish or modify the applicant's duties as contained in covenants and restrictions arising from a deed or other document. The township does not have the authority to enforce private covenants or deed restrictions.
- G. Chain link fences are not permitted, except in the Consumer Industrial zoning district and provided the chain link fence is vinyl coated with black or dark green color.
- H. Except as permitted in residential zoning districts, privacy screens are not permitted.

§ 31-2. Swimming pools, spas, hot tubs and other similar facilities

- A. Fences and enclosures are not permitted within a front yard.
- B. A fence or enclosure, as specified per the building code, is required for any swimming pool, spa, hot tub or other similar facility that contains more than 24” of water at any location.

- C. Fences and enclosures shall comply with the requirements contained in the presently adopted building code.

§ 31-3. Parks, schools, playgrounds or other public areas

- A. Fences are not permitted within the required front yard setback.
- B. Height shall not exceed four (4) feet in residential zoning districts.
- C. Height shall not exceed five (5) feet in nonresidential zoning districts.
- D. Vision shall not be obstructed by more than 25% when viewed perpendicular to the plane of the fence. The open areas shall be evenly distributed over the total area of the fence.
- E. Backstops for ball fields are exempt for these standards.

§ 31-4. Utilities, communications and other similar facilities

- A. Height shall not exceed eight (8) feet.
- B. Fences may consist of a solid surface, if needed to provide security. Solid surface fences shall be screened with landscape to minimize the appearance.

§ 31-5. Fences in residential zoning districts

- A. Fences located on lots greater than two (2) acres shall comply with the following.
 - (1) Fences abutting a road.
 - (a) Height shall not exceed four (4) feet. Decorative projections are permitted along the top of the fence, provided the total height of the projections and the fence do not exceed 54”.
 - (b) Vision shall not be obstructed by more than 25% when viewed perpendicular to the plane of the fence. The open areas shall be evenly distributed over the total area of the fence.
 - (c) Fences are not permitted within the required front yard setback.
 - (2) Fences that do not abut a road.

- (a) Height shall not exceed six (6) feet.
 - (b) Vision shall not be obstructed by more than 50% when viewed from any particular plane. The open areas shall be evenly distributed over the total area of the fence.
- B. Fences on lots two (2) acres or less shall comply with the following.
- (1) Fences located in the front yard.
 - (a) Height shall not exceed 36”.
 - (b) Sections shall not exceed 20’ in length.
 - (c) Sections shall not be closer than 10’ to each other.
 - (d) The total length of all sections shall not exceed 100’.
 - (e) Vision shall not be obstructed by more than 50% when viewed perpendicular to the plane of the fence. The open areas shall be evenly distributed over the total area of the fence.
 - (2) Fences located in a side or rear yard.
 - (a) Height shall not exceed four (4) feet. Decorative projections are permitted along the top of the fence, provided the total height of the projections and the fence do not exceed 54”.
 - (b) Vision shall not be obstructed by more than 50% when viewed perpendicular to the plane of the fence. The open areas shall be evenly distributed over the total area of the fence.
- C. Privacy screens shall comply with the following.
- (1) Length shall not extend more than 16’ beyond the rear building line.
 - (2) Shall not be located within the required side yard.
 - (3) Shall be limited to two sides of the area it is screening.
 - (4) Height shall not exceed five (5) feet, as measured from the bottom of the privacy screen.

- (5) Vision shall not be obstructed by more than 75% when viewed from a particular plane of the fence. The open areas shall be evenly distributed over the total area of the fence.

§ 31-6. Fences in nonresidential zoning districts

- A. Vision shall not be obstructed by more than 25% when viewed perpendicular to the plane of the fence. The open areas shall be evenly distributed over the total area of the fence.
- B. In the industrial and ORT zoning districts, fences must comply with the following standards.
 - (1) Height shall not exceed six (6) feet.
 - (2) Landscape shall be provided to minimize the appearance of the fence.
 - (3) Shall not be located within the required side or rear yard setback.
 - (4) Shall not extend beyond the front building line.
 - (5) The extent of the fence shall be the minimum necessary to support the onsite business operations.
- C. In the CI zoning district, fences must comply with the following standards.
 - (1) Height shall not exceed six (6) feet.
 - (2) Fences may be located on the property line, unless a setback is needed to provide required landscape screening.
 - (3) Shall not extend beyond the front building line.
 - (4) Chain link fences are permitted, provided it is vinyl coated with black or dark green color.
- D. In all other nonresidential zoning districts, fence height shall not exceed four (4) feet.

§ 31-7. Enforcement

The Building Official, or his designee, is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair or moving of a

fence in violation of the provisions of this chapter. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.