

ARTICLE XI  
**Fences<sup>1</sup>**

**§ 205-47. Definitions.**

The following words shall have the following definitions when used in this article:

FENCE — See-through and solid fences and walls composed of nonliving materials.

SCREENS — Any arrangement of trees, plants, bushes, or other plantings, whether used as a hedge or other obstruction of vision, and composed of living materials.

SEE-THROUGH FENCE — A fence which has at least a two-inch spacing between its interior components. Said see-through fence shall include, but not be limited to, chain link, post, rail, or picket.

SOLID FENCE — Any fence or wall which is not a see-through fence.

**§ 205-48. Permitted use; exceptions.**

- A. Fences and screens shall be a permitted use in any zone of the Township subject to the requirements of this article. No person shall erect a fence or a screen that is not in conformance with the provisions of this article.
- B. This article shall not apply to prohibit the erection of a wall or screen or fence for the purpose of retaining earth.
- C. The following uses are exempted from the provisions of this article: municipal buildings, parks, recreational areas and other properties, municipal water and sewage treatment facilities, school property, and public utilities.

**§ 205-49. Permits; appealing denial of permit.**

- A. No fence shall be erected absent the issuance of a zoning permit by the administrative officer charged with zoning oversight. The request for the zoning permit shall be accompanied by a plot plan or survey indicating the proposed location and setback from the property lines, and additionally information detailing the type and design of the proposed fence.
- B. The denial of the aforementioned zoning permit by the administrative officer may be appealed to the Zoning Board of

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1. Editor's Note: See also § 205-57, pertaining to fences around swimming pools.

Adjustment, and a property owner without applying for a permit may apply to the Zoning Board of Adjustment for approval of a fence or screen not in conformity with the provisions of this article. Said appeals shall be filed in accordance with applicable provisions of N.J.S.A. 40:55D-1 et seq.

### **§ 205-50. Location.**

- A. Location generally. Fences and screens may be located anywhere on a property, except that no fence or screen shall be placed nearer than three inches to any property line and except that a fence may be erected on a common property line upon mutual consent of the adjoining property owners.
- B. Residences abutting nonresidential property. On residential property which abuts a nonresidential zoning district, or a parcel upon which is located a nonresidential use, a fence or screen in said residential rear or side yard may be erected or located to a height of 6 1/2 feet for the purpose of screening the nonresidential activities from the view of the abutting residences.

### **§ 205-51. Regulations.**

- A. See-through fences. See-through fences shall not exceed six feet in height when erected in the rear and side yards to the front building line of the existing building. When erected from the front building line of the existing building toward the front property line, such fence shall not exceed four feet in height.
- B. Solid fences. No solid fence shall exceed six feet in height and shall not be permitted past the front building line of any existing building.
- C. The use of barbed wire, razor ribbon, or any other similar type of barbed or pointed wire, whether attached to any fence or strung separately, shall not be permitted.
- D. Corner properties. For the purposes of this chapter, corner properties shall be considered to have a front yard along the street on which the house fronts. A solid or see-through fence not to exceed six feet in height shall be permitted along the front building line, side property lines, and rear property line of corner properties, provided that:
  - (1) The fence shall not extend beyond the front building line or closer than 20 feet to the right-of-way, whichever measures greater from the right-of-way.

- (2) The fence shall be set back at least seven feet from the existing edge of paving of the street abutting a side yard, and shall be located no closer than eight feet to the existing edge of paving when a driveway is located on either side of a shared property line.
- (3) A see-through fence only not to exceed four feet in height shall be permitted from the front building line toward the front property line and along the front property line, provided that the fence does not create a sight distance problem at driveways or along the adjacent roadways.

**§ 205-52. Screens.**

No screen shall be located in excess of four feet in height along any intersecting streets. No obstruction to vision shall exist in the triangle area abutting intersecting streets formed by the abutting property lines and a line joining a point 25 feet distant from said intersection of abutting lines along said street lines. In all other areas along boundary lines, screens shall be permitted to a height of four feet. Said height of four feet shall be measured from the level of the public sidewalk abutting the property.