

CHAPTER 1416

Fences

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CROSS REFERENCES

- Authority to make party wall and fence regulations - see Borough Code
§1202(27) (53 P. S. §46202(27))
- Fences in R1A Districts - see P. & Z. 1246.10
- Fences in R2 Residence Districts - see P. & Z. 1250.10
- Fences in R3 Districts - see P. & Z. 1252.07(1)
- Fencing for swimming pools - see B. & H. 1444.10

1416.01 DEFINITIONS.

As used in this chapter:

- (a) "Living fence" means hedges, shrubs or other plantings that are used for the purpose of enclosing a piece of land or dividing a piece of land into distinct portions.
- (b) "Artificial fence" means any artificial structure, regardless of composition, that is erected for the purpose of enclosing a piece of land or dividing a piece of land into distinct portions.
(Ord. 339. Passed 11-4-74.)
- (c) "Fence" means any structure, regardless of composition, that is erected or maintained for the purpose of enclosing a piece of land or to divide a piece of land into distinct portions.
(Ord. 177. Passed 7-10-61.)

1416.02 APPROVAL OF BUILDING INSPECTOR REQUIRED.

No person shall erect a fence, wall or other type of construction without first obtaining the approval of the Building Inspector therefor.

(Ord. 177. Passed 7-10-61.)

1416.03 PERMIT APPLICATION AND ISSUANCE; PLANS; FEE; DISPLAY.

Any person intending to erect a fence shall, before any work is commenced, make application to the Building Inspector for a permit therefor, on a form supplied by the Building Inspector. Such application shall be accompanied with a plan or sketch showing the proposed location of the fence, wall or construction and the materials proposed to be used therein, which must be in accordance with this Building Code and other pertinent ordinances regulating construction within the Borough, and shall also be accompanied by a permit fee as set forth in Section 208.06(e) of the Administration Code. Upon approval by the Building Inspector, a permit shall be issued which will be in effect for a period of six months after the date thereon. Such permit shall be available on the job during the progress of the work so that it may be inspected by proper Borough officials.

(Ord. 177. Passed 7-10-61; Ord. 566. Passed 9-14-92.)

1416.04 LOCATION RESTRICTIONS.

(a) No artificial fence shall be erected in a front yard except when, in the judgment of the Building Inspector, a temporary artificial fence is required for the purpose of restraining destructive traffic until a living fence is established.

As used in this section, "front yard" means the required open space extending along the front property line of a lot. A corner lot shall be considered as having two front yards. (Ord. 303. Passed 4-5-71; Ord. 339. Passed 11-4-74.)

(b) No property owner or person in possession of any premises in the Borough shall maintain trees or hedges that obstruct the proper lighting of streets, sidewalks and highways or shall permit trees, hedges or tall grasses to grow along the sidewalks in front of their lots so as to obstruct the use of the sidewalks or highways.

(c) All new plantings of bushes, hedges, trees and the like shall be made at a distance of not less than one foot from any property line.

(Ord. 339. Passed 11-4-74.)

(d) Living fences and all other bushes, hedges and other similar plantings shall be trimmed so that they shall not grow out over sidewalks or streets and shall not be allowed to grow to a point closer than one foot from any such sidewalk or street.

(e) No living fence, bush, hedge or similar plantings shall be placed or allowed to grow closer than fifteen feet from the nearest intersecting curb line or corner.

(Ord. 566. Passed 9-14-92.)

1416.05 HEIGHT RESTRICTIONS.

(a) No artificial fence shall exceed six feet in height, provided however, that the Borough Council, in its sole and absolute discretion, may permit an artificial fence up to eight feet in height in circumstances where Council determines that a six foot fence is insufficient to buffer a residential property from non-residential use or an undesirable condition existing on an adjacent property.

(b) No living fence, bush, hedge or similar plantings shall be more than four feet high in the front yard of a property or more than six feet high in the rear or side yard of a property. Any living fence exceeding this height limitation on the date of the adoption of this subsection shall be exempt from this subsection.
(Ord. 566. Passed 9-14-92; Ord. 713. Passed 12-4-06.)

1416.06 TEMPORARY FENCES.

(a) No temporary fence of any kind, living or artificial, shall be permitted in a residential district until a permit therefor is granted by the Building Inspector.

(b) The Building Inspector shall ascertain the type, height and location of such fence.

(c) No temporary fence shall stand erected for more than ninety days under one permit.

(d) Temporary fences may stand erected for more than ninety days when used for enclosing a construction site. However, all temporary fencing enclosing a construction site shall be removed within thirty days following the completion of construction.

(e) The permit fee for a temporary fence, including a temporary fence used for enclosing a construction site, shall be as set forth in Section 206.06(f) of the Administration Code. All permit fees shall be paid to the Building Inspector at the time the application for a permit is made.

(Ord. 383. Passed 6-5-78; Ord. 566. Passed 9-14-92.)

1416.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)