

**§ 380-1. Fences.**

**A. General Requirements:**

- (1) All Fences Erected by individual property owners shall be located on the owners' property. Fences are allowed on the property line; however, the Zoning Administrator may require a survey where a property line location is questionable.
- (2) Fence height shall be measured from the existing natural grade.
- (3) No Fence or wall shall be Erected which constitutes a fire hazard either of itself or in connection with the existing Structures in the vicinity, nor which will interfere with access by the Fire Department.
- (4) It is unlawful to construct any private Fence or barrier within a public right-of-way.
- (5) Except if needed for Homeland Security, barbed wire and razor wire are prohibited in all Districts.
- (6) All Fences shall be maintained in a good condition so that they do not result in an unreasonable hazard to persons who might come near them.
- (7) A Fence used for keeping livestock shall be constructed as a split rail Fence, a two-board Fence, an electric wire Fence, a woven wire Fence, a composite Fence, or a plastic Fence.
- (8) Any electric Fence shall be labeled as electric at least every 50 feet.

**B. Residential Districts:**

- (1) Fencing which is essentially open (e.g., wrought iron, chain link, split rail, or picket Fence) may be up to 48 inches in height in the front.
- (2) Stockade Fence and masonry walls shall be limited to three feet in height in any Front Yard, and in any Rear Yard of any waterfront Lot.
- (3) Except as provided in subsection (2) above, Fences may be up to six feet in height behind the front Building line.
- (4) Fences in excess of the height in subsections (1), (2), or (3) may be authorized by the Zoning Board of Appeals, per Section 603 of the Zoning Act, after a public hearing and consideration of the following standards:
  - (a) The effect upon the adjoining properties;
  - (b) Whether the Fence will affect the light and air circulation of any adjoining properties;

- (c) Whether the Fence will adversely affect the view from the adjoining property;
  - (d) The reason for the request to construct the Fence higher than permitted by the Ordinance;
  - (e) The size, type, and kind of construction, proposed location, and general character of the Fence; and
  - (f) The size of other Fences on properties which are adjoining and in the surrounding neighborhood.
- (5) The aesthetic side of the Fence shall face the surrounding property.