

**ORDINANCE 2016 - 18**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF MANHEIM TOWNSHIP – 2014, AS AMENDED, TO MODIFY ARTICLE 5, SECTION 503 DEFINITIONS BY ADDING A NEW TERM AND DEFINITION, AND ARTICLE 21, SECTION 2108 FENCES AND FREESTANDING WALLS, BY DELETING IT IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 2108.**

**BE IT ENACTED AND ORDAINED** by the Board of Commissioners of Manheim Township, Lancaster County, Pennsylvania, as follows:

**SECTION 1.** The Zoning Ordinance of Manheim Township – 2014, Article 5, Section 503, Definitions, shall be amended by adding the following new term and definition:

PA UCC - The Pennsylvania Uniform Construction Code.

**SECTION 2.** The Zoning Ordinance of Manheim Township – 2014, Article 21, Section 2108, Fences and Freestanding Walls, shall be amended by deleting it in its entirety and replacing it with the following new Section 2108:

1. Upon property devoted to residential use, no fence or freestanding wall shall be erected to a height of more than forty-two (42) inches in any front yard, nor more than six (6) feet in any other yard, unless otherwise specified in this Ordinance.
2. Upon property devoted to municipal, commercial or industrial use, no fence or freestanding wall shall be erected to a height of more than forty-two (42) inches in any front yard, nor more than eight (8) feet, including any barbed wire atop the fence or freestanding wall, in any other yard unless otherwise specified in this Ordinance. Where such municipal, commercial or industrial use abuts a residential use, such fence or freestanding wall shall not exceed six (6) feet.
3. Where any lot abuts a limited access legislative highway to which the lot has no access, the fence or freestanding wall may be a maximum of eight (8) feet in height along the property boundary which abuts such limited access legislative highway.
4. Fence height exceptions. All portions of fencing shall be subject to the maximum fence height regulations specified in this Ordinance, except for fence posts and decorative finials on the fence post. The height of any such projection on the fence post shall not exceed the height of the fence by more than six (6") inches.

5. Fences along side or rear lot lines are not subject to yard or setback requirements. Freestanding walls shall be setback five (5) feet from side and rear lot lines. Fences or freestanding walls within the front yard shall be a minimum of two (2) feet behind the required street right-of-way line. All fences shall be located completely within lot boundaries and no fence may coincide with any lot line.
6. No solid fence or freestanding wall shall be erected within the required front yard setback, except where required to maintain the build-to line of adjacent buildings.
7. No fence or freestanding wall shall be erected which blocks or limits visibility for driveways on adjacent properties.
8. No fence or freestanding wall shall be located within any clear sight triangle as required by this Ordinance or the Township Subdivision and Land Development Ordinance.
9. No fence or freestanding wall shall be erected in a public right-of-way or other rights-of-way or easements, including but not limited to public or private drainage, utility or access easements, unless otherwise required by this Ordinance, the Township Subdivision and Land Development Ordinance or the Township Stormwater Management Ordinance.
10. Unless required for security purposes for commercial or industrial use, no fence shall be constructed of barbed wire, razor, or other sharp components capable of causing injury, and only then if the portion of the fence containing barbed wire, razor, or other sharp components capable of causing injury is not lower than six feet above the average surrounding ground level.
11. All fences and freestanding walls shall comply with the Pennsylvania Uniform Construction Code (PA UCC) as enforced by the Township.

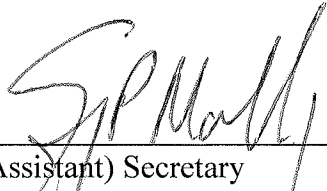
**SECTION 3.** All other portions, parts and provisions of the Zoning Ordinance of Manheim Township – 2014, as heretofore enacted and amended, shall remain in force and effect.

**SECTION 4.** The provisions of this Ordinance are severable and if any of its sections, clauses or sentences shall be held illegal, invalid or unconstitutional, such provision shall not affect or impair any other remaining sections, clauses or sentences of the same.

**SECTION 5.** This Ordinance shall become effective upon enactment.

**DULY ENACTED AND ORDAINED** this 26<sup>th</sup> day of September, 2016, by the Board of Commissioners of Manheim Township.

**MANHEIM TOWNSHIP**

Attest:   
(Assistant) Secretary

By:   
(Vice) President,  
Board of Commissioners

(SEAL)