

## **ORDINANCE 2023-09**

### **AN ORDINANCE OF THE BOROUGH OF ISLAND HEIGHTS, COUNTY OF OCEAN, STATE OF NEW JERSEY, REPEALING AND REPLACING CHAPTER 32, SECTION 8 OF THE BOROUGH CODE ENTITLED - FENCES**

The following shall replace Borough Code Chapter 32 – Section 8:

#### 32-8 FENCES

a.

Zoning Approval Required. Prior to erecting any new fence on a property within the Borough, the property owner must apply for and receive approval from the Zoning Officer in keeping with Borough Code Chapter 32.

b.

Front Yard Fencing. This shall include any fencing located in the area from the front property line along the street upon which the property is addressed to the front building line. Fencing located in this area shall not exceed thirty (30) inches in height and shall be made of metal, wood, vinyl or a similar material with at least one and one half (1 ½) inch openings between the rails or slats.

c.

Rear Yard Fencing. This shall include any fencing located in the area from the rear building line to the rear property line and running across the rear property line. Fencing located in this area may be of solid type made of wood, vinyl or a similar material and shall not exceed six (6) feet in height.

d.

Side Yard Fencing with No Street Frontage. Fencing located in this area may be of solid type made of wood, vinyl or a similar material and shall not exceed six (6) feet in height. No side yard fence may extend beyond the front building line.

e.

Fencing on Lots Abutting Two (2) Streets. Fences located on the property lines that abut streets shall not exceed thirty (30) inches in height and shall be made of metal, wood, vinyl or a similar material with at least one and one half (1 ½) inch openings between the rails or slats.

Fencing located on the property lines that do not abut a street, shall be made of metal, wood, vinyl or a similar material, shall not exceed four (4) feet in height, may be of a solid type and may not extend past the rear building line.

f.

Fence Construction. The finished side of all fences erected in accordance with the provisions hereof shall face the adjoining property and/or street line. Any portion of a fence construction intended or utilized for the support of the fence shall be located on the inside of the fence, facing the principal portion of the tract of land upon which the fence is erected.

g.

Encroachments. All fences shall be erected within property lines, and no fence shall be located so as to encroach upon a public right-of-way.

h.

Prohibited Fencing Materials. The following fences and fence construction materials are specifically prohibited in all zones in the Borough; barbed wire, canvas, cloth, electrically charged, expandable and collapsible.

The foregoing Ordinance was duly adopted by the Mayor and Council on June 13, 2023.

**Sean Asay**  
**Borough Clerk**