



Township of River Vale  
County of Bergen  
State of New Jersey

**ORDINANCE #429-2024**

Date of 1 <sup>st</sup> Reading: April 8, 2024	Motion to Adopt: Councilman Ben-Yishay
Date of Public Hearing: April 29, 2024	Motion Second: Councilman Donovan

**AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY AMENDING CHAPTER 142 OF THE CODE ENTITLED "LAND USE" ARTICLE LIV "FENCES" SECTIONS 142-248 "RESTRICTIONS" AND 142-249 "TENNIS, PADDLE TENNIS AND PLATFORM TENNIS COURTS"**

**BE IT ORDAINED** by the Township Council of the Township of River Vale that Chapter 142 of the Code is amended as follows:

Remove and add the following:

**§ 142-248 Restrictions.**

**A.**

Fences in front yard. Fences, of any height, shall not be permitted in the front yard (as defined in § 142-3) of the lot, except that a fence not exceeding three feet in height and which is at least 50% open and unobstructed (for example, split rail) shall be permitted. A zoning permit shall be required.

**B.**

Through lots. The restrictions as to fences in front yards shall apply to all property lines adjoining a public street.

**C.**

Height. No fence shall exceed six feet in height above the normal grade elevation except as may be provided for fences around ~~tennis, paddle tennis and platform tennis courts~~ sports courts as provided in § 142-249.

**D.**

Right-of-way; easement.

**(1)**

No fence shall be erected within a public right-of-way or public easement; however, fences shall be permitted over public stormwater and sanitary sewer easements, excluding trunk lines, so long as that portion of the fence within the easement is constructed without permanent footings and it shall be possible to dismantle the fence by hand and without the need for machinery. If possible, the portion of the fence within the easement shall be comprised of a gate for ease of access to said easement. A permit is required.

**(2)**

Should access to the stormwater easement be required by the Township or its agent, if possible, the property owner shall be given notice to dismantle that portion of the fence within the easement. In the event that access is required on an emergency basis, or the property owner fails to remove the portion of the fence over the easement, then, in such event, the Township or its agent shall have such fence removed immediately and charge any cost to the property owner as a municipal charge. Should any damage result to said fence, whether or not located within the easement, as a result of obtaining access to the easement, the Township shall not be responsible for the damage or replacement or reconstruction costs.

**E.**

Prohibited materials. The following fence materials are prohibited:

**(1)**

Barbed wire.

**(2)**

Pointed materials, except as used in picket or stockade fences.

**(3)**

Cloth, except to protect shrubbery or bushes for a period not to exceed 180 days.

**(4)**

Electrically charged materials.

**(5)**

Poultry netting.

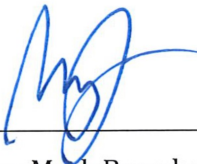
**F.**

Existing fences. A fence lawfully in existence as of the effective date of this article which shall be made nonconforming by this article may be continued except as otherwise provided herein. No fence which is nonconforming shall be changed, enlarged, extended, or reconstructed except to a conforming fence, but no provision hereof shall prohibit the repainting, staining, waterproofing, minor repair or insubstantial alteration of an existing fence. Any nonconforming fence which is destroyed less than 50% by fire, other casualty or act of God may be repaired and used in the same manner as prior thereto, provided that the fence is not enlarged, extended, or otherwise materially changed. All such repairs shall be completed within six months after the date of partial destruction, or the nonconforming fence shall be deemed to have been abandoned. When destruction of a nonconforming fence exceeds 50%, the same shall not be rebuilt or restored except in conformity with the requirements of this article.

**§ 142-249 ~~Tennis, paddle tennis and platform tennis courts.~~ Sports Courts**

Notwithstanding anything to the contrary herein, fences not exceeding 10 feet in height around a ~~tennis, paddle tennis or a platform tennis court~~ sports courts may be permitted in a residential zone, provided that the Construction Code Official and Zoning Officer shall review and approve the same, provided that such does not impair the purpose and intent of this Part 9 and is consistent with the character of the neighborhood. Such a fence shall be permitted only in the rear yard and shall not be located within 10 feet of the rear or side lot lines.

This Ordinance shall take effect following adoption and approval in a time and manner prescribed by law.

  
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 Mayor Mark Bromberg

**ATTEST:**

Karen Campanelli  
 Karen Campanelli, Township Clerk  
 Date: 5/2/2024

Council Member	AYE	NAY	N.V.	A.B	Council Member	AYE	NAY	N.V.	A.B
BEN-YISHAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SIEG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRISCUOLO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TOLOMEO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DONOVAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

X - Indicates Vote A.B. - Absent N.V - Not Voting (Abstained or Excused)