

SECTION 21 FENCES

(Amended May 17, 1993, effective June 17, 1993) (Revised effective July 17, 1996)
Revised June 9, 2019) (Revised effective 12/10/2021)

21.01 GENERAL WELFARE. No fences shall be permitted to be erected or maintained in any front, rear, or side yard which would be contrary or detrimental to the public health, safety, convenience, comfort, prosperity or general welfare of Leroy Township.

All fence posts and supporting rails should be exposed to the owner's property side. The manufactured fence side should face the adjoining property.

21.02 FENCE STANDARDS (Effective 12/10/2021)

A. All fence posts and supporting rails should be exposed to the owner's property side. The manufactured fence side should face the adjoining property.

B. Acceptable Fence Materials:

1. Open fences permitted in any use district, unless otherwise indicated are: chain link, bollard and chain, open picket, smooth rail, split rail, or contemporary rail, and wrought iron style/design fences
2. Open fences permitted in any use district, unless otherwise indicated are: chain link, bollard and chain, open picket, smooth rail, split rail, or contemporary rail, and wrought iron style/design fences

C. Prohibited Fence Materials

1. Fences that are composed of or include any of the following are prohibited in any use district: a charged electrical current, razor wire, chicken wire, pallets, barbed wire, or guard rail

21.02 FRONT YARDS AND PORTIONS OF SIDE YARDS. In the front yard and/or that part of any side yard which abuts a street, no fence shall be erected:

A. Between the right-of-way of any street and the building set-back line of any lot:

B. Which exceeds the height of forty-eight (48) inches above the grade along which the fence is erected:

C. Except decorative fences generally referred to as "split rail" or "post and rail" or "ornamental iron" fences:

D. No rail, which is herein defined to be for the purpose of the interpretation of this subsection, shall mean a horizontal structure erected as a component part of a fence, shall be constructed nearer to any other rail than six (6) inches unless said rail crisscrosses. No more than four (4) rails not to exceed eight (8) inches in width, shall be constructed between adjacent posts. No post, which is hereby defined to be and for the purpose of the interpretation of this sub-section, shall be construed to be a vertical

SECTION 21 FENCES

structure erected as a component part of a fence, shall be constructed nearer to any other post than four (4) feet.

- E. An “ornamental iron” fence may be constructed, provided it meets the requirements of paragraphs “1” and “2” of this section. An “ornamental iron” fence shall not be subject to the “rail and post” restrictions contained in the preceding Section 4, provided, however, the design is such that, in the opinion of the Zoning Inspector, it will not obstruct the view of pedestrian or vehicular traffic or obstruct the view to the detriment of the public safety.
- F. Nothing in this Section shall be interpreted to allow “picket fences” within front yards and that portion of side yards which abut a street, said “picket fences” being specifically forbidden and prohibited within front yards and that portion of side yards which abut a street.
- G. No vegetation which will obstruct the view of pedestrians or vehicular traffic or obstruct the view to the detriment of general public safety shall be planted or allowed to grow along any fence permitted by this Section.

21.03 REAR YARD AND PORTIONS OF SIDE YARDS NOT ABUTTING STREET:

Fences are permitted in the rear yard and those portions of the side yard which do not abut a street and may be a type to enclose all or part of the rear and side yard and shall be limited to no more than six (6) feet in height.

21.04 ALTERATIONS: Except for repainting, no fence shall hereafter be altered, rebuilt, enlarged, extended or relocated except in conformity with the provisions of this Section.

21.05 MAINTENANCE: Every fence is to be kept in a safe and secure condition, and in a neat and orderly condition at all times to prevent deterioration in the physical appearance of such fence.

21.06 ZONING CERTIFICATE. Unless specifically exempted elsewhere in this Resolution each person, firm, corporation, or agents thereof before erecting any fence, or before commencement of any work in connection therewith, shall first obtain a Zoning Certificate from the Zoning Inspector of the Township. Each applicant for such Zoning Certificate shall file with the Zoning Inspector an application accompanied by a detailed drawing or drawings and such descriptive matter as shall clearly state where the fence shall be erected. Decorative fencing 20 feet in length or less shall not require a zoning permit, but still must comply with all zoning regulations.

21.07 ZONING CERTIFICATE FEE. For each original permit for the erection or construction of a new fence, the applicant shall pay to the Zoning Inspector of Leroy Township a fee in accordance with the fee schedule adopted by the Leroy Township Trustees.