

**CODE OF THE TOWNSHIP OF LOWER PROVIDENCE, PENNSYLVANIA, v12
Updated 03-15-2008 / PART II GENERAL LEGISLATION / Chapter 81, FENCES AND
WALLS**

Chapter 81, FENCES AND WALLS

[HISTORY: Adopted by the Board of Supervisors of the Township of Lower Providence 7-17-2003 by Ord. No. 488. Amendments noted where applicable.]

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Updated 03-15-2008 / PART II GENERAL LEGISLATION / Chapter 81, FENCES AND
WALLS / § 81-1. Permit required; standards.**

§ 81-1. Permit required; standards.

A permit shall be required whenever a fence or wall is erected, replaced or altered within the Township. Fences and walls shall be in compliance with all Township codes and ordinances and the following, whichever being the more stringent:

- A. No permit shall be issued which allows a fence, buried cable, electronic pet control devices or wall to be erected within a street right-of-way, floodway, utility easement or drainage easement. A waiver may be granted for this section by the Lower Providence Township Board of Supervisors if the property owner agrees, as set forth by the Board of Supervisors, to: [Amended 11-3-2005 by Ord. No. 535]
- (1) Be responsible for all legal costs incurred by the creation, approval and recording of an easement agreement with the property owner and Township to be recorded with Montgomery County Recorders Office;
 - (2) Replace the fence at his/her own cost if removal is desired by the Township or any other utility company for any reason and at any time;
 - (3) Perform any and all stormwater management work, including grading and the installation of stormwater facilities, to prevent the blockage or the diversion of stormwater runoff;
 - (4) Not block or interfere with the clear sight triangle for all roads.
- B. No permit shall be issued which allows a fence or wall to be erected within a floodway fringe until relief has been granted by order of the Zoning Hearing Board.

- C. Fences or walls in the front yard between the street right-of-way and any projection of the building front line(s), which includes all corner lots, shall not exceed a maximum height of five feet and shall not obstruct vision at the driveway or adjacent street. This fence must be an open metal, vinyl or wooden split-rail fence composed of openings of no less than four inches. Chain link and barbed wire fences are prohibited within all front yards except specifically approved by the Lower Providence Township Board of Supervisors in nonresidential zoning districts only. [Amended 11-3-2005 by Ord. No. 535]
- D. Fences or walls in the rear yard and side yards to the rear of a projection of the building line(s) may not exceed a maximum height of eight feet.
- E. Fences shall be constructed so as to place the structural members toward the property being enclosed by the fence, thereby presenting the best appearance toward adjacent properties.
- F. No razor or barbed wire or glass shards shall be placed upon a fence or wall without the approval of the Lower Providence Township Board of Supervisors.
- G. When an existing fence or wall, not in conformance with this chapter, is replaced, a permit shall be required, and the fence or wall shall be brought into full compliance with all provisions of this chapter. Normal maintenance or removal of a fence or wall shall not require the issuance of a permit.
- H. Any fence or wall which, in the judgment of the Zoning Officer, is dilapidated, unsafe, dangerous or a threat to the health, safety and welfare of the residents of Lower Providence Township shall be made to comply with all provisions of this chapter.

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WALLS / § 81-2. Exemptions.**

§ 81-2. Exemptions.

- A. Fences and walls used for agricultural and recreational purposes to contain livestock shall be exempt from the requirements of this chapter, provided that they do not hinder visibility or pose a threat to the public health, safety or welfare.
- B. Fences and walls of an historic nature, accessory to an officially designated historic structure, shall be exempt from the provisions of this chapter.
- C. Buried cable electronic pet control devices shall be exempt from the provisions of this chapter, provided that they do not emit radiation which would pose a threat to the public

health, safety or welfare.

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WALLS / § 81-3. Fees.**

§ 81-3. Fees.

The Board of Supervisors of Lower Providence Township may adopt by resolution and may from time to time by resolution amend a fee schedule for the performance of the inspection(s) and documentation affiliated with this process.