



If you are installing a . . .

FENCE

Fencing and walls shall be permitted as an accessory use in all zoning districts in accordance with certain regulations. The Montville Township Land Use Ordinance defines a fence as “an artificially constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas.

Frequently Asked Questions (FAQ):

Are permits required for walls?

Yes, prior to the erection or alteration of a fence, a permit for same shall be obtained from the Zoning Office in accordance with all applicable procedures and requirements of the Department.

How tall may my fence be?

No fence shall be erected or altered to be more than four (4) feet in height in front yard areas and six (6) feet in height anywhere else on the lot. For a through lot, no fence shall exceed five (5) feet in height in a rear yard. All fences shall be maintained in safe, sound and upright condition.

Where can I place my fence in a residential district?

Fences may be installed within your property boundary. While the ordinance does not require a setback for fences, most fence companies will install the fence about six inches inside of your property boundary.

**** It is the applicant's responsibility to make sure that the fence is properly aligned within their boundary. This can be accomplished through having the property accurately marked-out by a licensed Professional Land Surveyor.**

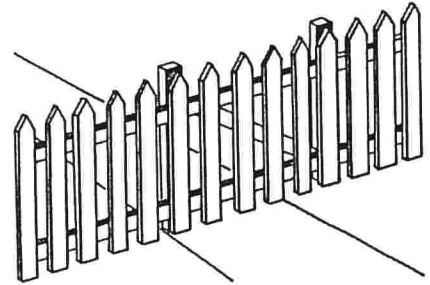
The finished side for all permitted fences shall be situated on a lot in such a manner that the finished or nonstructural side shall face abutting properties or, if facing on a street or property line, shall have the front surface exposed to said street or property line.

No fence or wall shall be constructed or installed so as to constitute a hazard to traffic or safety. No fence or wall shall encroach upon or be constructed or installed within a local public road or right-of-way, unless approved as part of the site plan or subdivision application for development. On a corner lot, all walls and fences shall comply with §230-132, which states:

“No fence over thirty (30) inches in height or exceeding the sight line elevation shall be erected or maintained on a corner lot within the sight triangle.”

What about chain link fences?

Chain link fences shall be permitted in residential zones, provided that such fences shall only be permitted in the rear yard and shall be located no closer to the street than the rear wall of the dwelling. Further, chain link fences in residential zones shall be vinyl-coated and limited to black, dark green or brown in color.





What about fences around swimming pools?

Private residential swimming pools shall provide fencing as required per §230-152C, which states:

All swimming pools heretofore or hereafter constructed or installed shall be completely surrounded by fencing. The fencing shall be not less than 48 inches in height and shall be of the chain-link type or a secure enclosure of equally durable construction with self-closing gates. The enclosure for all aboveground pools shall not be less than two feet from the pool wall. In lieu of a forty-eight-inch fence, the owner may elect to construct an enclosure attached to the top of the outside perimeter of the pool, not less than two feet above the topmost edge of the pool wall, securely connected to a retractable locking ladder. As a safety regulation, all swimming pools shall comply with the provisions of this subsection, irrespective of any permits which may have been issued. A permanent fencing must be installed within 30 days from filling the pool.

What other regulations pertaining to fences should I know about?

There are special regulations for certain types of fences. These include:

A dog run may have fencing a maximum of seven feet in height, provided that such use is located in rear yard areas only and is set back from any lot line at least 15 feet. Chain link fence may be used, irrespective of any regulations to the contrary.

A deer protection fence consisting of a fence material that shall be an open type wire grid so as to minimize the fence's visual impact on surrounding properties is permitted up to a maximum height of eight feet, shall be permitted in side and rear yard areas and is permitted on lots of three acres or more. Deer and seasonal plant protection fencing shall be constructed of vinyl or vinyl-coated materials, shall be dark green, black or brown in color and shall have openings no smaller than four square inches. Deer fence posts shall be dark green, black or brown in color.

Any fence used to contain livestock shall be located at least 10 feet from a property line or street right-of-way line.

A tennis court area, located in rear yard areas only, may be surrounded by a fence a maximum of 15 feet in height; said fence shall be set back at least 10 feet from any lot line. Chain link fence may be used, irrespective of any regulations to the contrary.

Recreation/sport courts may be surrounded by a fence with a maximum height of 15 feet and set back at least 10 feet from any property line.