

**ORDINANCE No. 2021-16**

**ORDINANCE AMENDING CHAPTER 525, ZONING, WITH REGARD TO THE DEFINITION OF CORNER LOTS AND FENCE HEIGHTS ON CORNER LOTS**

I. **PURPOSE:** The purpose of this ordinance is to amend the Mount Ephraim Code, Chapter 525, Zoning, by revising the definition of corner lots and revising the fence height requirements for corner lots. The Borough has determined that it is in the best interest of the Borough to clarify these issues.

II. **AMENDMENT:** The definition of "Lot, Corner" found within the definition of "Lot" in Section 525-6 shall be deleted and replaced with the following:

"LOT, CORNER: A lot on the junction of and abutting on two (2) or more intersecting streets where the interior angle of intersection does not exceed 135°. Each corner lot shall have two (2) front yards, one (1) side yard and one (1) rear yard. A corner lot shall have a primary and a secondary front yard. The primary front yard shall be along the street frontage which the house faces. The rear yard shall be parallel to the primary front yard."

III. **AMENDMENT:** Section 525-22B shall be deleted and replaced with the following:

"§525-22B. Height limitations.

- (1) No fence for which a permit is required under this chapter shall be more than six feet in height along the rear property line, or along the side property line between the rear property line and the rear of the principal building on the property, or any yard area between the rear property line and the rear of the principal building on the property. Such fence shall not extend past the rear boundary line of any piece of real property. Such fence shall be subject to the requirements of Subsections C through I of this section.
- (2) No fence for which a permit is required under this chapter shall be more than four feet in height along the side property line between the front property line and the rear of the principal building on the property. Such fence shall not extend past the side boundary line of any piece of real property. Such fence shall be subject to the requirements of Subsections C through I of this section.
- (3) Except for fences along the side property line which are subject to (2) above, no fence for which a permit is required under this chapter shall be more than three feet in height within the front yard setback of any real property. Such fence shall not extend past the front boundary line of any piece of real property. Such fence shall be subject to the requirements of Subsections C through I of this section.
- (4) See the definition of "Lots, Corner" in Section 525-6 to identify the yards on corner lots. Notwithstanding the requirements of (1), (2) and (3) above, the following requirements shall apply to corner lots:

(a) A fence in the primary front yard shall meet the requirements of (3) above.

(b) A fence along the side property line shall meet the requirements of (1) and (2) above.

(c) A fence in the secondary front yard shall meet the requirements of (3) above, except that a fence in the secondary front yard between the rear property line and the rear of the principal building may be up to six feet in height if it is offset at least ten feet from the secondary front property line.

(d) A fence along the rear property line shall meet the requirements of (1) above except that it may not exceed four feet in height between the secondary front property line and a ten foot offset from the secondary property line.

(e) Such fences on corner lots shall be subject to the requirements of Subsections C through I of this section.

IV. EFFECTIVE DATE: This Ordinance shall take effect immediately on final passage approval and publication, as provided by law.

Introduced: September 2, 2021

Adopted:

Approved: \_\_\_\_\_  
Michael Tovinsky, Mayor

Attest: \_\_\_\_\_  
Terry Shannon, Borough Clerk

**CERTIFICATION**

I hereby certify this to be a true copy of an ordinance adopted by the Governing Body of the Borough of Mount Ephraim at the Commission meeting held October 7, 2021.

\_\_\_\_\_  
Terry Shannon, Borough Clerk