

SECTION 21 - FENCES
(Amended May 17, 1993, effective June 17, 1993)
Revised effective July 17, 1996

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 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

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

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

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

4. No rail, which is herein defined to be for the purpose of the interpretation of this sub-section, 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 criss-cross. 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 structure erected as a component part of a fence, shall be constructed nearer to any other post than four (4) feet.

5. 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.

6. 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.

7. 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 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.
- 21.06 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.

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