

FENCES AND HEDGES

§ 92.40 Purpose.

It is the intent of the city commission to promote the general welfare of the city by the following regulations relating to fences and hedges. (Ord. 400, passed 10-25-76)

§ 92.41 Definitions.

For the purposes of § 92.40 through 92.49 the following words and phrases shall have the following meanings ascribed to them respectively.

(A) "Fence." Any construction, barrier or erection encircling either wholly or any portion of any given area.

(B) "Hedge." Any bush, shrub or any living green fence of any nature encircling, either wholly or any portion of any given area.

(C) "Protective measures fence." A fence erected for the expressed purpose of the protection of the enclosed area and its contents in all areas other than residential areas. When such protective measures fence employs barbed wire along the uppermost edge the minimum height for such fence below the barbed wire extension shall be 6 feet.

(D) "Sidewalk line." The edge of the established sidewalk nearest the established lot line of any property within the city. (Ord. 400, passed 10-25-76)

§ 92.42 Permit required to erect fence or hedge.

No person, firm, or corporation shall construct or cause to be constructed any fence or hedge upon any property within the city without first having obtained a permit therefor in the manner hereinafter provided. (Ord. 400, passed 10-25-76) Penalty, see § 92.99

§ 92.43 Application for fence or hedge permit.

Any person desiring to build or to cause to be built a fence, or grow a hedge or cause to be grown a hedge upon property owned in the city shall first apply to the building inspector for a permit. Such application shall contain any and all information required by the inspector necessary for the determination of whether the erection of such fence or growing of such hedge will violate any ordinance of this city or law of this state. (Ord. 400, passed 10-25-76)

§ 92.44 Height.

(A) Front yard. In residential and local business zones, fences and hedges in the front yard area shall not exceed 4 feet in height.

(B) Side and rear yard. In residential and local business zones, fences and hedges in the side and rear yard area shall not exceed 6 feet in height.

(C) Corner lots. In residential and local business zones, on a corner lot, fences and hedges nearer the street than the established building line shall not exceed 4 feet in height. (Ord. 400, passed 10-25-76)

§ 92.45 Extension of fences and hedges restricted.

(A) Extensions. No partition fence or hedge shall extend towards the street beyond 2 feet from the established lot line, nor shall any fence or hedge or portion thereof be erected in any area on or parallel to the lot line except that it shall be located a minimum of 2 feet behind the inside edge of the established sidewalk line. It shall be deemed unlawful to plant or cause to have planted any shrub or bush outside of the established sidewalk line.

(B) No portion of §§ 92.40 through 92.49 shall be construed to allow any hedge growth to extend toward the street beyond 2 feet from the established lot line.

(C) No portion of §§ 92.40 through 92.49 shall be construed to allow a fence or hedge growth to be erected less than 3 feet from an alley property lot line in a residential or local business zoned area. (Ord. 400, passed 10-25-76) Penalty, see § 92.99

§ 92.46 Type of fences restricted.

(A) No person being the owner, lessee, occupant, or agent for the same, of any building in the city shall erect, cause to be erected, or maintain on or about the walk or stairway to the entrance of such building, any railing, fence, guard or other projection on which there shall be affixed or placed, or in any manner attached, any barbed wire construction, nor shall there be maintained, either partially or wholly, around any area adjacent to any street, alley, lane or public way, or in or along any street or sidewalk in front or adjacent to any public space or place, or nail or cause the same to be nailed or fastened, in any form, shape or manner, upon any partition form, any such barbed wire construction, nor shall any electrical current be charged through any fence whatsoever.

(B) A permit granted by the city building inspector shall be required to those individuals wishing to erect a protective measures fence. Such permit shall be granted only after demonstration of the need of such fence. The owner, or agent thereof, of a protective measures fence shall be granted permission to erect necessary and

reasonable barriers along the uppermost edge of said protective measures fence that he deems reasonable for the protection of property within the enclosed area. (Ord. 400, passed 10-25-76) Penalty, see § 92.99

§ 92.47 Owner liable for fence or hedge near sidewalk.

Any person, firm, or corporation within the corporate limits of the city erecting or maintaining any fence or hedge between the edge of the established lot line and the inside edge of the sidewalk or where any sidewalk would normally be, shall be fully responsible for the care and maintenance of said fence or hedge and shall assume full responsibility for any damage arising due to the erection of such fence or hedge. (Ord. 400, passed 10-25-76) Penalty, see § 92.99

§ 92.48 Waiver of fence requirements by board of appeals.

Upon complaint in writing by any person directly or adversely affected the board of appeals of the city may, after a hearing in accordance with the established procedure of the board, in its sound discretion and in the interests of the public health, safety or welfare of the inhabitants of the community reduce or remit the requirements of this chapter in individual cases coming before the board. (Ord. 400, passed 10-25-76) Penalty, see § 92.99

§ 92.49 Nonconforming uses.

The lawful erection of a fence or a hedge growth existing at the time of the adoption of §§ 92.40 through 92.49 may be continued, although such erection or growth does not conform to the provisions hereof; but if such nonconforming use is discontinued for a period in excess of 90 days, the future erection of a fence or a hedge growth shall be in conformity with the provisions of §§ 92.40 through 92.49. (Ord. 400, passed 10-25-76)

TELEPHONE INSTALLATIONS

§ 92.50 Physical requirements of poles.

All telegraph and telephone poles erected or maintained by any person or persons, firm or corporation in pursuance of any permission franchise by the city commission, shall be at least 30 feet in height above the grade of the street, straight, smoothshaven, and painted if required by the city commission. The city commission may at any time order the poles to be of any additional height as the general welfare of the city and inhabitants may require. ('60 Code, § 204.01)

FENCE PERMIT

CITY OF GLADSTONE
1100 Delta Avenue
P. O. Box 82
Gladstone, NJ 08037 0012

FENCES AND HEDGES

Any person desiring to build a fence or grow a hedge upon property owned in the city shall first apply to Gladstone City Hall for a permit. Such application shall contain any and all information required by the inspector necessary for the determination of whether the erection of such fence or growing of such hedge will violate any ordinance of this city or law of this state.

Height

(A) Front yard. In residential and local business zones, fences and hedges in the front yard area shall not exceed 4 feet in height.

(B) Side and rear yard. In residential and local business zones, fences and hedges in the side and rear yard area shall not exceed 6 feet in height.

(C) Corner lots. In residential and local business zones, on a corner lot, fences and hedges nearer the street than the established building line shall not exceed 4 feet in height.

Extensions of Fences and Hedges Restricted

(A) Extensions. No partition fence or hedge shall extend towards the street beyond 2 feet from the established lot line, nor be erected in any area on or parallel to the lot line except that it shall be located a minimum of 2 feet behind the inside edge of the established lot line.

(B) No hedge growth shall be allowed to extend toward the street beyond 2 feet from the established lot line.

(C) No fence or hedge growth shall be allowed to be erected less than 3 feet from an alley property lot line in a residential or local business zoned area.

No fence, either partially or wholly, shall be constructed of barbed wire.

Any person, firm or corporation within the corporate limits of the city erecting or maintaining a fence or hedge shall be fully responsible for the care and maintenance of said fence or hedge and shall assume full responsibility for any damage arising due to the erection of such fence or hedge.

There is no fee charged for a fence permit.

LOCATION: _____

TYPE OF FENCE, LOCATION, ETC. _____

SIGNATURE OF APPLICANT: _____

ADDRESS: _____ DATE: _____