

ORDINANCE 2018-01

**AN ORDINANCE OF THE NEWVILLE BOROUGH COUNCIL,
CUMBERLAND COUNTY, PENNSYLVANIA AMENDING
THE NEWVILLE BOROUGH ZONING ORDINANCE**

WHEREAS, the Newville Borough Council wishes to amend the Borough Zoning Ordinance to include regulations for fences installed within the Borough; and

WHEREAS, this Ordinance is enacted and ordained under the grant of powers by the General Assembly of the Commonwealth of Pennsylvania, Act 247, "The Pennsylvania Municipalities Planning Code", July 31, 1968, as amended;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED and it is hereby adopted by the Newville Borough Council as follows:

ARTICLE IV, "SUPPLEMENTARY REGULATIONS".

Section 4.1.6 – Private Outdoor Swimming Pools:

Amend Section 4.1.6.1 (3) as follows:

Any such pool with a surface area of 150 square feet or more or a depth in excess of 2 feet shall be completely surrounded by a fence or wall that is not less than four feet in height. All gates or doors opening through said fence shall be erected, maintained and provided with a self-closing, self-locking gate to prevent unauthorized use of the pool and prevent accidents. However, if said pool is located more than three and one-half (3 ½) feet above the ground level, then a fence is not required, provided that all points of access to said pool are adequately removed or secured when not in use. These provisions will be effective for all new installations.

Add the following Section to Article IV:

Section 4.7 Fence Requirements in all Districts:

- 4.7.1 FENCE:** A man-made barrier erected for purposes, including but not limited to enclosure, exclusion, protection, privacy, screening, security, retention and aesthetics, and located at the perimeter of or within the required yards of private property. This definition shall include the term "wall" as it is commonly used.
- 4.7.2 PERMIT REQUIREMENTS:** Installation of any fence requires a Zoning Permit. A Zoning Permit is also required for the replacement of an existing fence.
- 4.7.3 FENCE REQUIREMENTS:** A fence is considered an Accessory Structure and shall be maintained as such, except it shall not be subject to the setback requirements of an Accessory Structure, and must be structurally sound and in good repair at all times. The material construction of the fence shall be of professional grade and meet current industry standards. The


maximum height of a fence in residential zones will be six (6) feet. The maximum height of a fence in commercial zones will be eight (8) feet.

4.7.4 **BOUNDARIES:** The property owner should consider having his property surveyed. Property lines should be defined prior to the construction or installation of any fence. It shall not be the responsibility of the borough to locate, define or mediate the location of property lines between property owners.

These Zoning Ordinance Amendments shall become effective immediately upon their adoption.

Enacted and Ordained by the Newville Borough Council in lawful session, duly assembled this 27th day of March, 2018.

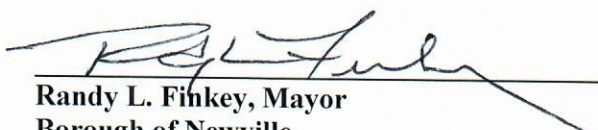
BOROUGH OF NEWVILLE

By: 
Russell L. Gould
President of Borough Council

Attest:


Fred A. Potzer, Borough Secretary

Examined and approved this 27th day of March, 2018.

By: 
Randy L. Finkey, Mayor
Borough of Newville
Cumberland County, Pennsylvania