



**BOROUGH OF TATAMY**  
**NORTHAMPTON COUNTY, PENNSYLVANIA**

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**Ordinance Amendment, Title XV: Land Usage, Chapter 155- Zoning**

**ARTICLE IV, Section 403.5(c) - Fences**

(Duly Adopted 7<sup>th</sup> day of August 2023)

**AN ORDINANCE OF THE BOROUGH OF TATAMY, NORTHAMPTON COUNTY, PENNSYLVANIA,  
AMENDING ZONING ORDINANCE, ARTICLE IV, SECTION 403.5(c): FENCES PROVIDING FOR  
REGULATIONS AND PROCEDURES.**

**SECTION 403.5**

**C. FENCES**

1. Any fence located in the required front yard of a lot in a residential district, shall have a minimum ratio of 3:1 open to structural areas, shall not exceed 4 feet in height and shall be constructed entirely of wood (and any fasteners required, and any wire mesh attached on the inside of the fence).
2. Fences shall not be required to comply with the rear and side yard setbacks for accessory structures unless the fence would abut a public street.
3. A fence located in a residential district in a location other than the front yard shall have a minimum height of 4 feet.
4. A fence shall not be required to comply with accessory structure setbacks. Except that no fence shall be build within 5 feet of a right-of-way, future right-of-way line of a street and a fence in a residential district shall be setback from the property line the following distances:

i. Single Family Dwelling	1-1/2 feet
ii. Semi-detached Dwelling, common side lot line	No Setback
Semi-detached Dwelling, other side yard	1-1/2 feet
iii. Townhouses, common side lot line	No Setback
Townhouses, other side yard	1-1/2 feet
5. No fence shall be located within the paved area setback required under Section 603, nor within a drainage or utility easement in such a way that it would prevent use of the easement for its intended purpose.

## ZONING ORDINANCE ARTICLE IV, SECTION 403.5(C) – FENCES

6. Any fence that has one side that is smoother and/or more finished than a second side shall place the smoother side and/or more finished side so that it faces away from the area that is enclosed, unless the fence abuts a business use.
  
7. The following exceptions are set forth for fence location pertaining to setbacks and locations pertaining to properties with setbacks.
  - i. Proposed fences that will not be located completely on the applicant's property, that cannot be maintained completely from the applicant's side or within the 1-1/2-foot setback, the applicant must obtain a written and notarized agreement by each adjoining property owners(s) where the fence is proposed, waiving the specific provisions of this chapter, claiming ownership and responsibility of said fence and filed by the Borough Zoning Officer. Location of property lines will be the responsibility of the applicant to verify, through a surveyor's account, the precise location of property lines.

The Borough shall not be responsible, through the issuance of a fence permit or otherwise, for any damages or dispute which may arise through the issuance of a fence permit or approving the placement of any fence, where the applicant for a permit has submitted or relied on a survey plat or marker which is in error or at a variance with that of a neighbor.
  
  - ii. Fences placed within easements must have approval from the Borough Zoning Officer and Borough Council. The applicant must agree to be responsible for all legal costs incurred by the creation and approval of an Easement Agreement with the Borough and recorded in the Office of Recording Deeds for Northampton County, if approved.
  
8. No part of this Ordinance shall prohibit a developer from establishing Deed restrictions or homeowner association regulation that further restricts the height, location, and material of fences in addition to those set forth herein.

**DULY ENACTED AND ORDAINED** this the 7<sup>th</sup> day of August, 2023, by the Council of Tatamy Borough.

**FENCE PERMIT INFORMATION**

## ZONING ORDINANCE ARTICLE IV, SECTION 403.5(C) – FENCES

### Information Required to Process This Permit Application

#### 1. Ask for an Application

- o Attached is a SAMPLE packet of information to follow for **required** information.
- Property Owner must sign the application.

#### 2. A Site Plan Showing:

- Entire property dimensions, size and position of the fence along with all buildings and structures located on the property with distances. Measure from the centerline of the roadway and or the property line.
- Show the placement of the fence in relation to the property lines.
- The fence must be placed within the property not on the property line.
- Owner must call PA ONE CALL before digging postholes.
- Show distances between structures on the property.
- The fence **MAY NOT** be placed in any active easement.

#### 3. Specification Sheet:

- Manufacturer's specification sheet for the construction for the fence.
- A description or photo shall be supplied o The size and height of the fence.

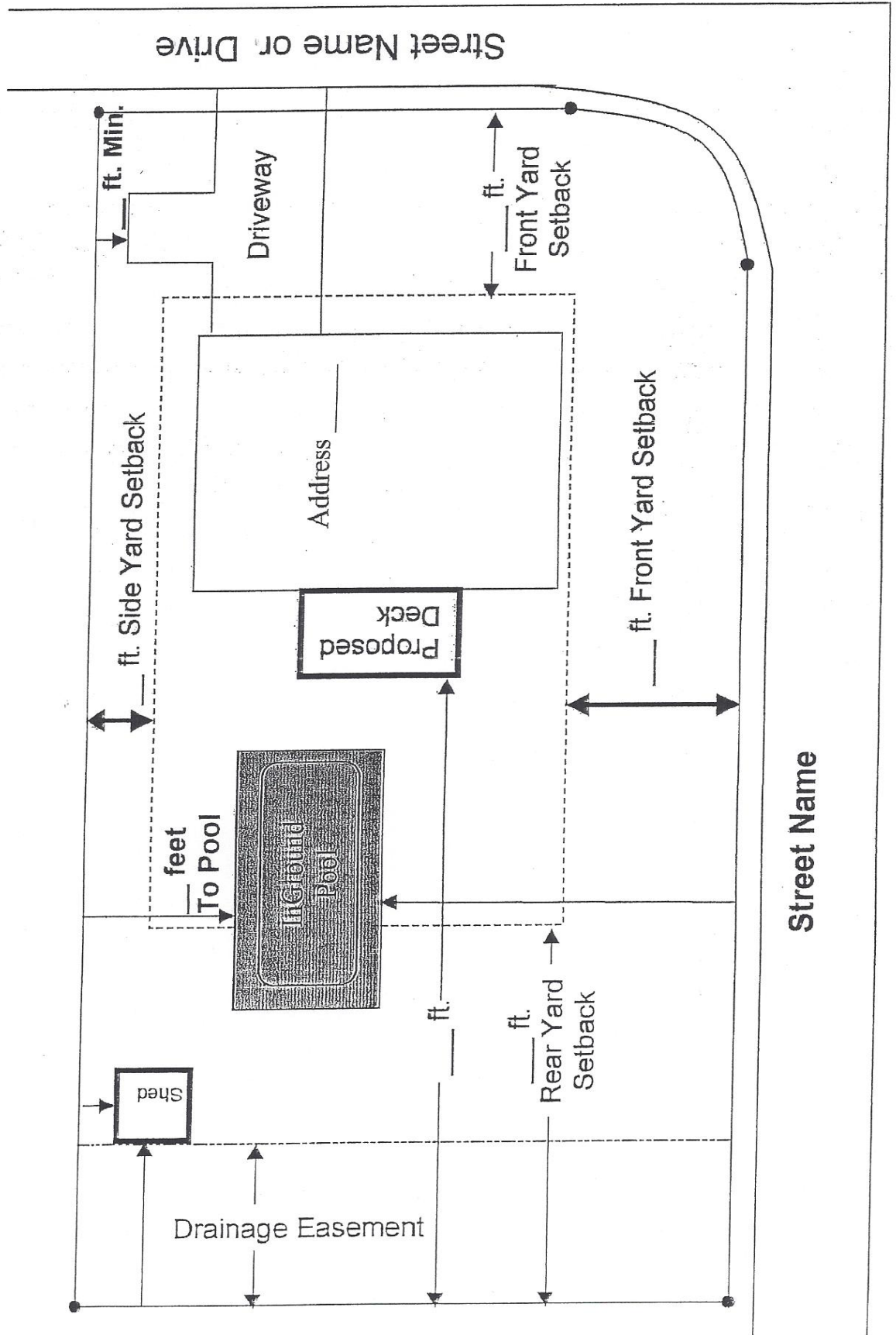
#### 4. Contractors License

- Contractors must have a Certificate of Insurance or a Workers Compensation Insurance form on file with the Municipal Office.
- If homeowner is installing the fence, no Certificate is required.

#### 5. Inspections

- The Zoning Officer will do an Inspection when the fence is completed. The owner need not be present or on site for that inspection.

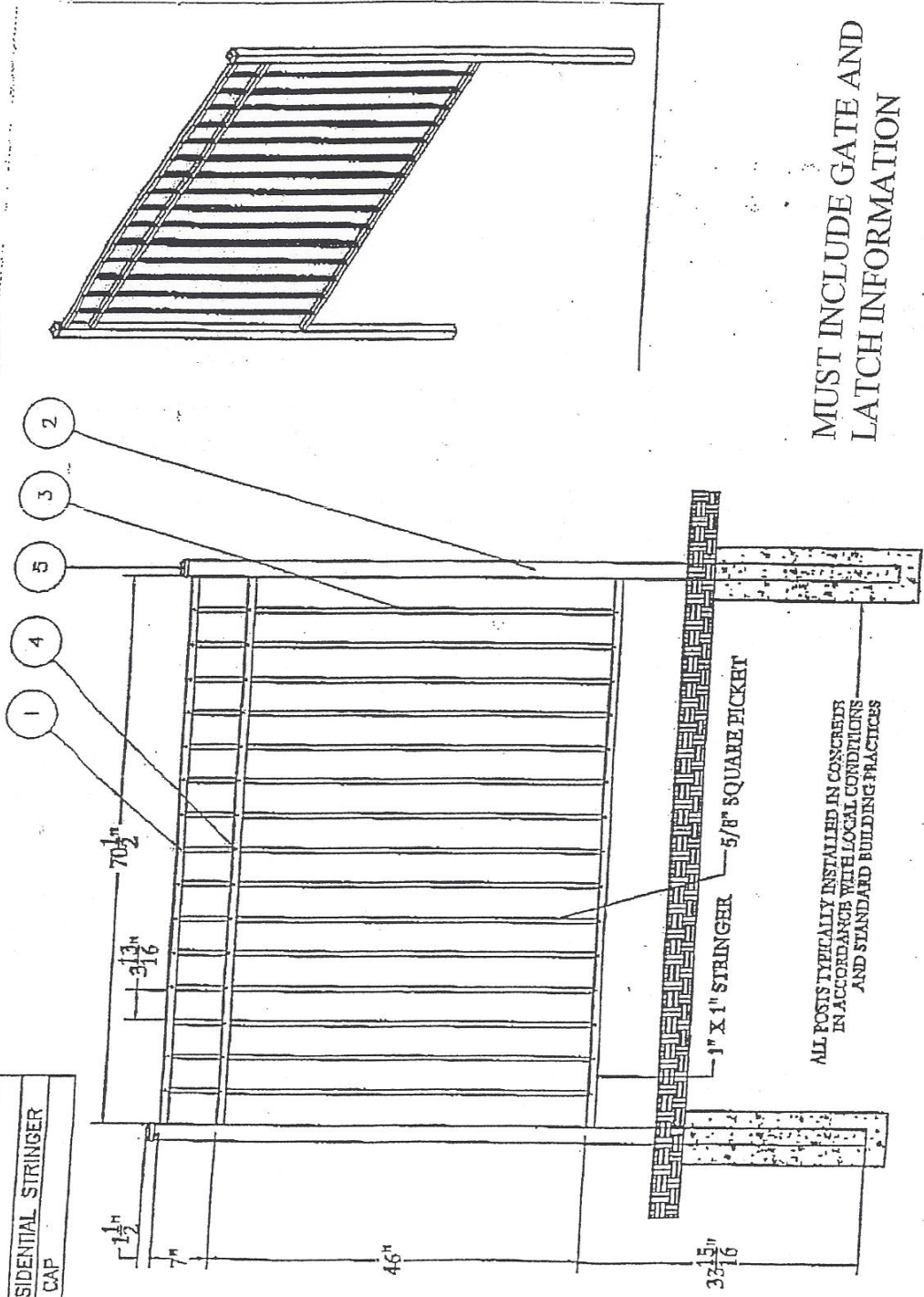
# Plot Plan Corner Lot "Example"



ZONING ORDINANCE ARTICLE IV, SECTION 403.5(C) - FENCES

SAMPLE - DO NOT USE

FENCE PARTS	
ITEM/ QTY	NAME
1	72" - 15 HOLE RESIDENTIAL HEADER
2	2" POST
3	15 R202 - 54" PICKET
4	2 72" - 15 HOLE RESIDENTIAL STRINGER
5	2 2" ALUMINUM POST CAP



MUST INCLUDE GATE AND LATCH INFORMATION