



MEMORANDM

To: Mayor and City Council

From: Suzanne Arnold, Chief Building Official

Date: November 4, 2020

Reference: Consider revisions to Article 9-2, Fence Regulations

2030: Special Place to Live

Executive Summary:

The City is seeking to revise the existing Fence Ordinance.

Introduction:

Community Development staff propose to add the pool fence requirements from the International Swimming Pool and Spa Code to the Fence Regulations in Article 9-2 of the Code of Ordinances. Staff is also proposing changes to the content of the existing fence ordinance to address permit exemption, fence height, and aesthetic properties facing streets.

Analysis:

The following changes are proposed:

- Add the pool fence regulations from the 2018 International Swimming Pool and Spa Code and amendments
- Clarify permit exemption:
 - Current ordinance states that replacing less than 50% does not require a permit; proposed ordinance adds a 6-month wait.

- New language clarifies that regardless of permitting, the fence must comply with all codes and ordinances.
- Replacement of fences enclosing pools, and fences on properties where the side or rear faces a public street, must always get a permit, regardless of what percentage is being replaced. Any change in height, location, or materials also requires a permit.
- Height clarification: Allowing 5 inches of grace on an 8 foot fence for trim and ground clearance (max. total height up to 8 feet 5 inches from the dirt to the top).
- Any fence facing a street must have the posts and rails facing the inside of the yard.
- Potentially allow sliding driveway gates to encroach into the five foot alley setback by one foot

Attachment:

Proposed text for the revised fence ordinance

Legal Review:

The documents were reviewed by Bob Hager at NJDHS.

Fiscal Impact:

N/A

Recommendation:

The Community Development Department recommends bringing the revisions of Article 9-2, Fence Regulations, to Council on December 8, 2020.