

Lower Merion Township
FENCE REQUIREMENTS (155.130)

1. The finish side of all fences must face your neighbor's property.
2. Fences in the required side and rear yard.
 - A. The maximum height of a solid fence in the required side and rear setback is 6' above grade unless a higher fence is approved by the Board of Commissioners on a subdivision or land development plan.
 - B. If a fence is higher than 6' in the side or rear yard setback, the entire fence must be a minimum of 75% open. Exception: Where a property abuts a railroad, the portion of the fence or wall abutting the railroad is not required to be open. See 155.130 A (2)(a) attached)
 - C. The maximum height of any fence in the required side and rear setback is 8' unless a higher fence is approved by the Board of Commissioners on a subdivision of land development plan.
3. Fences in the required front yard setback.
 - A. **A front yard setback exists on every portion of the property that fronts on a street.**
 - B. **All fences along a street must be erected outside of the Township right-of-way.** The right-of-way for any street may be obtained from the Township's Planning Department.
 - C. **The maximum height of a solid fence is 4' above grade.**
 - D. **If a fence is higher than 4' in the front yard setback, the entire fence must be a minimum of 75% open and a building permit must be obtained.**
 - E. The maximum height of a 75% open fence in the front yard is 6' unless the Board of Commissioners approves a higher fence on a subdivision or land development plan.
 - F. A gate must be installed along every street frontage to provide access to the yard between the fence and the street for maintenance purposes.
4. Fences are not permitted in the floodplain without Zoning Hearing Board approval. If there is a stream of drainage swale in the vicinity, Township floodplain maps must be checked for the location of the floodplain.
5. If a fence is to be installed near the property line, the property should be surveyed prior to the fence installation. When installing the fence near or at the property line the structural members as well as the fence must be on the installing owner's property.
6. Existing fences, which were legal when built but that do not meet these requirements maybe repaired and/or replaced. If more than 25% of the fence is being repaired/replaced the fence must comply with current zoning requirements. Prior to repairing/replacing a fence that does not meet the current requirements you must demonstrate to the Township that the fence was legal when built.
7. Swimming pool fences:
 - A. Pools must be enclosed by a fence a minimum of 4' in height above the proposed grade.
 - B. The maximum size of any opening in the fence is 4 inches.
 - C. A building permit is required for the replacement of any pool fence.
 - D. Pool enclosures must comply with the currently adopted IRC Appendix G.
8. A summary of zoning setback requirements are attached.
9. All contractors and sub-contractors must hold a current Lower Merion Township Contractor's License or be registered with the Pennsylvania Attorney's General Office as a Home Improvement Contractor (HIC) prior to installing a fence. Copy of the HIC registration and a current Certificate of Insurance naming Lower Merion Township as the certificate holder must be provided to Lower Merion Township.

155-130 Regulation of fences and walls.

[Amended 12-18-1985 by Ord. No. 2093; 10-17-1990 by Ord. No. 3209; 2-17-1993 by Ord. No. 3309; 9-15-1999 by Ord. No. 3538]

- A. No fence or wall, except a retaining wall or a wall of a building permitted under the terms of this chapter, over eight feet in height shall be erected within any of the required side or rear yard setbacks nor over six feet in height within the required front yard setback for the principal building in the district in which the property is located.
 - (1) When a fence or wall exceeding four feet in height is erected within the required front yard setback, measured from the street line, the entire fence or wall shall contain openings therein equal to 75% or more of the area of the fence or wall.
 - (a) An existing fence or wall exceeding four feet in height, and less than 75% open, in the required front yard setback may be replaced if the applicant can demonstrate that the fence conformed to the Zoning code when it was installed.
 - (2) When a fence or wall exceeding six feet in height is erected within any required side or rear yard setback, the entire fence or wall shall contain openings therein equal to 75% or more of the area of the fence or wall, unless either of the following conditions exist:

[Amended 2-15-2006 by Ord. No 3770]

- (a) Where a property abuts a railroad, the portion of the fence or wall abutting the railroad is not required to be open
- (b) Where a residential property abuts a commercial property, any portion of the fence above six feet must be at least 50% open.
- B. When the Board of commissioners finds that a significant need is met by the erection of the fence, the Board of Commissioners may approve a higher solid fence within the required front, side and rear yard setback when such a fence is requested in conjunction with the approval of a development plan.
- C. All fences shall be erected with the finished side of the fence facing adjacent properties. The finished side shall be considered the side without the structural supporting members.
- D. All fences or walls erected within the front yard setback shall provide an operable gate with a minimum width of 36 inches to provide access to the area between any fence or wall and the cartway of the abutting street, and the property owner is responsible for maintaining this area. There shall be a minimum of one operable gate for each street frontage and a least one operable gate for every 500 feet of fencing along a street.