



MIDDLETOWN TOWNSHIP

FENCE INSTALLATION GUIDELINES

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Frequently, fencing is installed by property owners without realizing the Township's Zoning Ordinance establishes minimum requirements and standards for fences and that a permit, approved by the Planning & Development Department, is required prior to installation. Please refer to the Adopted Master Fee Schedule for fees associated with fence permits.

The Zoning Code has very basic requirements for information to be submitted when applying for a zoning permit for sheds, fences, decks, carports, etc., and a survey plan is not required. Therefore, the Township relies on knowledge of the homeowner regarding the location of the property lines when issuing the permit.

Upon receipt of a Fence Permit application and associated plot plan, the following items are reviewed:

- The fence must be no greater than 6' in height, per Section 275-200 for Height limitations of fences and walls;
- The fence location will not cause sight distance issues when proposed along a street or intersection, per Section 275-201 for Corner vision obstructions.
- The fence is proposed to be located on or near the property line, as determined by the property owner and indicated on the plot plan submitted with the permit application. The Township is not responsible for verifying the property line location when issuing the permit.

As previously stated, the Township does not require a survey be done or survey plan be submitted for the installation of fences and relies upon the applicant's knowledge of the property boundaries. If a property line dispute arises, the responsibility lies with the impacted property owners to resolve it.

Once a Zoning Permit is issued by the Township, there is no expiration of the permit or timeframe within which work must start, as opposed to Building permits which are governed by Uniform Construction Code requirements as adopted by Middletown Township.

All types of fencing are permitted; however, the height of solid fencing, e.g. stockade and privacy fencing, installed at or near property lines is restricted to a maximum height of 6 ft. Any portion of such fence in excess of 6 ft. is required to remain 50% open. Middletown Township does not specify which side of the fence may face outward.

Fences are installed for security reasons; to serve as a barrier to prevent escape or intrusion, for decorative purposes associated with landscaping and to mark property boundaries. Fences are exempt from the setback requirements of the various Zoning Districts and may be installed at or near the front, side and rear property lines and within designated buffer areas. Fences may not be installed within the street right-of-way. Likewise, fences may not be installed within areas of permanent easements on a lot without specific approval of the easement holder.

Even in the case where a boundary survey has clearly identified the precise location of a property line, it is impossible to install a fence on that line without some portion encroaching onto the abutting property. Because of this, the Township always recommends that the fence post be set back a few inches from the property line to avoid creating an intrusion. (A recommendation is to leave sufficient room on the exterior side of the fence so that lawn and fence maintenance may be performed without the need to trespass on the neighboring property).

Finally, verify that the PA One Call System (1-800-242- 1776) has been contacted before excavation begins for the fence posts. In the case of a do-it-yourself installation, this required notification becomes the property owner's responsibility. This Notification process is very important to avoid potential impacts to underground gas, water, sewer, electric, telephone or cable TV lines when digging holes for fence posts. The possibility of a conflict with underground utilities is real, is potentially dangerous, and becomes even a greater concern when an excavator or power auger is used to dig the fence postholes.