

TOWNSHIP OF TOMS RIVER

ZONING OFFICE

**FENCES**

THE FOLLOWING INFORMATION IS GENERAL IN NATURE AND MAY NOT BE ALL ENCOMPASSING. CHAPTER 348 OF THE CODE OF THE TOWNSHIP OF TOMS RIVER (§ 348-8.13) CONTAINS THE SPECIFIC LANGUAGE USED TO DEVELOP THIS HANDOUT. CODES AND THIS HANDOUT CAN BE FOUND AT THE TOWNSHIP'S WEB SITE URL: <http://www.tomsrivertownship.com> . APPLICANTS ARE CAUTIONED THAT ADDITIONAL STATE AND LOCAL REGULATIONS NOT LISTED HEREIN MAY REGULATE CONSTRUCTION OF THIS NATURE.

1. A zoning permit is required for ALL fences.
2. With the exception of pool enclosures, no UCC construction permit is required for fence construction.
3. In order to get a zoning permit for a fence, you must follow the "Zoning Permit Instructions" handout and file the application in the zoning office in Town Hall.
4. As a general rule, fences situated between the building line and any street must be "open" and not exceed 48" in height. Forty eight (48") inch high fences located between the building line and the street must be at least 66% open. Thirty six (36") inch high fences in this area must be at least 50% open.
5. Fences located within twenty (20') feet of any body of water must be "open" and not exceed 48" in height. Forty eight (48") inch high fences located in this area must be at least 66% open. Thirty six (36") inch high fences near water must be at least 50% open.
6. A "66% open" fence is a fence in which 2/3 of the area between grade level and the fence top is open. The gap/distance between pickets must be twice as wide as the picket.
7. A "50% open" fence is a fence in which 1/2 of the area between grade level and the fence top is open. The gap/distance between pickets must equal the picket width.
8. Typical lattice fences constructed with 1-3/8" wood slats with openings 2-3/4" X 2-3/4" are 26% open and do not meet the definition of "open"
9. Fences may be constructed on the property line.
10. On any residential lot having an area of less than 2,000 square feet, or on any parcel contiguous to a parcel having an area less than 2,000 square feet, only 50% open fences not exceeding 36" in height above ground level may be erected.
11. Three (3') foot high fences that are at least 50% open are permitted throughout the Township.
12. Fences may not be constructed within the public right-of-way or upon easements dedicated for drainage, conservation, shade tree or utilities.
13. Barbed wire, canvas, cloth, electrically charged, expandable and collapsible fences are prohibited.
14. All supporting members of a fence must be located on the inside of the fence.
15. No taxes will be assessed on a residential fence.
16. Fences may not obstruct sight triangles at street intersections. (see code 348-5.7)