**BOROUGH OF CLEMENTON**

 **ORDINANCE NO. 2022-08**

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 298 OF THE CODE OF THE BOROUGH OF CLEMENTON, ENTITLED “ZONING”**

 BE IT ORDAINED BY MAYOR AND COUNCIL OF THE BOROUGH OF CLEMENTON, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AS FOLLOWS:

 **SECTION 1.** Article XVII, Chapter 298 of the Code of the Borough of Clementon is amended and supplemented by the addition of a new Section 61.3, entitled “Fences,” as follows:

**§ 298-61.3. Fences.**

All fences erected in the Borough of Clementon, County of Camden and State of New Jersey shall be subject to the following regulations:

A. A fence permit is hereby required for the installation of any fence in the Borough of Clementon.

B. The term “fence” shall include walls not part of other structures, but shall not include any temporary plantings or enclosures intended for weather protection. Except where specifically provided herein to the contrary, none of the restrictions or provisions shall apply to living fences.

C. No solid fence shall be permitted within the front yard of any property.

D. No fence higher than four feet shall be erected in any front yard in a residential zone and no fence exceeding six feet shall be permitted in the side and rear yards without the approval of the Joint Land Use Board.

E. With the exception of rear property lines, no fences higher than four feet shall be erected along a public right-of-way. Any fence erected along a public right-of-way shall be set back at least five feet from the property line.

F. All fences shall be erected with the face or finished side away from the property and the structural side toward the interior of the property. Fence gates shall have a latch and shall open into the property and not onto the sidewalk, street or other adjacent property.

G. Any use required to be screened shall be contained within a fence or wall six feet high or a visual screen consisting of evergreen or evergreen-type hedge or shrubs, spaced at intervals of not more than six feet, located and maintained in good condition with in 10 feet of the property line.

H. Fences shall be erected in a manner as to permit the flow of natural drainage and shall not cause surface water to be blocked or dammed to create ponding.

I. Fences higher than six feet, such as those required around a tennis court, may be permitted in a residential zone by the Joint Land Use Board. However, such a fence shall meet minimum side and rear yard requirements for an accessory building. For fences required around a swimming pool, elevation shall be a minimum of four feet above ground level.

 **SECTION 2.** Chapter 298, Section 60E is deleted in its entirety.

 **SECTION 3.** All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are, to the extent of such inconsistencies, hereby repealed.

 **SECTION 4.** This Ordinance shall take effect upon final passage, adoption, and publication in the manner prescribed by law.

Attest: BOROUGH OF CLEMENTON

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Jenai L. Johnson, Clerk Thomas Weaver, Mayor