

**CLAY TOWNSHIP  
LANCASTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 10112**

**AN ORDINANCE AMENDING CHAPTER 10, TITLED "HEALTH AND SAFETY", PART 1 "FENCES AND WALLS" OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF CLAY, COUNTY OF LANCASTER, COMMONWEALTH OF PENNSYLVANIA, TO MODIFY PROVISIONS TO INCREASE THE MAXIMUM HEIGHT OF FENCES AND WALLS IN ANY SIDE OR REAR YARD TO SEVENTY-TWO INCHES (72") [SIX FEET (6')]; TO ALLOW FENCES OF A MAXIMUM HEIGHT OF NINETY-SIX INCHES (96") [EIGHT FEET (8')] IN THE INDUSTRIAL ZONING DISTRICT; TO ELIMINATE THE RESTRICTION ON SOLID FENCES; TO REQUIRE PROOF OF REAR ACCESS TO PROPERTY AND COMPLIANCE WITH STORM WATER PROVISIONS; TO ALLOW CRITERIA REGARDING FOOTINGS FOR AND MAINTENANCE OF FENCES TO BE ESTABLISHED BY RESOLUTION; AND BY PROVIDING THAT THE PENALTIES FOR VIOLATION OF THESE FENCE AND WALL RELATED PROVISIONS SHALL REMAIN THE SAME AS EXISTING PENALTIES.**

A. The Board of Supervisors due to changing circumstances desires to revise Chapter 10, Part 1, of the Code of Ordinances of the Township of Clay relating to the erection and maintenance of Fences and Walls as follows:

1. Section 104 shall be retitled "Regulations"
2. Section 104 b. shall be amended to increase the permissible height from sixty (60") inches to seventy-two (72") inches (six (6') feet).
3. Section 104 h. shall be deleted.
4. New subsections shall be added to Section 104 as follows,
  - a. "No fences or walls in excess of ninety-six (96") inches eight (8') feet shall be permitted in the Limited Industrial Zoning District".
  - b. "Proof of rear access to the Property shall be required."

c. "Criteria related to requirements for footing to secure fences and maintenance thereof shall be established by Resolution of the Board of Supervisors."

d. "The placement of any fence or wall shall be in compliance with Clay Township Storm Water Ordinance provisions."

5. Subsections in Section 104 shall be renumbered as necessary for clarity of the Ordinance.

B. The penalties imposed by Chapter 10, Part 1, Section 108 for violations of provisions related to fence and wall regulations are hereby readopted.

C. The provisions of this Ordinance shall become effective five (5) days after its adoption, but enforcement shall not commence until all signage required by the Pennsylvania Department of Transportation is in place.

D. In all other respects, the Code of Ordinances of Clay Township as amended is hereby ratified and reconfirmed.

ENACTED AND ORDAINED this 11<sup>th</sup> day of October, 2021.

**CLAY TOWNSHIP BOARD OF SUPERVISORS**

/s/

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[TOWNSHIP SEAL]