

SWATARA TOWNSHIP

BUILDING AND CODES DEPARTMENT

Residential Fence and Retaining Wall Facts

- Fences and retaining walls are classified as “Accessory Structures” in the Township Zoning Ordinance and are permitted in all districts of the township. Property owners must apply for a Zoning Permit for any new accessory structure. {Township Zoning Ordinance Chapter 295-5.A}
- A fence may be erected on the property lot line along the side and rear yards. The Township does not determine where property lines are located. A one-foot or greater setback is recommended to provide for future maintenance and to account for possible inaccurate lot lines. {Chapter 295-96(7)(c)[4]}
- A fence, wall, or hedge located in a front yard must not be erected in the right-of-way where the property is located and must not obstruct required sight distances. {Chapter 295-96(7)(b) & (c)[4]}
- Fences located in the required minimum front yard shall not exceed four (4) feet in height. {Chapter 295-96(13) (7)(c)[1] and [3][b]} No wall greater than three feet shall be located in the required front yard in a residential district, except as backing for a permitted sign. {(7)(d)[2]}
- On a corner lot, a fence or wall shall meet the same requirements along both streets as would apply within a minimum front yard. However, a fence that only extends behind the rear of a dwelling may have a maximum height of 6.5 feet along one of the streets, other than the street that is along the front of the building. {Chapter 295-96(7)(c)[2]}
- Fences located in or along the side and rear yards shall have a maximum height of 6.5 feet. A 10-foot high fence is permitted around a tennis court. {Chapter 295-96(7)(c)[3][a]}
- Fence materials. Barbed wire shall not be used as part of fences around dwellings in residential districts. Fences and retaining walls shall be durably constructed and well maintained. No fence or wall shall be constructed out of fabric, junk, junk vehicles, appliances, drums, or barrels. {Chapter 295-96(7)(a), (7)(c)[5] and (7)(d)}
- Walls. Engineered retaining walls are exempted from setback regulations. However, if a retaining wall is over eight feet in height it shall be set back a minimum of 15 feet from a lot line of an existing dwelling. {Chapter 295-96(7)(d)[1]}
- A homeowner may install or build the fence or wall themselves. If so, PA Workers Compensation Law requires that they sign an Affidavit of Exemption. If the homeowner is hiring a contractor that works alone and has no employees, they must also sign an Affidavit of Exemption. A contractor with employees must submit a certificate of insurance (COI) that provides workers’ compensation insurance and the Federal or State Employer Identification Number. The COI must also name Swatara Township as the policy certificate holder. {PA Act 44 of 1993, S462.2}