

**BOROUGH OF HILLSDALE
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO. 24-12**

**AN ORDINANCE AMENDING CHAPTER 210, “STREETS AND
SIDEWALKS”; ARTICLE II “OPENINGS AND EXCAVATIONS” OF
THE BOROUGH CODE**

WHEREAS, it is desirous of the Borough of Hillsdale (hereinafter the “Borough”) and the Planning Board of the Borough (hereinafter the “Board”) to amend Section §310-56 “Fences” of Chapter 310 of the Borough Code titled “Land Use”; and

WHEREAS, Chapter 310 of the Borough of Hillsdale Ordinance entitled “Land Use” includes eight Parts: Part 1 “General Provisions”; Part 2 “Boards”; Part 3 “Administration and Enforcement”; Part 4 “Zoning”; Part 5 “Subdivision and Site Plan Review”; Part 6 “Violations and Penalties”; Part 7 “Construal of Provisions” and Part 8 “Affordable Housing”; and

WHEREAS, the Governing Body of Hillsdale desires to modify Part 4 “Zoning”, Article XV entitled “Special Regulations” section §310-56 entitled “Fences” parts B and F to revise the requirements of residential front yard fences and prohibit chain link fences being installed in the front yard for residential properties; and

WHEREAS, the Governing Body of the Borough of Hillsdale believes that it is in the best interest of the Borough to revise these provisions in the Ordinance to maintain the beautification of the Borough.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Hillsdale, County of Bergen, State of New Jersey, as follows:

Chapter 310, Land Use, Part 4 “Zoning” Article XV “Special Regulations” § 310-56 “Fences”, of the Borough Code is hereby amended to read as follows in its entirety:

§ 310-56. Fences

- A. No fence in any district shall exceed four feet in height above the curb level when located within 25 feet of the intersection of two street lines. For the purposes of this article, any outdoor wall other than a retaining wall shall be deemed a fence.
- B. No fence in any residential district, or on a lot in any other district on which residential buildings are erected, shall exceed four feet in height above ground level when located at a distance closer to any street line than the front setback line prescribed for said district, nor shall any such fence exceed six feet in height above ground level when located at a distance equal to or greater than the front setback line prescribed for said district. Fences in the in the front yard shall be no less than 50% open.
[Amended 5-5-2009 by Ord. No. 09-09]
- C. No fence in any commercial district shall exceed a height of six feet above ground level, except as noted in § 310-56A and B.
- D. No fence in an industrial district shall exceed a height of eight feet above ground

level, except as noted in § 310-56A and B.

- E. The restrictions set forth in the Article shall not prevent the erection of an open wire fence not exceeding eight feet in height above ground level anywhere within a public park, public playground or public-school property. Nothing herein shall be construed to prevent the erection of a retaining wall.
- F. The following fences and fencing materials at any location which a dwelling is situated are specifically prohibited: barbed-wire fences, sharp-pointed metal fences, canvas, cloth, electrically-charged fences, temporary fences, expandable fences, collapsible fences or chain link fences in a front yard. Nothing herein shall be deemed to prevent the erection of suitable windbreaks for the winter protection of trees, shrubs and other vegetation.
- G. All fences shall be within property lines. No fence shall encroach upon a street. All fences must be erected such that the posts or other materials supporting the fence and/or fence fabric are located on the inside of the fence facing the property being enclosed or protected.
[Amended 5-13-1997 by Ord. No. 97-8]
- H. Every fence shall be maintained in a safe, sound and upright condition and shall be subject to the inspection of the Hillsdale Construction Code Agency.
- I. If the Hillsdale Construction Code Agency, upon inspection, shall determine that any fence or retaining wall, or portion of any fence or retaining wall, is not being maintained in a safe, sound, upright condition, it shall notify the owner of the lot, in writing, of its findings and order such fence or retaining wall or portion of such fence or retaining wall to be repaired or removed within 15 days from the date of such written notice to the owner.

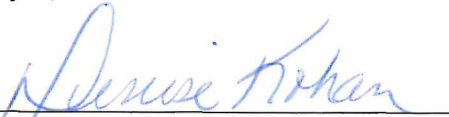
In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

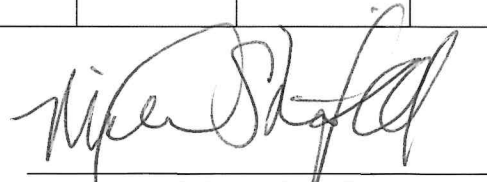
All Ordinances of parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

This Ordinance shall take effect upon passage and publication as provided by Law.

Council member	Motion	Second	Yes	No	Absent	Abstain	Recuse
Escobar, John			X				
Fox, Justin			X				
Lundy, Abby	X		X				
Osso, Clemente			X				
Ruocco, John			X				
Trochimiuk, Janetta		X	X				
Sheinfield, Michael							

Introduction: May 7, 2024

Attest: 
Denise Kohan
Municipal Clerk


Michael Sheinfield
Mayor