

ORDINANCE NO. 691

AN ORDINANCE REGULATING SAFETY FENCING FOR PRIVATE SWIMMING
POOLS AND FRONT YARD FENCES IN RESIDENTIAL AREAS

BE IT ORDAINED AND ENACTED by the Borough of Monroeville, in Council assembled, as follows:

Section 1. Section 2, Subsection D, of Ordinance No. 135 of the Borough of Monroeville regulating the construction, maintenance and operation of swimming pools located on private residential premises and enacted June 10, 1958, is hereby amended as follows:

"Section 2 D. All private swimming pools shall be enclosed by an open type ornamental fence constituting a barrier to small children, four feet in height and with a gate in said fence which shall be locked when the pool is not in use by or under the supervision of the owner or other designated responsible person of the premises upon which it is installed. Private swimming pools of the above ground type which have vertical walls of at least four feet from ground level and removable steps shall not be required to be fenced, but it shall be the duty of the owner to see that the removable steps are removed from the above ground swimming pool and taken indoors or otherwise locked up when it is not in use by or under the supervision of the owner or other designated responsible person of the premises upon which it is installed."

Section 2. Section 1303-7 of Ordinance No. 375, known as the "Zoning Ordinance of the Borough of Monroeville," regulating fences in rear or side yards is hereby amended by the addition of the following:

"In residential districts front yard fences of the following construction may be erected upon the issuance of a building and use permit:

- a) A fifty percent open faced continuous lattice structure with no more than two horizontal cross members not exceeding six (6) inches in width and vertical supports spaced a minimum of three (3) feet apart and no more than six (6) inches in width, with a height limitation of thirty-six (36) inches, constructed of wood, metal, or stone or a combination, limited to horizontal and vertical members with other area open, and subject to minimum sight distance requirements on public right-of-way as required by the subdivision regulations.
- b) A solid fence of wood or metal or a combination with a height limitation of twenty-four (24) inches provided it does not obstruct minimum sight distance requirements on the public right-of-way as required in the subdivision regulations.

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No front yard fences may be erected on the public right-of-way as established by recording, dedication, grant, condemnation or operation of law. The building and use permit shall be conditional upon the continued conformity of the fence to these regulations and upon the continued maintenance of the area by the property owner between the fence and the traveled portion of the roadway where applicable. If the non-traveled portion of the right-of-way is greater than twelve (12) feet, the fence may be erected twelve (12) feet from the traveled portion under a temporary permit which may be revoked in the event of the widening of the traveled portion of the right-of-way or other use of the right-of-way."

Section 3. Any Ordinance or part thereof in conflict with this Ordinance is repealed to the extent of such conflict.

ORDAINED AND ENACTED into law this 9th day of June, 1970.

ATTEST:

BOROUGH OF MONROEVILLE

S/ Carrol F. Pickens
Secretary

By S/ George C. Dale
President of Council

APPROVED this 16th day of June, 1970.

S/ John J. Duncan
Mayor

Entered in Legal Book July 6, 1970