



**TOWNSHIP OF NEWTOWN**  
**DELAWARE COUNTY, PENNSYLVANIA**  
**ORDINANCE NO. 2025-06**

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF  
NEWTOWN, CHAPTER 172 "ZONING" SECTION 104 "FENCES, WALLS, HEDGES  
AND DRIVEWAY PILLARS"**

The Board of Supervisors of the Township of Newtown, Delaware County, Pennsylvania hereby ordains:

Section 1. The Code of the Township of Newtown, Chapter 172-104 "Fences, walls and hedges" is hereby amended by deleting the existing Section 172-104 and replacing it with the following:

172-104 Fences, walls, hedges and driveway pillars.

A. Definitions.

**Driveway pillar.** Architectural features that mark the entrance of a driveway, often flanking a gate or acting as a standalone decorative element. Also known as entrance columns or posts.

**Fence.** A barrier railing, or other upright structure, typically constructed of posts, wire, rails or netting, intended or designed to prevent escape or intrusion, or provide security or privacy, or to mark a boundary. The term fence shall include gates.

**Front yard fence, wall, hedge or driveway pillar.** Any fence, wall, hedge, driveway pillar, or similar object or structure or portion thereof located closer to the street than the frontmost portion of the dwelling unit is a front yard fence, wall, or driveway pillar.

**Hedge.** A physical barrier formed by a row of closely planted shrubs or trees, intended or designed to be used as a boundary or fence. Front yard landscaping and shrubs designed to screen or beautify and property, but not form a solid barrier are not considered a hedge.

**Positive drainage.** Positive drainage refers to a system designed to efficiently and effectively remove water away from a structure or property, typically using gravity to direct water flow. This is often achieved by sloping surfaces like roofs or land in a way that encourages water to run off towards designated drainage areas, such as swales or storm sewer systems, rather than accumulating and potentially causing damage, or allowing a water to pass through a structure so as not to impound or block the flow of stormwater such that it violates Township Code Chapter 143 "Stormwater Management."

**Wall.** A solid upright structure, other than a fence, at or near the boundary of a property intended or designed to be a visual and physical marker of a property line or provide security, privacy or aesthetic enhancement. For the purposes of this section, a wall is not a component part of a building or other accessory structure, and does not include retaining walls.

B. Exemptions. The following fences and walls are exempted from these regulations:

1. Fences and walls that are recognized as having a historical value.
2. Buried electronic fences.

C. Residential fences, walls, hedges and driveway pillars. Fences walls, hedges and driveway pillars in residential districts are permitted provided they shall comply with the following regulations.

1. Front yard fences, walls, hedges and driveway pillars. All front yard fences, walls, hedges or driveway pillars shall not be located in any right of way and must maintain a clear sight triangle for driveways or streets consistent with Section 172-102, and shall be subject to the following regulations and restrictions. Any vehicle access gates associated with a front yard fence, wall, hedge or driveway pillar shall be set back a minimum of 20 feet from the edge of the street cart path and shall be able to swing in towards the interior of the property.

a. Front yard fences:

i. shall be limited to a maximum of 48 inches in height and maintain a minimum of a 2:1 ratio of open space to structural member (such as a picket), such as post and rail fences, split rail fences and picket fences;

ii. shall be constructed of wood, vinyl, aluminum or wrought iron, and may contain wire backing;

iii. stockade, solid, mesh, shadow box, or similar fences are prohibited;

iv. chain link fences are prohibited;

iv. for lots with two front yards (corner lots), both front yards shall comply with these regulations;

v. if one side of a fence shows more structural components, that side shall be installed towards the interior of the property such that the best appearance faces outward;

vi. Barbed, razor, electric, or other similar security fencing or fencing material is prohibited; and

viii. For front yards that front on a principal arterial road as defined in the Township's Comprehensive Plan, fences for privacy, such as stockade, solid or shadow box fences are permitted by special exception along that principal arterial road, up to 6 feet in height.

b. Front yard walls shall be subject to the following regulations and restrictions:

i. Shall be constructed of stone, brick, masonry or concrete with a stucco, brick or stone veneer;

ii. shall not exceed 36 inches in height;

iii. for lots with two front yards (corner lots), both front yards shall comply with these regulations;

iv. shall provide for positive drainage and comply with Township Code Chapter 143 "Stormwater Management");

v. shall comply with the adopted Township Building Code.

c. Front yard hedges shall be subject to the following regulations and restrictions:

i. Shall not exceed 36 inches in height along any right of way;

- j. For front yards that front on principal arterial roads as defined in the Township's Comprehensive Plan, by special exception, hedges may exceed 36 inches in height along that principal arterial road.

d. Front yard driveway pillars.

- i. no more than two driveway pillars shall be permitted for each driveway entrance, nor shall there be more than four pillars per 150 feet of front yard frontage;
- ii. shall not exceed 6 feet in height nor shall any side exceed 24 inches in width in any direction; and
- iii. Any side of a pillar may exceed 24 inches in width by special exception.

2. Side and rear yard fences:

- a. shall not exceed 6 feet in height;
- b. shall be constructed of wood, vinyl, vinyl coated chain link, aluminum or wrought iron, and may contain wire backing;
- c. if one side of a fence shows more structural components, that side shall be installed towards the interior of the property such the best appearance faces outward; and
- d. barbed, razor, electric, or other similar security fencing or fencing material is prohibited.

3. Fencing for court enclosures (such as tennis, pickle ball, basketball or other similar playing surfaces):

- a. shall not be located in a front or side yard;
- b. shall be constructed of wood, vinyl, vinyl coated chain link, aluminum or wrought iron, and may contain wire backing;
- c. shall not exceed 8 feet in height;
- d. shall not be within 15 feet of a property line; and
- e. barbed, razor, electric or other similar security fencing or fencing material is prohibited.

4. Side and Rear yard walls

- a. shall be constructed of stone, brick, masonry or concrete with a stucco, brick or stone veneer;
- b. shall not exceed 6 feet in height;
- c. shall provide for positive drainage, and must comply with Township Code Chapter 143 "Stormwater Management;
- d. shall comply with adopted Township Building Code.

D. Commercial fences, walls, hedges and driveway pillars.

- 1. Front yard fences, walls, hedges and driveway pillars are prohibited and in instances where there are two front yards (corner lots) both yards must comply.
- 2. Side and Rear yard fences and walls:
  - a. shall not exceed eight feet in height;
  - b. all walls shall provide for positive drainage and must comply with Township Code Chapter 143 "Stormwater Management;";
  - c. walls shall comply with the adopted Township Building Code;

- d. walls shall be constructed of stone, brick, masonry or concrete with a stucco brick or stone veneer;
- e. where one side of a fence shows more structural components, that side shall be installed towards the interior of the property such the best appearance faces outward; and
- f. barbed wire, razor wire, electrified or similar security fencing is prohibited.

E. When an existing fence, wall, hedge or similar object or structure is removed, or more than 25% of any fence in any front, side or rear yard is replaced, with respect to the portion of any fence in that yard, the more stringent requirements of this section shall apply.

F. Nothing in this section is intended to prohibit the normal landscaping of a premises, unless the safety issues implicated in the sight triangle at the driveway are involved.

G. All swimming pools, must be fully enclosed by a fence or wall no less than four feet in height above grade. The fence must be constructed to prevent entry to the pool area, except by a gate which must be latched or secured to prevent children from gaining entry and/or accidental entry by others. (See also § 172-118.)

H. The finished side of any fence must show to the street or neighboring properties.

Section 2. In the event any provisions, section, sentence, clause, or part of this Ordinance shall be held to be invalid, illegal or unconstitutional, such invalidity, illegality, or unconstitutionality shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the Township or Authority that such remainder shall remain in full force.

Section 3. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed as of the effective date of this Ordinance.

Section 4. This Ordinance shall become effective immediately upon date of enactment.

DULY ENACTED AND ADOPTED, this 24<sup>th</sup> day of November, 2025 by the Board of Supervisors of Newtown Township, Delaware County, Pennsylvania.



ATTEST:

BY: Stephen M. Nease  
Township Manager

TOWNSHIP OF NEWTOWN

BY: Leonard B. Altieri, III, Esquire  
Chair, Board of Supervisors