

Borough of Fair Lawn



ORDINANCE NO. 2758-2025

AN ORDINANCE AMENDING CHAPTER 125, LAND DEVELOPMENT, OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ARTICLE IV, SUPPLEMENTARY ZONING REGULATIONS, SECTION 125-38, "FENCES AND WALLS"

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Fair Lawn, in the County of Bergen and State of New Jersey, as follows:

SECTION 1. Chapter 125, Land Development, Article IV, Supplementary Zoning Regulations, Section 125-38, "Fences and Walls," is hereby amended and supplemented by inserting the text underlined and marked in bold to read as follows:

ARTICLE IV Supplementary Zoning Regulations.

* * *

§ 125-38 Fences and walls.

- A. In all residential areas, **except as otherwise provided in Subsection C(1)**, no fence **or** wall **[or hedge]** shall exceed six feet in height, except that within the required front yard setback area and corner lot transition area, no fence, wall or hedge shall exceed three feet in height. New fences must be erected within the property lines with the finished side facing the street or adjoining property and no fence shall be erected so as to encroach upon a public right-of way. All posts used in relationship with the fence shall be on the side of the fence most interior to applicant's property.
- B. [No change]
- C. Exceptions:
- (1) Any premise whose rear property line abuts State Highway 208 **or New Jersey Transit property** shall be exempt from the **six feet height limitation applicable to fences or walls set forth in Paragraph A, above, [requirements of this chapter]** and shall have the option of erecting a new fence **or wall** along the rear property line of the

premises **that shall not exceed eight feet in height,** with either the finished side facing the highway or the interior of the premises and by having the posts on the side of the fence most exterior or interior to the owner's property. **However, in no event shall any fence, wall or hedge within the required front yard setback area and corner lot transition area exceed three feet in height.**

(2) – (3) [No change]

SECTION 2. In the event any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or otherwise invalid by any Court of competent jurisdiction, such determination shall apply only to such section, paragraph, clause or provision so adjudged, and the remainder of this Ordinance be deemed valid and shall remain in full force and effect.

SECTION 3. All ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This Ordinance shall take effect upon passage and publication according to law.

Introduced: *September 30, 2025*

	Motion	Second	Aye	Nay	Abstain	Absent
Salinas			X			
Krause			X			
Rottenstrich		X	X			
Reinitz	X		X			
Cutrone			X			

Re-Introduced: *October 21, 2025 amended with Planning Board suggestion*

	Motion	Second	Aye	Nay	Abstain	Absent
Salinas			X			
Krause		X	X			
Rottenstrich	X		X			
Reinitz			X			
Cutrone			X			

Adopted on: *November 17, 2025*

	Motion	Second	Aye	Nay	Abstain	Absent
Salinas		X	X			
Krause	X		X			
Rottenstrich			X			
Reinitz			X			
Cutrone			X			

Attest:

Approved:



Nicholas J. Magarelli, RMC
Municipal Clerk

Cristina Cutrone
Mayor