



## NEW CASTLE COUNTY DEPARTMENT OF LAND USE

# FAQ

## What about fences?

New Castle County Unified Development Code regulations:

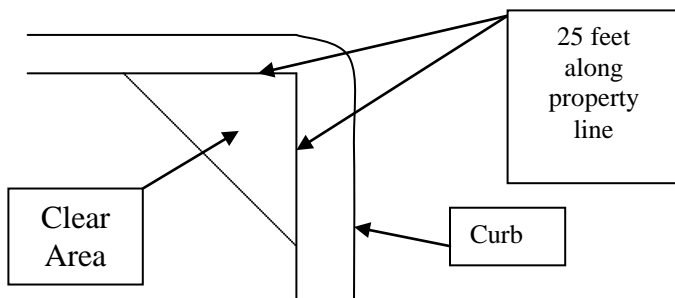
### Residential Uses

- Fences are permitted on all residential properties and they must be constructed of materials specifically designed for fences.
- **However, deed restrictions for your property may govern the installation, height, and construction material of fences.**
- Fences in residential areas cannot include barbed or razor wire. (Section 40.03.410 Accessory Uses, Residential)
- Fence panels and fence materials may not exceed six (6) feet in height, except for ball courts. To account for installation on sloping ground and any necessary space between the ground and the bottom of the fence panels or materials, the top of the fence panels, materials, and posts may not exceed seven (7) feet in height when measured from the ground, except as permitted for ball courts.
- Any fence around **ball courts** may be over six (6) feet in height provided it is not within any required minimum yard setback.
- Fences may be placed on any property line. However, to minimize property disputes and provide for maintenance, the County recommends the fence be placed back from the property line.

### Non-Residential Uses (Section 40.03.430 Accessory)

- In non-residential districts, a fence may not exceed eight (8) feet in height. To account for installation on sloping ground and any necessary space between the ground and the bottom of the fence panels or materials, the top of the fence panels, materials, and posts may not exceed nine (9) feet in height when measured from the ground.
- Where barbed or razor wire fence is used in a non-residential zoning district a minimum three-tenths (0.3) opacity bufferyard shall be provided between the fence and any street or residential use. Notwithstanding the above, any fence or barrier required pursuant to a provision of state or federal law shall be constructed to meet the applicable rule or standard.

**Visibility at corners.** On any corner lot, there shall be no building, structure, shrubbery or planting that can block street traffic visibility within the triangle formed at the intersection. Measuring 25 feet back along the property lines from the intersection of the two property lines forms the triangle. (Section 40.04.110H)



The FAQ series only summarizes or highlights portions of the Unified Development Code (UDC). In all applications, the UDC must be directly consulted. The language in the UDC prevails over the FAQ.

Revised 11/1/2018