

FIRST CLASS CITIES, REGULATING FENCES
Act of Jun. 22, 1917, P.L. 623, No. 214
AN ACT

Cl. 11

Prohibiting the erection of fences or similar structures above a certain height, in suburban and similar districts of cities of the first class, except under a permit; declaring certain fences a private nuisance, and their erection a misdemeanor; and prescribing penalties for violation of the provisions of this act.

Section 1. Be it enacted, &c., That it shall be unlawful for the owner or occupant of any improved premises, in any suburban district of a city or borough (whether the premises concerned be assessed at rural, suburban, or city rates), to erect any fence, or structure resembling a fence, or to re-erect during the process of repairing, any fence previously erected, upon any part of the front yard, lawn, or space of said premises, or on or along the boundary line thereof, of a greater height than four feet, if the height in excess of the said four feet is unnecessary, or if the same is maliciously erected, elevated, and maintained for the purpose of annoying the owner or occupant of the adjoining premises. Every such fence or structure, so maliciously erected, elevated, and maintained in excess of four feet in height, shall be deemed, and is hereby declared to be, a private nuisance.

(1 amended May 26, 1939, P.L.231, No.134)

Section 2. Any person or persons erecting and maintaining the fence or structure, described in section one hereof as unlawful and prohibited, shall be deemed guilty of a misdemeanor, and, if convicted thereof, shall be punished by a fine of not less than fifty dollars nor more than two hundred dollars, or by imprisonment in the county jail for not less than thirty days or not more than six months, or by both fine and imprisonment to said respective amount and extent, at the discretion of the trial judge.