

- (4) Fences and walls shall be constructed such that the "finished" part of the fence or wall is located to the exterior of the property.
- (5) Nothing in this subsection shall preclude the installation of temporary fences around construction works, erected or maintained pursuant to the Building Code, soil erosion and sedimentation requirements, or tree conservation requirements.
- (6) Fences and walls shall be allowed within the setback area as identified in §153.170 (C).

SECTION 2. The Newberry County Code of Ordinances, Title XV Land Usage, Chapter 153, Zoning Code, Section 153.168, Setback From The Lake Shore is amended as follows:

§ 153.168 SETBACK FROM THE LAKE SHORE.

All principal and accessory structures shall be set back no less than 50 feet from the 360 contour line 1929 National Geodetic Vertical Datum (NGVD) on Lake Murray and the 440 contour line on Lake Greenwood, with the exception of fences and walls. However, where adjacent lake properties on both sides of a property are developed, the setback shall not be less than the average of the setback from the 360 contour on Lake Murray or the 440 contour on Lake Greenwood of the principal structures on the adjacent lake properties. Mapping and survey data as provided by the Newberry County Geographic Information System (GIS) will be used by the Zoning Administrator to determine the original location of the 360 or 440 contour lines. Local, state, or federal setback requirements from the lake shore may also apply.

SECTION 3. The Newberry County Code of Ordinances, Title XV Land Usage, Chapter 153, Zoning Code, Section 153.170, Structures And Projections Into Required Yards And Rights-Of-Way is amended as follows:

§ 153.170 STRUCTURES AND PROJECTIONS INTO REQUIRED YARDS AND RIGHTS-OF-WAY.

- (A) No principal building or structure shall be located within any required setback or yard.
- (B) No principal building or structure shall be located within any required buffer.
- (C) Permitted fences and walls, retaining walls, security gates, paths, walkways, handicap ramps, mailboxes, utility poles, signs, lighting fixtures, patios at grade, and similar features may be located in a required setback or yard, including the lake shore setback, so long as the sight triangle on corner lots and at driveway intersections is protected.
- (D) Ornaments, eaves, cornices, gutters, window sills, awnings, canopies, and other minor architectural features projecting less than 18 inches from the main portion of a building shall be allowed to project into any required yard or setback.
- (E) Steps and open porches without roofs shall be permitted in any required yard or setback.

- (F) Permitted signs may be placed in required yards and setbacks per the requirements set forth in §§ 153.213 et seq. - Signs. However, permitted signs may not extend into or over any existing public right-of-way.
- (G) In GC and IND Districts, guard/entry structures, vehicle scales, and roofs over such structures and devices are permitted within required front yards, provided that they do not constitute a substantial impediment to visibility across the yards which would contribute to the creation of traffic hazards, and further provided that servicing operations in connection therewith can be conducted so as not to interfere with public use of adjacent sidewalks or public streets.
- (H) Above-ground sewer backflow prevention devices are expressly prohibited in the established front yards of buildings.

SECTION 4. The Newberry County Code of Ordinances, Title XV Land Usage, Chapter 153, Zoning Code, Section 153.231, Definitions is amended as follows:

§ 153.231 DEFINITIONS.

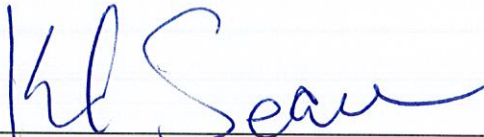
STRUCTURE. Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground, including for purposes of this chapter buildings, mobile manufactured homes, travel trailers, signs, swimming pools, and antennae, but excluding from definition as structures minor landscaping features such as ornamental pools, planting boxes, bird baths, paved surfaces, walkways, driveways, fences and walls, recreational equipment, flagpoles, and mailboxes.

SECTION 5. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

NOW, THEREFORE BE IT ORDAINED by the County Council of the County of Newberry, in Council duly assembled this 18th day of February 2026 that the text of the Official


Zoning Ordinance of Newberry County, South Carolina, as codified in Chapter 153 of the Code of Ordinances of Newberry County, South Carolina, Section 153.033, Fences And Walls, Section 153.168, Setback From The Lake Shore, Section 153.170, Structures And Projections Into Required Yards And Rights-Of-Way, and Section 153.231, Definitions shall be amended as prescribed by this ordinance.

NEWBERRY COUNTY COUNCIL

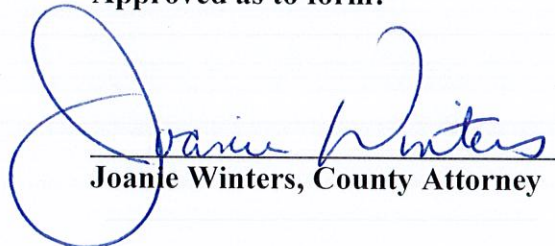
BY: 
Karl Sease, Vice-Chairman


(SEAL)

ATTEST:


Andrew Wigger, Clerk to Council

Approved as to form:


Joanie Winters, County Attorney


William Theodore Luckadoo,
County Administrator

1st Reading:	January 21, 2026
2nd Reading:	March 18, 2026
3rd Reading:	April 15, 2026
Public Hearing:	April 15, 2026