

## **On the two opposite sides of a public domain. – בשני צדי רשות הרבים**

### Overview

each רה"ר that if there are two houses on opposite sides of a רה"ר each owner is required to build a מעקה for half his roof, so that there should be no היזק from one roof to the other. The question that arises is, did אב"י mean that even if they are on opposite sides we are concerned for ראייה, and certainly if they are on the same side adjacent to each other; or did אב"י mean that only if they are on opposite sides is there a concern of ראייה.

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is – עושה מעקה לחצי גג וכו' the ר"י says that the rule of – אומר רבינו יצחק  
only if the two houses are **on two opposite sides** of a רה"ר<sup>1</sup>; it is only then that we require each one to build a מעקה לחצי גג. The reason why there is this requirement, is –  
since one neighbor is not aware – שאין האחד מרגיש  
when his friend goes up to his roof – בחבירו כשעולה לגג  
that he should be careful on account of him. Therefore there is a concern of ראייה. However if the two houses are not רה"ר, but are close (or attached) to each other, then there is no requirement that they build a מעקה לחצי גג. If someone is doing something on his roof, he will be immediately aware if his neighbor is coming up to the roof, since they are close to each other. There will be no ראייה.

proves this: תוספות

as the גמרא will shortly state; that a גג requires a הסמוך לחצר – מדאמרינן בסמוך  
– ד' אמות of מעקה  
however between one roof to another roof there is no requirement to build a מעקה of ד' אמות.

### Summary

The rule of עושה מעקה לחצי גג is only if the roofs are רה"ר but not if they are adjacent to each other.

### Thinking it over

If there is no ראייה by a גג when he is aware of his neighbor's presence, then there should certainly be no ראייה, by a חצר. Why is there a difference between a חצר and a גג?!

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<sup>1</sup> The same rule applies for two sides of a רה"ר as the גמרא states.