

SECTION 10: FENCES

Subdivision 1: PURPOSE

The purpose of this Section is to regulate fences in the City, to prevent fences being erected that would be a hazard to the public, or an unreasonable interference with the use and enjoyment of neighboring property and are compatible with existing land uses and other zoning restrictions.

Subdivision 2: FENCE PERMIT

1. **Permit.** No person may construct, erect or cause to be constructed or erected any Fence within the City without first obtaining the required site permit.
2. **Application.** Every application must contain a plot plan clearly describing the proposed Fence's type, location, construction materials, height, proximity to lot lines, anchoring methods and any other information the Zoning Administrator or Building Inspector reasonably requires.
3. **Fee.** Each applicant must pay a Fence permit fee that the City Council establishes by ordinance.

Subdivision 3: FENCE REGULATIONS

Fences are permitted in all yards, subject to the following:

1. **Agricultural Districts.** Wire partition fences located within A-40 Districts and/or fences located in A-40 Districts and used solely for farm animal containment shall be governed by the requirements of state statutes and shall be exempt from the standards set out in this Subdivision 3.
2. **Residential Districts.**
 - A. **Height.** Fences may not exceed six (6) feet above adjacent-ground grade.
 - B. **Within Lot Boundaries.** Fences and all supporting structure must be completely within the boundaries of the owner's lot.
 - C. **Front Corner Fences.** All Fences erected to the front of the front corner of a dwelling can be no more than forty-eight (48) inches in height for Open Fences and thirty (30) inches in height for Solid Fences.

- D. Corner Lot Fences. Fences erected on a corner lot must have two fronts.
- E. Property Line Setback. A Fence within two (2) feet of the property line will require the abutting neighbor's consent.
3. **Corner Lot Limitations**. No Fence, wall, structure, hedge, shrubs, trees or other obstruction, other than chain link fences with openings of one and five-eighths (1 5/8") to two (2") inches not exceeding forty eight (48") inches in height, may be erected, established or maintained on a corner lot within a triangular area bounded by the lot lines and a line connecting points on each lot line twenty (20) feet from the intersection of the lot lines. An object within this area not exceeding thirty (30") inches in height as measured from the centerline elevation of the street will not be considered as an obstruction to vision. Fences that will obstruct or impede the clear view of an intersection by approaching traffic may not be erected on corner lots. This paragraph does not apply to the "B-1" District.
4. **Fence Face**. The side of the fence considered to be the face (finished side as opposed to structural supports) must face abutting property. If located along a boundary the completed face must be toward the adjoining property.
5. **Public Right-of-Way**. Fences are not permitted on public right-of-way, or on boulevard areas without the City Council's prior written permission.
6. **Fence Height Limits**. In Non-Residential Districts, no fence may exceed eight (8) feet in height and in the case of grade separation, the height of a fence will be determined on the basis of measurement from the average point between the highest and lowest grade.
7. **Fences on Property Line**. A Fence may be erected on the property line upon mutual agreement in writing of both property owners. The written agreement must be provided to the City Zoning Administrator.
8. **Construction**. Every Fence must be constructed in a substantial, workmanlike manner. All construction materials must be of high quality and new or like new, and must be reasonably suited for the purpose for which the Fence is proposed to be used.
9. **Maintenance and Repair**. All Fences must be maintained in a condition of reasonable repair and will not be allowed to become a nuisance, either public or private. Any Fence which is dangerous to the public safety, health, or welfare is a public nuisance and the City may commence proceedings for its abatement. See Minn. Stat. 344, Partition Fences.

Subdivision 4: VIOLATIONS

1. No existing Fence in violation of this Section may be replaced or rebuilt. If an existing Fence is replaced or rebuilt, it must come under this Section's regulations.
2. Violation of this Section may be enforced by injunction and the City will be entitled to the remedy of abatement in order that a Fence erected in violation of this Ordinance may be removed.

Subdivision 5: VARIANCE

Any requested variance from this Section's requirements will be governed by this Ordinance.