

- (19) Fences. A wall, fence or hedge may occupy part of the required front, side or rear yard including the setback, as follows:
- A. All boundary fences and hedges shall be located upon the private property of the person constructing or causing the construction of such fence.
 - B. Fences, hedges and retaining walls may be placed on that portion of the zoning lot which are encumbered by drainage and utility easements at the risk of the property owner. However, no fence, hedge or retaining wall may be located or constructed within the drainage and utility easement of a stormwater drainage pond unless this improvement is approved by the building official under the standards set forth in [section 50-138](#). If, for any reason, the fence, hedge, retaining wall or other improvement upon the property which is encumbered by the drainage and/or utility easement needs to be removed by the city or any agent of the city for drainage and/or utility concerns, the removal, repair and/or replacement shall be at the property owner's expense.
 - C. Every fence shall be constructed in a substantial, workmanlike manner and of material reasonably suited for the purpose for which the fence is proposed to be used. Every fence shall be maintained in such condition as to not become a hazard, eyesore, or public or private nuisance. Any fence which does not comply with the provisions of this chapter or which endangers the public safety, health or welfare shall be considered a public nuisance. Abatement proceedings may be instituted by the proper city official after 15 days notification, if the owner of such fence has not undertaken the necessary repairs to abate the nuisance. Link fences shall be constructed in such a manner that no barbed ends shall be exposed.
 - D. The finished side of any fence or retaining wall must face the abutting property.
 - E. A permit is required for all fences.
 - F. Fences and retaining walls must not impair sight lines from public roadways.
 - G. Fences and retaining walls must be in good repair and not pose a danger to persons or property.
 - H. On a corner zoning lot in any residential district, no fence or accessory structure or planting shall rise over three feet in height within the sight triangle nor shall any fence, retaining wall or planting exceed a height of three feet within ten feet of the property line when it will interfere with traffic visibility from any driveway or alley. All heights shall be measured from the top of the curb, or in the absence of a curb, from the elevation of the centerline of the abutting roadway.
 - I. Fence height restrictions shall be as follows:
 1. In all zoning districts, fences shall not exceed three feet maximum height when located within those portions of the yard that are closer to the street than the principal structure.
 2. In residential zoning districts, fences may have a six-foot maximum height for those portions of the yard that are not adjacent to a street.
 3. In commercial and industrial zones, fences may have an eight foot maximum height for those portions of the yard that are not adjacent to a street.
 - J. Chain link fence may only be used in those portions of the zoning lot that are to the sides and rear of the principal structure.
 - K. Barbed wire, razor wire, concertina wire and electric fences are prohibited in all zones except that barbed wire and electric fences used for maintaining livestock are permitted in an agricultural zoning district.
 - L. Retaining walls up to four feet in height are permitted without city review. No retaining wall may be constructed at a height in excess of four feet unless the retaining wall is reviewed and approved by the city. The applicant must submit an application for a building permit and drawings for the retaining wall in excess of four feet in height prepared by a licensed professional engineer registered in the State of Minnesota and the retaining wall must be constructed in conformance with the approved drawings. In reviewing a retaining wall in excess of four feet in height, the city may have the plans reviewed by the city's engineer if deemed necessary by the