

Sec. 31-508. - Fence regulations.

Fence regulations are as follows:

*Subd. 1. Purpose.* The purpose of this Section 31-508 is to provide for the regulation of fences in the city, to prevent fences being erected that would be a hazard to the public, or an unreasonable interference with the uses and enjoyment of neighboring property and are compatible with existing uses, other zoning restrictions and drainageways.

*Subd. 2. Permit required.* No fence shall be erected without first obtaining a fence permit. Application shall be made to the community development director. The fee shall be established by resolution of the city council. The community development director is authorized to issue a fence permit if the application indicates that the fence will be in compliance with this Section 31-508. The city council shall hear and decide appeals when it is alleged that the community development director was in error. The appeals shall be taken as prescribed in Section 31-217 of this chapter.

*Subd. 3. In yards.* Fences may be permitted in all yards, subject to the following:

- (a) Fences in excess of six feet above the ground grade are prohibited in residential districts.
- (b) The side of the fence considered to be the face (finished side as opposed to structural supports) shall face abutting property.
- (c) No fence shall be permitted on public rights-of-way.
- (d) No fence may be erected on either street side of a corner lot that will obstruct or impede the clear view of an intersection by approaching traffic, subject to the provisions of Section 31-505, Subd. 2 that would control where inconsistent with this provision.
- (e) In residential districts fences are limited to a height of 42 inches in the front yard and exterior side yard setback areas.
- (f) No fence shall be erected where it will impede a drainageway or drainage easement.
- (g) No fence shall be erected before all lots within a drainage system or platted block have had the final grade established and approved and all lots within the system or platted block have had turf established with grass seed or sod.

*Subd. 4. Along property lines.* Fences may be permitted along property lines subject to the following:

- (a) Fences in residential districts may be placed on the lot line provided that the footings are within the fence owner's property.
- (b) Fences in commercial or industrial districts may be erected on the lot line to the height of six feet; to a height of eight feet with a security arm for barbed wire.

*Subd. 5. Existing.* No existing fence in violation of this Section 31-508 will be allowed to be replaced or rebuilt. Should an existing fence be replaced or rebuilt, it must come under the regulations of this Section 31-508.

*Subd. 6. Impeding drainageways and easements.* No fence shall be erected where it will impede a drainageway or drainage easement.

*Subd. 7. Violations.* Violations of Section 31-508 may be enforced by injunction, and the city shall be entitled to the remedy of abatement in order that a fence erected in violation of Section 31-508 may be removed.