



FENCES

The purpose of City Code Chapter 129-203 is to promote a pleasant physical environment and to protect the public and private property within the City by regulating the location, height, type of construction, and maintenance of all fences.

YOU MUST HAVE YOUR PROPERTY STAKES LOCATED AND EXPOSED BEFORE A PERMIT WILL BE ISSUED

PERMITS REQUIREMENTS

A permit is required anytime a new fence is constructed, or an existing fence is altered or moved.

DEFINITION OF FENCE

A fence is defined for the purpose of this Ordinance, as any partition, structure, wall or gate erected as a dividing marker, barrier, or enclosure and located along the boundary or within the required yard.

REQUIRED INFORMATION WHEN APPLYING FOR A PERMIT

- 1. A completed fence permit application **and** checklist.
- 2. Two copies of a Certificate of Survey of the property or an **accurate, scaled** drawing of the property indicating the following:
 - North arrow
 - Lot dimensions
 - Location of survey irons
 - Location of proposed and any existing fences
 - Fence height and type of material used to construct the fence
 - For lakeshore lots, a surveyor must locate the Ordinary High Water elevation
- 3. Locating the corner iron monuments is the responsibility of the property owner. The corner iron monument can be found by using a certified survey and a metal detector, or by contacting a registered land surveyor to re-establish the lot corners.

LOCATION OF FENCES

The fence, including post holes and footings, shall be located in such a way that the entire fence is completely within the property line.

CONSTRUCTION AND MAINTENANCE

Every fence is required to be structurally sound and constructed of a material reasonably suited to the purpose in which the fence is to be used. Every fence shall be maintained in a condition of reasonable repair and appearance by its owner and shall not be allowed to become and remain in a condition of disrepair, danger or constitute a nuisance.

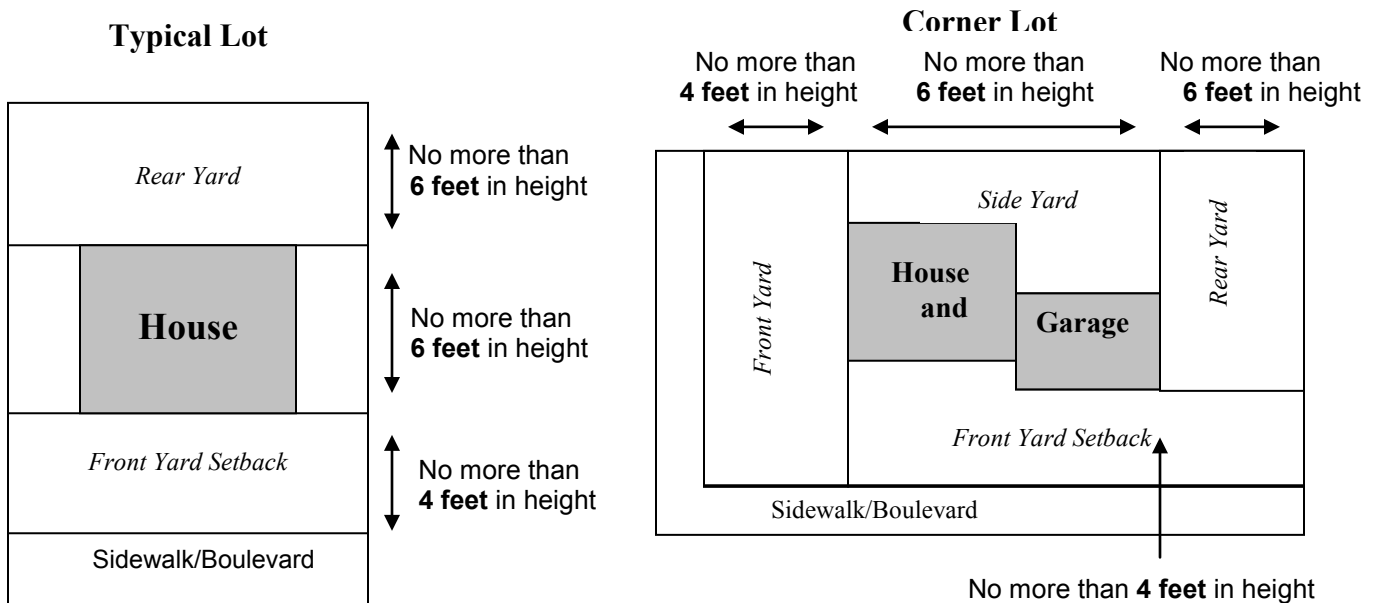
No electrical or barbed wire fences are allowed on private property in residential zones. Barbed wire may only be used in industrial districts as an anti-vaulting measure on top of a fence and shall not exceed 1 foot in height above the top of the fence.

All link fences shall have a top rail and be constructed in a manner that the barbed ends are at the bottom of the fence.

The side of the fence considered to be the face (the finished side having no structural supports) shall face the adjoining property or street right-of-way.

RESIDENTIAL DISTRICT FENCES

In all single and two-family residential districts, fences shall have the following setbacks and height limitations:



Front Yard

- Maximum height of four (4) feet above ground level within the required setback of the front face of the residential structure (either 20 or 30 feet from street side property line).

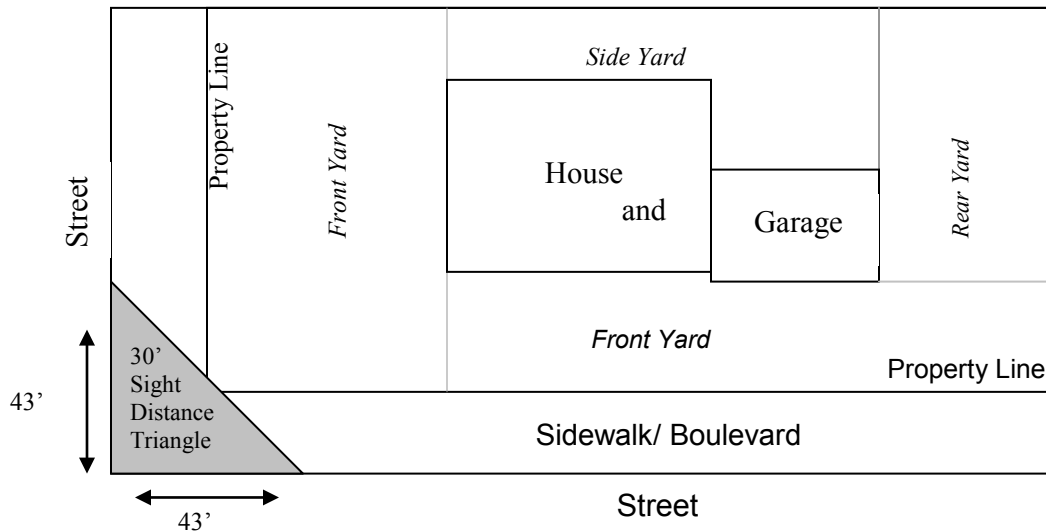
Rear and Side Yards

- Maximum height of six (6) feet above ground level within the required setback of the rear and side faces of the residential structure.

Corner Lots

The required front yard of a corner lot shall not contain any fence that may cause danger to traffic on a street or public road, by obscuring the view. On corner lots, no fences, structures, objects, plantings, etc. shall be permitted within the Sight Distance Triangle.

The Sight Distance Triangle



Calculating the Sight Distance Triangle

1. Stand at the corner of the lot and place a stake
2. Measure 43 feet away from corner on both sides
3. Stake both measurements
4. The three stakes will then create a triangle shape, this is the Sight Distance Triangle

SHORELINE DISTRICT LAKESHORE SETBACK FENCES

Fences to be located within the fifty (50) foot lakeshore setback shall not exceed three (3) feet in height and shall remain a see-through visibility level equal to that of a chain-link type fence. All fence must be chain link in a color to blend with the natural surroundings of the setback area.

COMMERCIAL AND INDUSTRIAL FENCES

In business and industrial zones, fences are allowed up to six (6) feet in height above the ground level with a Conditional Use Permit.

INSPECTIONS REQUIRED

A final inspection is required when the fence is completed. Property markers must be visible for the inspector. Please call (952) 472-0614 to make an appointment. All inspection requests require a 24-hour notice.

BEFORE YOU DIG...
CALL "GOPHER ONE CALL" AT (651) 454-0002 or 811
They will locate your underground utilities for safer digging!

Mound City Code Excerpt – Section 129-203

Sec. 129-203. Fences.

Fencing shall be permitted in all zones subject to the following:

(1) *General requirements.*

- a. No person shall erect, construct or place any fence without first making an application for and securing a building permit.
- b. The building official may require fence permit applicants to establish property boundary lines by a survey completed by a registered land surveyor. In all cases, the city shall not be liable for the establishment or definition of property lines.
- c. Chain link fences not exceeding ten feet in height shall be permitted to enclose tennis courts.

(2) *Construction and maintenance.*

- a. All fences shall be constructed of durable, weather resistant materials and properly anchored. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair, danger or constitute a nuisance. Fences in a state of disrepair or deemed to be a nuisance may be abated by the city by proceedings taken under Minn. Stats. ch. 429, and the cost of abatement, including administration expenses, may be levied as a special assessment against the property upon which the fence is located.
- b. Electric fences and barbed wire fences are prohibited except that barbed wire may be used in industrial districts as an anti-vaulting measure on top of a fence that equals six feet in height. In such cases, barbed wired shall not exceed the height of one foot above the top of the fence.
- c. In all districts, fences shall consist of materials comparable in grade and quality to the following:
 1. Chain link;
 2. Wood;
 3. Wrought iron;
 4. Vinyl;
 5. Plastic;
 6. Decorative masonry; or
 7. Other acceptable similar material, constructed from commercially available materials.

Wooden fences shall not be constructed from twigs, branches, doors, siding or other wooden products originally intended for other purposes.
- d. Fences shall in no way detain or inhibit the flow of surface water drainage to and from abutting properties.
- e. Front yard fences shall be designed and constructed in such a manner so as not to unreasonably obscure the sight distance of vehicles accessing the street from driveways on the subject property or from adjacent properties.

- f. Fence heights shall be measured from the adjoining natural ground. Fences installed on top of retaining walls shall be limited to a maximum of 42 inches in residential zones.
 - g. All fenced areas shall be accessible through at least one gate having a minimum width of three feet.
 - h. All chain link fences shall have a top rail, barbed ends shall be placed at the bottom of the fence and posts shall be spaced at intervals not to exceed eight feet. For wooden fences, post spacing shall not exceed eight feet.
 - i. Fences shall be installed such that the finished side faces abutting properties. The finished side shall be the side that provides maximum coverage of posts and stringers. Board-on-board, basket-weave fences, and similar design shall be deemed to have two finished sides.
- (3) *Residential district fences.*
- a. Front yard fences may be solid or open and shall not exceed four feet in height.
 - b. Rear and side yard fences located behind the front yard setback line may be solid or open and shall not exceed six feet in height.
 - c. Fences shall be required around swimming pools in conformance with section 129-196(b)(1)c.
- (4) *Business and industrial district fences.*
- a. Fences in industrial districts shall not exceed six feet in height.
 - b. Fences in commercial districts not exceeding four feet in height may be permitted in front of the front building line as established by the primary structure on the lot. Fences in commercial districts not exceeding six feet in height are permitted at or behind the front building line as established by the primary structure on the lot.
 - c. Fences not exceeding six feet in height may be permitted in front of the front building line as established by the primary structure on the lot when required for screening of adjacent residential uses or as required for other provisions of this chapter including, but not limited to, dumpsters, off-street parking and loading areas or as required by other rules and/or regulations.
- (5) *Shoreland district lakeshore setback fences.* Fences to be located within any portion of the 50-foot principal structure lakeshore setback shall not exceed a maximum of three feet in height and shall maintain a see-through visibility level equal to that of a chain link type fence. All fence materials must be treated so as to blend with the natural surroundings of the setback area.

(Code 1987, § 350.475; Ord. No. 61-1993, § 350.475, 2-23-1994; Ord. No. 15-2005, 9-4-2005; Ord. No. 11-2007, 9-25-2007)

CHECKLIST

Top 10 Questions to Answer Before Applying for a Fence Permit

Please Circle Y or N

- Y N 1. Do you have your property stakes located and exposed?
- Y N 2. Is your fence permit application complete?
(Application is attached to back of packet)
- Y N 3. Do you have two copies of a Certificate of Survey of the property or an **accurate, scaled** drawing of the property?
- Y N 4. Will the fence be built in the front yard? (If yes, the maximum height of the fence shall not exceed 4 feet in height)
- Y N 5. Will the fence be built in the rear or side yard?
(If yes, the maximum height of the fence shall not exceed 6 feet in height)
- Y N 6. Is this property a corner lot?
(If yes, no fence shall be built within the Sight Distance Triangle)
- Y N 7. Does this property abut lakeshore or commons property?
(If yes, the maximum height of the fence within the 50 foot lake setback area, shall not exceed 3 feet in height)
- Y N 8. Is the property located in a commercial or industrial area?
- Y N 9. Does the fence enclose a pool or spa?
(If yes, see pool ordinance in Section 129-196.)
- Y N 10. Is the fence being constructed on a retaining wall?

* All heights are measured from the ground level.



Fence Permit Application
City of Mound, 2415 Wilshire Boulevard, Mound, MN 55364
Phone: (952) 472-0607 Fax: (952) 472-0620

Note: Any information supplied on this form will be considered public according to the Minnesota Government Data Practices Act.

SITE	Property Address _____
OWNER	Name _____ Address _____ City/State/Zip _____ Phone _____ Email _____
CONTRACTOR	Company Name _____ License# _____ Contact Person _____ Address _____ City _____ State _____ Zip _____ Phone _____ Email _____

TYPE OF FENCE:

- Board or Picket Wrought Iron
 Chain Link Split Rail
 Other _____

THE FENCE IS Solid Open

FENCE HEIGHT (including posts):

- Front Yard _____
 Side Yard _____
 Rear Yard _____
 Lakeshore _____

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any state or local law regulating construction or the performance of construction.

Applicant is: Owner Contractor

_____ **X** _____
PRINT APPLICANT'S NAME APPLICANT'S SIGNATURE DATE

(OFFICE USE ONLY) SPECIAL CONDITIONS & COMMENTS: _____

RECEIVED BY & DATE		COPIED	APPROVED
PLANS CHECKED BY	ZONING		
APPROVED BY & DATE	PUBLIC WORKS		