

**CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA**

RESOLUTION NO. 2016-76

**RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE 08-154 BY TITLE
AND SUMMARY**

WHEREAS, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-154, an ordinance to amend Section 154.205: Fencing Regulations, Subd. (E) (3); and Section 154.081: Permitted Encroachments on Required Yards, Subd. (B), of the City Code; and

WHEREAS, the ordinance is lengthy; and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo, that the City Clerk shall cause the following summary of Ordinance No. 08-154 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

The City Council of the City of Lake Elmo has adopted Ordinance No. 08-154, which amends the Chapter 154: Zoning Code:

- By amending the following exceptions to Fencing Regulations Section 154.205 (E) (3) that prohibits solid wall fences over four feet in height on properties less than ½ acre by:
 - Removing the requirement to obtain permission from an adjacent property owner in order to erect such a fence on ¼ the lineal measurement of the perimeter of the property.
 - Removing the exception that allows such fencing under other circumstances due to safety, health, animal containment, or similar purposes.
- By removing the requirement that fences in side and rear yard setbacks to be 30% open.

The full text of Ordinance No. 08-154 is available for inspection at Lake Elmo city hall during regular business hours.

BE IT FURTHER RESOLVED by the City Council of the City of Lake Elmo that the City Administrator keep a copy of the ordinance at City Hall for public inspection and that a full copy of the ordinance be placed in a public location within the City.

Dated: September 20, 2016

Mayor Mike Pearson

ATTEST:

Julie Johnson, City Clerk

(SEAL)

The motion for the adoption of the foregoing resolution was duly seconded by member _____ and upon vote being taken thereon, the following voted in favor thereof: _____ and the following voted against same: _____

Whereupon said resolution was declared duly passed and adopted.