

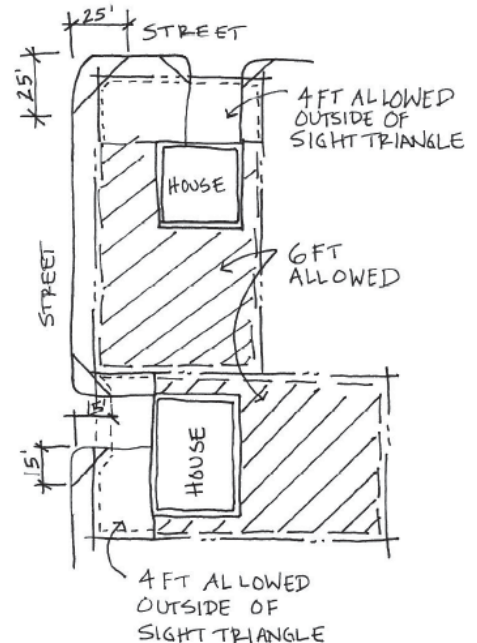
Except as listed in *Subdivision 10.6, B (3)* above, fences shall not be constructed from chicken wire, welded wire, snow fence, branches, or materials originally intended for other purposes, unless upon the showing of a high degree of architectural quality achieved through the use of such, prior approval is granted by the Zoning Administrator or other Authorized Agent.

- b. Fences and walls hereafter erected shall be durable, weather resistant, rust proof, and easily maintained.
- c. Fences shall have structural supports (posts / footings) as required by the Building Official.
- d. Fences and walls shall be constructed of new or like new materials.
- e. The finished appearance of fences and walls shall be constructed with the higher quality finish directed toward the exterior of the property if the visual quality of the fence or wall is not the same on both sides.
- f. The fence and gate shall be of a single decorative style.
- g. Both sides of any fence or wall 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 or danger, or constitute a nuisance, public or private.
- h. The framing and posts of wood, chain link, picket, stockade, and decorative metal fences shall face the inside of the parcel area fenced. The side of the fence considered to be the face (facing as applied to fence posts) shall face the abutting property.
- i. Metallic cyclone type or other open grid fences shall not be used as required screening between uses.
- j. A certificate of survey may be required by the City Planner, Building Official or other Authorized Agent for all fences (except hedges and plantings) or walls to be constructed on or within six (6) feet from the property line, unless corner property stakes are in placed and marked. Additionally, retaining walls shall not be placed within any drainage or ponding easements unless also reviewed and approved by the City Engineer.

2. **Height.** All fence and wall heights shall be measured from the average grade (measured at a point three (3) feet on each side of the fence or wall) to the top of the fence or wall. Fence height shall comply with the following standards:

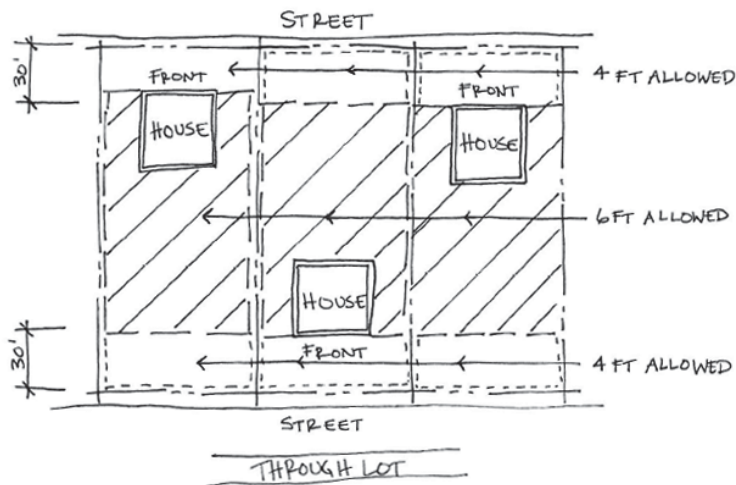
- a. Residential Uses.

- (1) Front yard. Four (4) feet maximum.
- (2) Side yards. A fence up to six (6) feet in height may be erected on the side and corner side behind the nearest front corner of the principal building.
- (3) Rear yard. The fence shall not be taller than six (6) feet, except when a fence is located within the buildable area of eight (8) feet or more from the rear lot line, the fence height may be up to eight (8) feet



in height. In residential districts where the front yards of neighboring properties abut the street at the rear lot line of the subject property, a fence within thirty (30) feet of the street right-of-way at the rear lot line of the subject property shall not exceed four (4) feet in height. For the purpose of this fence ordinance, the Zoning Administrator or other Authorized Agent shall determine the rear lot line on through lots.

- (4) Exemptions. Fence heights listed above in *Subprovisions 1 – 3* may be increased for the following types of fencing:
- (a) Sport court fencing. Chain link fences (without slat screens) used for the enclosure of sport court fencing and the like shall not exceed ten (10) feet in height and shall be located in a rear yard only. Sport court fencing and like may exceed the height requirements through the issuance of a conditional use permit pursuant to *Subdivision 8.21: Conditional Use Permit*.



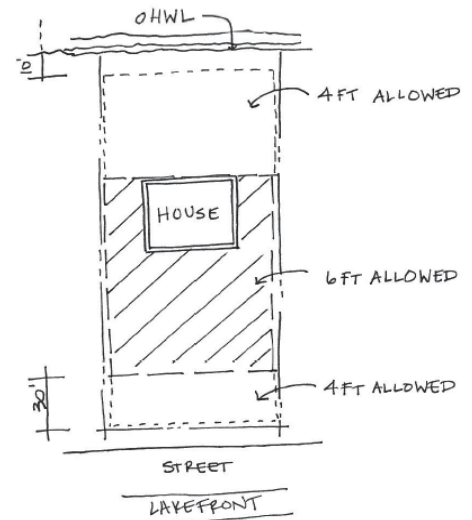
b. Commercial, Public / Institutional, and Industrial Uses.

- (1) Front yard. The maximum height in the front yard is six (6) feet. Fences may extend to eight (8) feet with a security arm for barbed wire if a conditional use permit is obtained pursuant to *Subdivision 8.21: Conditional Use Permit*.
- (2) Side yard. The maximum height in a side yard is six (6) feet. Fences may extend to eight (8) feet with a security arm for barbed wire if a conditional use permit is obtained pursuant to *Subdivision 8.21: Conditional Use Permit*.
- (3) Rear yard. The fence shall not be taller than six (6) feet. Fences may extend to eight (8) feet with a security arm for barbed wire if a conditional use permit is obtained pursuant to *Subdivision 8.21: Conditional Use Permit*.
- (4) Exemptions. Fence heights listed above in *Subprovisions 1 – 3* may be increased for the following types of fencing:
- (a) Sport court fencing. Chain link fences (without slat screens) used for the enclosure of sport court fencing and the like shall not exceed ten (10) feet in height. Sport court fencing and the like may exceed the height requirements through the issuance of a conditional use permit pursuant to *Subdivision 8.21: Conditional Use Permit*.

- (b) Loading docks. The height of screening (fencing) for loading docks within view from public streets or adjacent to residential or public properties shall comply with *Subdivision 10.4, B (5): Screening of loading docks*.
- (c) Trash containers. The height of screening (fencing) for trash dumpsters and other trash containers shall comply with *Subdivision 10.4, B (4): Screening of trash containers*.

3. Location. The location of all fences and walls shall comply with the following:

- a. Fences and walls may be located on the property line, except where otherwise indicated in this Subdivision.
- b. No fence or wall shall be located within an easement area without the prior approval of the Building Official or other Authorized Agent.
- c. No fence or wall shall be located within the street right-of-way and in no case should a fence or wall be located closer than five (5) feet to the paved edge of a street (or face of curb) nor three (3) feet to the edge of an alley.
- d. No fence or wall shall be permitted that materially impedes the required vision triangle as specified in *Subdivision 10.1, G: Vision Triangle*.
- e. On lots with lake frontage, fences between the nearest corner of the principal structure to the lake and ten (10) feet upland of the ordinary high water level, shall be limited to a maximum height of four (4) feet. No fences shall be placed closer than ten (10) feet to the ordinary high water level. Fences six (6) feet in height or less shall be permitted from the corner of the principal structure nearest to the lake to within thirty (30) feet of the street right-of-way.
- f. No fences or walls shall be placed within a wetland or required wetland buffer, cross over a required rain garden, or extend below the ordinary high water level of a stream or water quality / detention pond.



D. Special Provisions and Requirements

- 1. Fence or Wall Intended to Serve as a Swimming Pool Barrier.** A fence or wall may serve as a swimming pool barrier provided that it complies with all applicable provisions for a swimming pool barrier as specified in *Subdivision 9.6, G (8): Swimming Pool Barrier*.
- 2. Barbed Wire and Security Fences.** Barbed wire and security fences shall be permitted by conditional use permit only in commercial, public / institutional, and industrial districts, and shall be permitted by conditional use permit for essential services facilities located in any zoning district, pursuant to *Subdivision 8.21: Conditional Use Permit*.
- 3. Electric Fences.** No electric fencing is permitted.
- 4. Nonconforming Fence or Wall.** A nonconforming fence or wall may continue pursuant to *Subdivision 10.2, I: Nonconforming Site Features*.