

Fence & Retaining Wall (Guidelines)

For full details on all fencing requirements and regulations please refer to City Code 900.07.

Building Permit Application

- ✓ **Retaining Walls** - Building permits are required for retaining walls that are greater than 4 feet in height measured from the bottom of the footing to the top of the wall. *(Retaining walls over 4 feet require engineered design or to be designed by a licensed engineer.)*
- ✓ **Fences** - A building permit is required for all fences except those around dog kennels not exceeding 50 sq. ft. in size, fences around garbage cans, and garden fences. *(For fencing requirements around swimming pools, please refer to the swim pool fence handout.)*
- ✓ **Building Permit Applications must include the following:**
 - 1) ***Drawing of Property & Setbacks*** - Two (2) copies of a Certificate of Survey, drawn to scale indicating the lot dimensions, the location and ground coverage area of existing structure(s), and the location and area of the proposed structure. Indicate the setbacks from property lines. A Certificate of Survey for the property may be on file at City Hall. If a survey is not available, you may submit a drawing of the property or request an aerial photo from staff
 - 2) ***Drawing of Structure*** - Submit two (2) copies of plans showing proposed designs and materials. Plans shall be drawn to scale and shall include the following information:
 - a) Type of materials to be used (retaining walls - treated timbers, keystones, etc. and fences – treated wood, cedar, rod iron, etc.) and the method of installation (for fences this will be “contractor” or “self” for applicant install).
 - b) A cross section and an elevation drawing for retaining walls.

Location of Retaining Walls & Fences

For specific zoning requirements, please contact the Planning and Zoning Department at City Hall or by calling 952-442-2184.

Drainage & Utility Easements

- ✓ Drainage & utility easements should not be altered. Prior to construction of any retaining wall or fence, or the alteration of any grade the applicant or contractor shall be required to contact Gopher State One Call (at 1-800-252-1166) to request the location of utilities& easements on the property.
- ✓ Placement of retaining walls and fences in drainage and/or utility easements is done at the property owner’s own risk. If the public utility has the need to utilize the easement in the future, the property owner shall be responsible for the removal of such retaining wall or fence and shall also be responsible for any restoration work as a result.

Inspection Required

Inspections are done through Metro West Inspection Department. You may schedule an inspection for your building permit by calling (763) 479-1720, between 8:00 a.m. and 4:30 p.m. Monday thru Friday.

- ✓ Retaining walls - The best time for the inspection of a retaining wall is when half of the retaining wall construction is completed.
- ✓ Fences - A final inspection is required after the fence has been completely installed.

**The State of Minnesota requires that all residential building contractors, remodelers and roofers obtain a state license unless they qualify for a specific exemption from the licensing requirements. Any person claiming an exemption must provide a copy of a Certificate of Exemption from the Department of Labor & Industry to the City before a permit can be issued.*

** To determine whether a particular contractor is required to be licensed or to check on the licensing status of individual contractors, please call the Minnesota Department of Labor & Industry at 651-284-5065 or toll free 1-800-342-5354.*

G. Species

1. All trees used in site developments shall be indigenous to the appropriate hardiness zone and physical characteristics of the site.
2. All deciduous trees proposed to satisfy the minimum requirements of this policy shall be long lived hardwood species.
3. The complement of trees fulfilling the requirements of this policy shall be not less than 25% deciduous and not less than 33% coniferous.

H. Prohibited Species.

The following species shall not count towards meeting the requirements of this Ordinance:

<u>Genus</u>	<u>Species</u>	<u>Common Name</u>
Ginkgo	Biloba	Ginkgo
Acer	Megundo	Boxelder
Populus	Deltoides	Eastern Cottonwood
Populus	Nigra Italica	Lombardy Poplar

Subd. 3 Fencing

- A. Definition: For purposes of this subdivision, a fence is defined as any lineal structure, including walls, hedges, or similar barriers, used to prevent access by persons or animals or prevent visual or sound transference.
- B. Building Permit Required
 1. No fence, except temporary fencing, shall be constructed without a building permit. The application shall be accompanied by a plot plan clearly describing the type, location and method of anchoring the fence.
 2. Boundary line fences shall be located entirely upon the private property of the party constructing the fence unless the owner of the property of the adjoining property agrees, in writing, that such fence may be erected on the division line of the respective properties. The persons, firms, or corporations constructing or causing the construction of such fence shall be responsible for maintaining that part of their property between fence and property line. City staff will require any applicant for a fence permit to

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establish the boundary lines of his property by a survey thereof to be made by any registered land surveyor or by showing the stake markers of the surveyed lot.

C. Fencing in All Districts Shall Conform to the Following:

1. Fences in all districts shall be maintained so that the exposed outer surface shall be uniformly painted or stained in a neat and aesthetically pleasing condition.
2. No fence shall be permitted on a public right-of-way or boulevard area without special permission from the City Council.
3. No fence shall be erected on a corner lot that will obstruct or impede the clear view of an intersection by approaching traffic.
4. All snow-stop fencing may be used from November 1 to April 1. No permit shall be required for temporary fencing.
5. Any fence which is dangerous to the public safety or general welfare and health is a public nuisance and the City may commence proceedings for the abatement thereof. Electric fences may not be used as boundary fences and such material as hog wire fencing, barbed wire fencing, or snow fencing will not be allowed as permanent fencing.
6. The side of the fence considered to be the face (finished side as opposed to structural supports) shall face abutting property. Abutting property owners will be notified by constructor of fence five (5) calendar days before the building permit is issued.

D. Fencing in Residential and Agricultural Districts (R-1, R-2, R-3, R-4, R-5, PD, and AG)

1. A fence may be located along the rear lot line to a maximum height of six (6) feet and to a maximum of six (6) feet along the side lot lines up to the point where it is parallel with the front edge of the house. From this point forward to the right-of-way the height of the fence shall not exceed three (3) feet. Any fence that crosses the width of the front yard shall not exceed three (3) feet in height. A variance is needed for fences exceeding the above mentioned heights.
2. Fences around dog kennels not exceeding fifty (50) square feet in size, fences around garbage cans, and garden fences will not require fence permits but shall adhere to the other regulations of this subdivision.