

**CITY OF LAKE ELMO**

**RESOLUTION NO. 2011-021**

**RESOLUTION AUTHORIZING PUBLICATION OF  
ORDINANCE NO. 08-044 BY TITLE AND SUMMARY**

**WHEREAS**, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-044, an ordinance to amend the fence regulations within the City of Lake Elmo to allow solid fences up to 72 inches in height in a rear yard when abutting a road classified as a primary arterial, A minor arterial or B minor arterial and to require easement encroachment agreements when a fence is proposed to be constructed within a city easement; 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 Administrator shall cause the following summary of Ordinance No. 08-044 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. 08-044. The ordinance amends Title XV of the City Code, Land Use Regulations, allowing solid fences to be constructed within a rear yard when the rear yard abuts a road classified as a primary arterial, A minor arterial or B minor arterial. The Ordinance also requires an Easement Encroachment Agreement be submitted to the city holding the city harmless if a private property owner wishes to construct a fence within a city easement.

The full text of Ordinance No.08-044 is available for inspection at Lake Elmo city hall during regular business hours.



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Mayor Dean A. Johnston

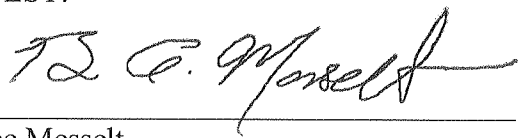
**BE IT FURTHER RESOLVED** by the City Council of the City of Lake Elmo that the City Administrator keep a copy of the ordinance in his office at city hall for public inspection and that he post a full copy of the ordinance in a public place within the city.

Dated: 6-8-11, 2011.



\_\_\_\_\_  
Mayor Dean Johnston

ATTEST:



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Bruce Messelt  
City Administrator

(SEAL)

The motion for the adoption of the foregoing resolution was duly seconded by member

Park

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against same:

Council Member Smith

Whereupon said resolution was declared duly passed and adopted.