

STATE OF MINNESOTA  
COUNTY OF WASHINGTON  
CITY OF LAKE ELMO  
SUMMARY OF ORDINANCE 80-96

On May 17, 1994, the Lake Elmo City Council adopted Ordinance 80-96 relating to Fences.

On May 17, 1994, the Lake Elmo City Council received a summary of Ordinance 80-96 and by 5 affirmative votes, approved the publication of a summary of this ordinance, to wit:

**Section 1425 - Fences**

**1425.01 Conditional Yard Locations.**

Subd. 1 Solid Walls.

Subd. 2 Face of Fence.

Subd. 3 Fence Height Requirement.

Subd. 4 Public Right-of-Way.

**1425.02 Property Line Conditions.**

Subd. 1 Fences along Property Lines.

Subd. 2 Fences in Commercial and Industrial Districts.

Subd. 3 Height Regulations.

**1425.03 Setbacks.**

Subd. 1 Height in Side and Rear Yards - Residential.

Subd. 2 Height in Front Yards - Residential.

Subd. 3 Height in Buildable Lot Areas - Residential.

Subd. 4 Height in Commercial and Industrial Areas.


**1425.04 Variances**

A complete copy of Ordinance 80- 96 "Fences" is on file in the office of the City Clerk/Administrator and can be viewed by the public during normal business hours.


The Lake Elmo City Council ordains that Section 505 is hereby repealed.

**Effective Date.** This ordinance shall be effective the day following its publication.

**Adoption Date.** Passed by the City Council of the City of Lake Elmo the 17th day of May, 1994.

  
Wyn John, Mayor

ATTEST:

  
Mary Kueffner, City Clerk/Administrator

**Publication Date.** This ordinance or an approved Summary thereof, was published  
on the 25th of May. 1994. Stillwater Gazette Extra.

**STATE OF MINNESOTA  
COUNTY OF WASHINGTON  
CITY OF LAKE ELMO  
ORDINANCE 80- 96**

**An Ordinance adding Section 1425 "Fences" to the Lake Elmo Municipal Code and  
Repealing Section 1505.**

The City Council ordains that Section 1425 shall be added to the Lake Elmo Municipal Code to read as follows:

**Section 1425 - Fences**

**1425.01 Conditional Yard Locations.** Fences may be located in all yards subject to the following conditions: (Replaces 1505.010- Heading Added)

**Subd. 1 Solid Walls.** Solid walls in excess of four (4) feet above adjacent ground grades shall be prohibited. (Replaces 1505.010 A - Heading Added)

**Subd. 2 Face of Fence.** That side of the fence considered to be the face (finished side as opposed to structural supports) shall face abutting property. (Replaces 1505.010 B - Heading Added)

**Subd. 3 Fence Height Requirement.** Fences over six (6) feet in height from the finished grade shall require a building permit in addition to any other required permits. (Replaces 1505.010 C - Heading Added)

**Subd. 4 Public Right-of-Way.** No fences shall be permitted on a public right-of-way.  
(Replaces 1505.010 D - Heading Added)

**1425.02 Property Line Conditions.** Fences may be placed along property lines subject to the following conditions: (Replaces 1505.020 - Heading Added)

**Subd. 1 Fences along Property Lines.** Fences may be placed along property lines provided no physical damage of any kind results to abutting property. (Replaces 1505.020 A - Heading Added)

**Subd. 2 Fences in Commercial and Industrial Districts.** Fences in commercial and industrial districts may be erected on the lot line to a height of six (6) feet or to a height of eight (8) feet with a security arm for barbed wire. (Replaces 1505.020 B - Heading Added)

**Subd. 3 Height Regulations.** Fences in residential districts may be located on any lot line to a height of four (4) feet above finished grade. ~~and Fences located along side and rear-interior lot lines, beginning at the rear building line of the principal structure, may be a maximum of six (6) feet in height above finished grade;.~~ ~~provided,~~ However, if the rear lot line of the lot ~~be~~-is common with the side lot line of an abutting lot, that portion of the rear lot line equal to the required front yard of the abutting lot shall not be fenced to a height of more than four (4) feet. (Replaces 1505.020 C - Heading Added - amended as shown by League)

**1425.03 Setbacks.** Fences may be located within required yards (that is, within building setback lines) subject to the following conditions: (Replaces 1505.030 - Heading Added)

**Subd. 1 Height in Side and Rear Yards - Residential.** Fences located within the side and rear yard setback areas beginning at the rear building line shall not exceed six (6) feet in height from finished grade. (Replaces 1505.030 A - heading added)

**Subd. 2 Height in Front Yards - Residential.** In residential districts, fences along or within the front setback area and less than twenty (20) feet from the front property line shall not exceed four (4) feet in height from finished grade. (Replaces 1505.030 B - Heading Added )

**Subd. 3 Height in Buildable Lot Areas - Residential.** Fences located within the buildable area of a lot or eight (8) feet or more from the rear lot line may be up to eight (8) feet in height. (Replaces 1505.030 C - Heading Added)

**Subd. 4 Height in Commercial and Industrial Areas.** Fences in commercial and industrial districts located within setback areas shall not exceed six (6) feet in height from finished grade or a height of eight (8) feet with a security arm for barbed wire. (Replaces 1505.030 C - Heading Added)

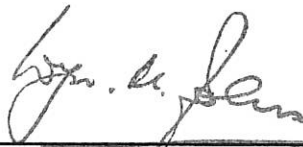
#### **1425.04 Variances**

**Subd. 1** The City Council may hear requests for variances to the provisions of Section 1425 by following the same procedures and apply the same standards that are contained in Section 301.060C.

The Lake Elmo City Council ordains that Section 505 is hereby repealed.

**Effective Date.** This ordinance shall be effective the day following its publication.

**Adoption Date.** Passed by the City Council of the City of Lake Elmo the 17th day of May, 1994.

  
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Wyn John, Mayor

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**Subd. 1 Height in Side and Rear Yards - Residential.** Fences located within the side and rear yard setback areas beginning at the rear building line shall not exceed six (6) feet in height from finished grade. (Replaces 1505.030 A - heading added)

**Subd. 2 Height in Front Yards - Residential.** In residential districts, fences along or within the front setback area and less than twenty (20) feet from the front property line shall not exceed four (4) feet in height from finished grade. (Replaces 1505.030 B - Heading Added )

**Subd. 3 Height in Buildable Lot Areas - Residential.** Fences located within the buildable area of a lot or eight (8) feet or more from the rear lot line may be up to eight (8) feet in height. (Replaces 1505.030 C - Heading Added)

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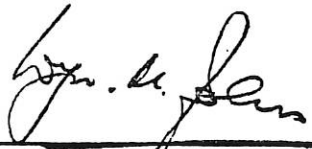
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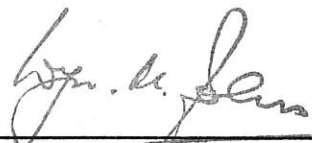
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