

CITY OF ST. CHARLES

ORDINANCE #582

AN ORDINANCE OF THE CITY OF ST. CHARLES, MINNESOTA, AMENDING ST. CHARLES CODE FENCE STANDARDS.

THE CITY OF ST. CHARLES DOES ORDAIN (deleted material is enclosed in brackets and lined out; new material is underlined; subsections which are not being amended are omitted):

Section 1. Title XV: Land Usage, Chapter 152: Zoning, Section 152.41 Regulations; General, of the City Code of St. Charles, Minnesota, be amended as follows:

§ 152.41 REGULATIONS; GENERAL.

(F) *Vision clearance.*

(1) Fences, walls or accessory structures in front yard:

(a) In any residential district, no fence, wall, accessory structure or shrub planting shall be over ~~(3-feet)~~ 36 inches in height within 20 feet of any street corner, except for trees with branches and foliage removed a height of eight (8) feet above the ground, so as to interfere with traffic visibility across the corner; and

(b) No fence, wall, accessory structure or shrub planting shall be over ~~(3-feet)~~ 36 inches in height with an opacity over 50 percent, but may be 48 inches in height with an opacity under 50 percent (e.g. wrought iron, chain link, split-rail, vinyl, or board ) within 25 feet of the front property line.

(2) Fences, walls or accessory structures in side and rear yard:

(a) In any residential district, no fence, wall or accessory structure, other than a retaining wall, shall be over 6 feet in height along the side or rear lot line; and

(b) The side lot line will be considered that area of a lot which extends along the side line of the lot from the rear property line to a point 25 feet from the front property line.

(3) Fences may be used to locate property lines with the required front, side and rear yards within a residential district.

(4) No fence, wall, shrub planting or accessory structure shall be erected within a public easement and/or right-of-way.

(5) The finished side shall face the abutting property or street right-of-way.

(6) Fences shall not be constructed of chicken wire, welded wire, pallets, barbed wire, snow fence, branches, animal gates, farm fence materials or materials originally intended for other purposes, unless approved by the Zoning Administrator.

(7) A Certificate of Survey may be required if property lines cannot be located as the city does not have licensed surveyors on staff to perform this service. If the zoning administrator in his or her sole judgement and discretion, notifies the property owner/applicant that a survey is required, no permit will

be issued until a survey is provided to the City by the owner/applicant as signed by a licensed surveyor and that such survey is at the property owner's/applicant's sole cost and expense. Further, it is the responsibility of the property owner/applicant to contact the surveyor and arrange the survey.

(8) All fences shall have at least one external access gate.

(9) The permit fee shall be as set by Ordinance of the City Council. The permit fee shall be paid at the time of application.

(10) A permit is required for all fences within any residential district.

(11) All fences shall be properly maintained with respect to appearance and safety.

Section 2: This Ordinance shall take effect thirty days after its publication.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2015 by the City Council of the City of St. Charles, Minnesota.

\_\_\_\_\_  
**John Schaber, Mayor**

Attest:

\_\_\_\_\_  
**Nick Koverman, City Administrator**

*First Reading:*

Date: \_\_\_\_\_

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Abstain \_\_\_\_\_

*Second Reading:*

Date: \_\_\_\_\_

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Abstain \_\_\_\_\_

*Published:*

Date: \_\_\_\_\_

