FENCES

BUILDING INSPECTIONS DEPARTMENT
www.ci.blaine.mn.us

The purpose of Section 33.09 is to promote a pleasant physical environment and to protect the public and private property within the City by regulating the location, height, type of construction, and maintenance of all fences.

The City of Blaine does not enforce Homeowners Association Rules or Neighborhood Covenants – It is the homeowner's responsibility to verify compliance with neighborhood requirements prior to constructing your fence.

YOU MUST HAVE YOUR PROPERTY STAKES LOCATED AND EXPOSED BEFORE YOU SUBMIT YOUR APPLICATION FOR PERMIT

The owner/contractor is responsible for locating the property corner markers prior to applying for a fence permit. If the iron lot corner pins cannot be found, the applicant is to contact a Land Surveyor to re-establish the lot corners before commencing with the fence permit application. A metal detector can be useful to find the iron corner marker pins. Refer to your property survey for lot dimensions. A copy of your survey may be available from the City of Blaine Building Inspections Dept. The property boundary markers shall remain exposed until after the Final inspection has been approved.

DEFINITIONS

Fence: Any partition, structure, wall, or gate erected as a divider marker, barrier or enclosure and located along the boundary, or within the required yard. For the purpose of this Section, a fence shall not include naturally growing shrubs, trees or other foliage.

Boundary Fence: A boundary fence is any fence parallel to the property line.

Privacy Fence: A privacy fence is any fence used for screening of outdoor living areas and for enclosures where restricted visibility or protection is desired.

PERMIT REQUIRED

No fence shall be erected or substantially altered without obtaining a permit from the Building Inspections Department. The fee for a fence permit is $50.00.

LOCATIONS OF FENCES

Fences, when constructed to enclose any lot or tract of land, shall be located in such a way that the entire fence shall be on the property of the owner. Posts and framework shall be placed within the property lines of the owner and the actual fencing material, such as wire, lumber, pickets, etc., shall be placed on the side of the fence which faces the street or adjacent property.

No fences shall be allowed or constructed on street right-of-ways. Fences may, by permit, be placed on public utility easements so long as the structures do not interfere in any way with

existing underground or over ground utilities. Further, the City or any utility company having authority to use such easements, shall not be liable for repair or replacement of such fences in the event they are moved, damaged or destroyed by virtue of the lawful use of said easement.

CONSTRUCTION AND MAINTENANCE

Every fence shall be constructed in a workmanlike manner and of substantial material reasonably suited to the purpose for which the fence is to be used. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition which would constitute a public nuisance or a dangerous condition. If such a fence is allowed to become and remain in such condition, a Building Inspector is authorized to notify the owner or owners of such fences of the condition and allow owner or owners ten (10) days in which to repair or demolish the fence. All fences shall be constructed in conformity with the wind, stress, foundation, structural and other requirements of the Minnesota State Building Code.

Link fences, where permitted, shall be constructed in such a manner that the barbed end is at the bottom of the fence.

No barbed wire or barbed wire fences shall be allowed on private property in residential zones. No barbed wire or barbed wire fences shall be allowed on private property in business or industrial zones where the property lines of such property abut lots or parcels adjacent to residential districts.

SINGLE AND TWO-FAMILY RESIDENTIAL DISTRICT FENCES

In most single and two-family residential districts, fences, except as allowed for Special Purposes fences shall have the following setbacks and heights limitations:

Front Yard

- Maximum height of four (4) feet above ground level in front of the front face of the residential structure.
- The required front yard of a **corner lot** shall not contain any fence that may cause danger to traffic on a street or public road, by obscuring the view. On corner lots, no fence shall be permitted within the intersection sight distance triangle.

Front Corner Side Yard

- Maximum height of four (4) feet above ground level when placed at the property line.
- Maximum height of six (6) feet above ground level when placed with a minimum setback of one (1) foot.

Side Yard

- Maximum height of six (6) feet above ground level.

Rear Yard

- Maximum height of six (6) feet above ground level for fences along rear yards not adjacent or fronting on public right-of-way.
- Fences adjacent or fronting on public right-of-way shall have a maximum height of four (4) feet above ground level when placed at the property line.
- Fences adjacent or fronting on public right-of-way that are placed with a minimum setback of one (1) foot shall have a maximum height of six (6) feet above ground level.

COMMERCIAL AND INDUSTRIAL FENCES

In business and industrial zones, fences may not exceed seven (7) feet in height above the ground level, and the use of barbed wire is prohibited, except that the top one (1) foot of any fence along side or rear lot lines in these zones may be constructed of barbed wire. Barbed wire is also permitted for the top one (1) foot of fences in industrial zones when fronting a public street and placed no closer than the parking setback. Barbed wire shall not be permitted adjacent to any residential district.

SPECIAL PURPOSE FENCES

Fences for special purpose and fences differing in construction, heights, or location, may be permitted in any commercial or industrial district in the city, only be issuance of a conditional use permit approved by the City Council after a recommendation by the Planning Commission, and upon evidence that such special purpose fence is necessary to protect, buffer, or improve the premises for which such fence is intended.

The approval of such buffer fences may include stipulations as to the material, heights, or location of such special purpose fences.

Residential fences, higher than 6 (six) feet and up to 10 (ten) feet in height, built for screening and noise attenuation, that are placed on private property adjacent to county, state or federally designated roadways, shall be allowed in the rear and corner side yards, only by issuance of a conditional use permit. (Added 08/07/07. Ord. 08-2164)

NON-CONFORMING FENCES

All existing fences, at the time of the adoption of this Section, which are not in violation of this Section and are not located within a public right-of-way or easement, but which violate other Sections of this Code, may be continued to be maintained and to exist but may not be replaced, if destroyed or removed, to the extent that the violations be continued.

FARM FENCES

Fences that are constructed for the purpose of containing livestock in any Farm Residence or Agricultural District may be electrified with no more than 12 Volts DC. Such electrification shall be installed so as to not have current going through the fence except on an intermittent basis. Current shall not remain on longer than three (3) seconds.

No fence shall be located closer than three hundred (300) feet from any residentially zoned property and shall be clearly designated as an electrified fence by the installation of 1 x 1 foot square sign stating “this fence is electrified”.

CONNECTING TO NEIGHBORING FENCES

Any portion of the fence that crosses a property line to attach to a neighboring fence is <u>not</u> part of the fence permit (only a temporary agreement between neighbors), and is subject to removal by either party. No posts or digging is permitted on the neighboring property. Posts (on the permit side of the property line) must be in place so if this crossing portion is removed it will not structurally affect the fence. Any such temporary fencing must be done <u>after</u> the final fence inspection.

RELATED FENCE INFORMATION

For more information on fences, see City Code of Ordinance.
Dog enclosure . 5-13.

Outdoor swimming pool area enclosure 6-120.

How to Find Your Property Markers

Property markers, or boundary monuments, are metal pins placed at every corner of the property, including any angle or change of direction of the boundary line. Each pin is shown on the survey of each property. Property markers are required to verify property lines when obtaining permits for certain projects in the City of Blaine, such as fences, shed, and additions. when construction is close to required setbacks or the line itself. Knowing where the property markers are is also important information to avoid legal and neighborhood disputes. Property lines, or boundary lines, are the defined points where one person's land ends and the neighboring land begins.

Step 1
To ensure you can dig for your property markers safely, call Gopher State One at 651-454-0002 to locate utility lines. They will need a 48 hour notice. This is a free service.

Step 2
Obtain a survey of your property. This can be done by going to our web-site www.ci.blaine.mn.us A box will come up that says Lookup Property Surveys online, click on this and enter your address and click the search button in the lower right hand corner. Print out your survey. If you cannot locate a survey on-line go to: http://maps.ci.blaine.mn.us/geomoose2/geomoose.html

Step 3
Gather materials you will need to locate your property markers.
1. Survey
2. Tape measure
3. Metal Detector can be used if you are having difficulty finding your stakes.
4. Shovel

Step 4
Property markers are typically 14.5 feet in from the curb. Go to your front curb and measure back about 14.5 feet in the area you think your marker should be. Use a metal detector and then start digging. The marker should be about 6-10 inches below the surface. It may have a colored cap with numbers on the top.

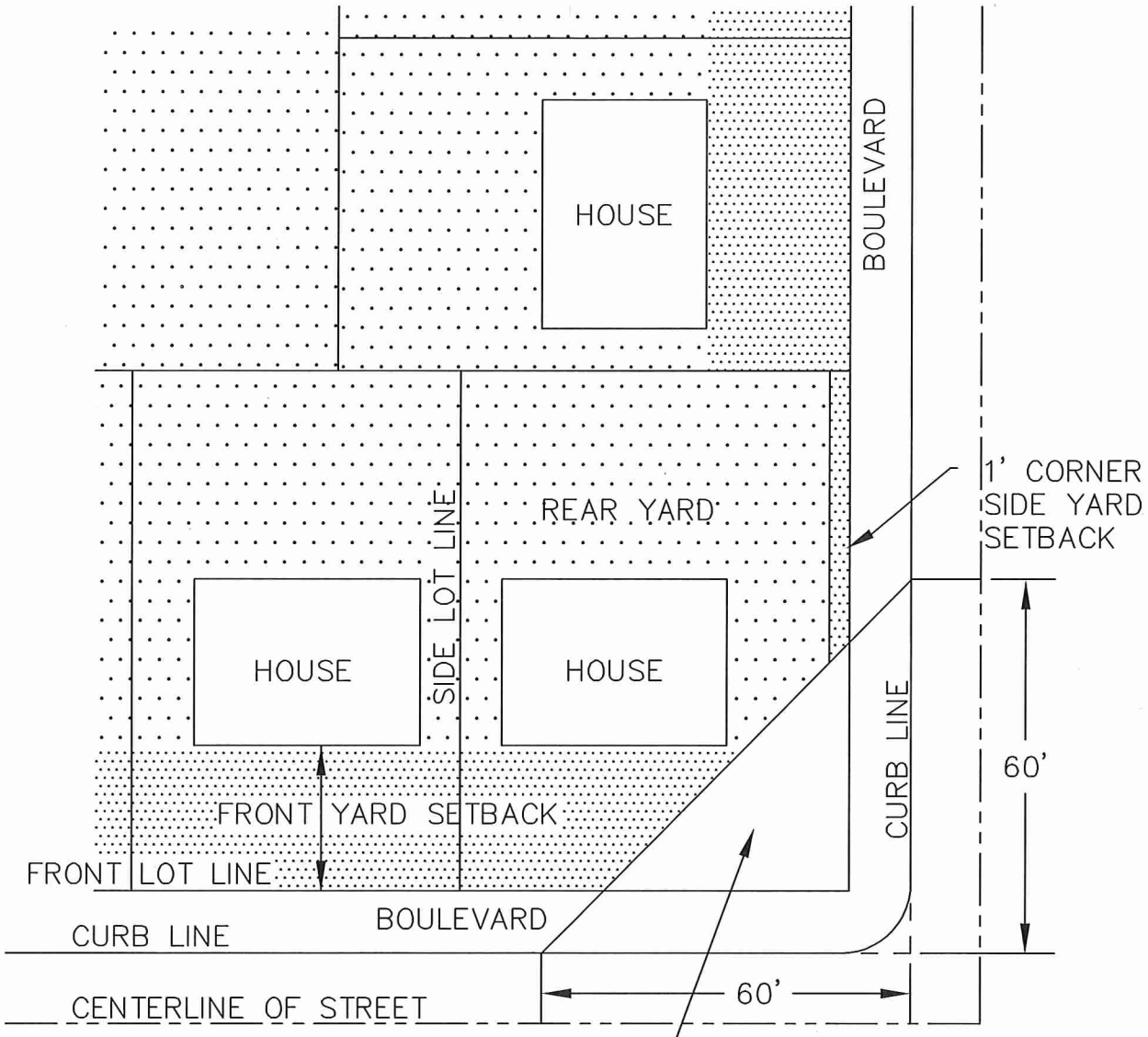
Step 5
Use your survey to see what distance the back stake is from the front stake and use your tape measure to measure that distance, then use the metal detector and dig. Continue doing this until all stakes and found.

Step 6
Put a marker of some type on the uncovered stake. This will need to remain visible until an inspection is done. Do not remove your property stakes.

Step 7
If you are unable to find your stakes and/or need to have property markers installed, contact a licensed Professional Land Surveyor. You can look in a phone directory "Yellow Pages" for local area land surveying firms.

An existing fence or structure cannot be used to verify property lines.
Property Stakes – How to find Your Property Stakes2.docHO

IT IS THE HOMEOWNER'S RESPONSIBILITY TO VERIFY SPECIFIC ZONING REQUIREMENTS OR NEIGHBORHOOD COVENANTS WHICH MAY IMPACT YOUR PROJECT.



Date: 03/08/2007

FENCE SETBACKS

Plate No. CS-1

STANDARD DETAIL PLATE

City of Blaine – Community Standards

10801 Town Square Drive NE, Blaine, Minnesota 55449 (763)785-6172 Fax(763)785-6139