

Ordinance 212

Fence

Replace Ordinance 177 in its entirety

Definition

FENCE: Any structure, whether made of lumber, building blocks, wire or similar materials placed in a fashion which is intended to impede free passage from the fenced area to the outside area of a lot or from the outside area into the fenced area of a lot which is intended to act as a screening structure.

HEDGE FENCE: Any bush line, growing vegetation placed in a fashion in which is intended to impede free passage from the fenced area to the outside area to the fenced areas or which is intended to act as a screening structure.

FRONT YARD: When regard to interior lots in a block, the front yard is that portion of the lot lying between the side lot lines that extends between the front wall of residence or commercial building and the front property line.

Where a lot is located the intersection of two or more streets (corner lot), there shall be a front yard on each side of the lot that abuts a street and a side yard on each side of the lot that does not abut a street.

Requirements

No person shall construct or cause to be constructed any fence in the City of Scanlon without first obtaining building permits. Building permits applications are available at the City of Cloquet during business hours.

When planning the location of your fence, the first thing you must do is mark the location of the property lines. Old fence lines, trees and light poles are NOT reliable benchmarks. The Homeowner must locate the survey pins or have a new survey done, and have them clearly marked when the permit is applied for. The City of Scanlon does not locate the lines for a property owner.

All fences which are existing on February, 2017 are permitted to remain in use even though they may not follow this ordinance. However, any fence in existence on February, 2017 which is replaced, rebuilt or repaired is thereafter subject to the provision of this ordinance.

Fence Regulations

Height: Any hedge fence bordering a street or sidewalk shall not exceed four feet (4') in height. No branches or any part of a hedge fence may hang out over any street, sidewalk or sidewalk line, or easement line.

That portion of any fence, hedge or wall running along or generally parallel to the side lot lines which is located within ten feet (10') of the front lot line shall not exceed a height of four feet (4') and shall not otherwise create a hazard for traffic safety.

All Fences: All fences, must be 1 foot inside the property line, if such fence does not otherwise create a sight hazard to traffic safety.

Except as set forth hereafter, all fences shall not exceed six feet, six inches (6'6") in height.

Allowable Type of Fences: All fences, except hedge fences, which are in the front yard of a lot shall be constructed of chain link, or wood fencing. Materials such as wire mesh, hot wire, welded wire, and straight wire are not allowed to be in the front yard of a lot. Fencing located in the remaining area of a lot may be constructed of other materials, including brick, block, chain link, wood, hog wire and welded wire.

No barbed wire, electric fences, or other fences likely to cause harm to people or animals are not permitted to be used in the City of Scanlon.

Commercial Fences: Hazardous fences and walls, such as barbed wire, electric fences, fences with security alarms and walls with protruding sharp edge(s), are prohibited in the City, except as follows: up to eight foot (8') high chain link fences with top barb will be permitted in the City for security reasons on commercial property, but only with a special permit issued by the Building Inspector. Fences on non-residential property required for screening exterior storage may exceed the height limitations set forth herein but only by a Conditional Use Permit issued by the City of Scanlon.

Construction and Maintenance: The finished side of fences shall face abutting property. Every fence shall be constructed in a high-quality manner and of substantial material reasonably suited for the purpose for which the fence is proposed to be used. It shall be maintained in condition of reasonable repair. All fence maintenance is the sole responsibility of the property owner who constructed same and his successor, heirs and assigns.

Ingress: In those instances where a fence exists as an enclosure which restricts access from the front to the rear yard, a gate, or other such means of recognizable ingress shall be provided. The location of such means of ingress shall be positioned on any point paralleling the front lot line, between the side lot property line and the principal structure.

Encroachment on the Right of Ways: No person or entity may place or construct as a part of the fence any shed, garage, or other structure (including any part thereof) upon or within five feet (5) of any alley or easement, regardless of whether in use. No objects (except temporarily), including but not limited to, motor vehicles, campers, boats, debris, woodpiles, etc., may be placed on or within five feet (5) of an alley or other easement, except with prior consent of the City of Scanlon. No person or entity may plant any tree, shrub or other vegetation upon or within five feet (5) of any alley or easement, regardless of whether in use.

Violations: Upon order of the City of Scanlon, any person or entity violating this ordinance shall remove such structure, object or vegetation, or a nuisance under this article, shall be paid for by the property owner maintain such violating structure, object, or vegetation. If the property owner fails to pay the expenses incurred by the City of Scanlon such expenses shall be certified to the County Auditor to be collected with property taxes due upon such property. Such expenses shall also constitute a lien upon the real property upon which the violation occurred until fully paid. Any such expenses incurred by the City of Scanlon shall bear interest at the rate of six (6) percent per annum from date of billing to the property owner until fully paid.

City of Scanlon City Council passed this ordinance on this day 8th of March 2017.

Marshall Johnson, Mayor

ATTEST
Lori Stigers, City Clerk/Treasurer