



## ORDINANCE NUMBER 2016-5-6

### AN ORDINANCE AMENDING CHAPTER 153.032 FENCE REQUIREMENTS OF THE CITY CODE OF STACY

**The City Council of the City of Stacy hereby ordains:**

**That Section 153.032 (F) be amended to read as follows and Original Item (F-I) be renumber to (G-J):**

*(F) Fences of appropriate height for athletic fields are allowed in the park district as determined by a sanctioning athletic association regulations and approved by the Planning Commission.*

~~(F)~~ Placement of fences along property lines. Fences may be located upon the division line of the respective properties based on the following:

- (1) Where a property line is not clearly defined, a certificate of survey shall be required to establish the location of the property line;
- (2) Fences may be placed along a property line, provide consent is provided in writing of abutting property owner and provided no physical damage of any kinds results to abutting property;
- (3) Fences on or within 2 feet of the property lines shall be given consideration as to the maintenance of the fence and remaining yard area; and
- (4) Fences shall not restrict drainage. A solid wall style fence may exceed its allowable height by 4 inches to facilitate drainage.

~~(G)~~ Maintenance. The owner of the property on which a fence is located shall maintain both sides of the fence. Every fence shall be maintained in a condition of reasonable repair and shall not by reason of age, decay, accident or otherwise be allowed to become and remain in a state of disrepair. Should the fence become a nuisance, the owner shall be subject to all legal remedies allowable.

~~(H)~~ Permits. No person, firm, or corporation shall hereafter construct or cause to be constructed or erected within the city any fence without first securing a fence permit from the City Clerk. The applicant shall certify that the fence will meet all requirements of the city code relating to the height, placement, and type of material. The applicant shall also certify that in the event of any improper placement of the fence the applicant shall relocate the fence within 1 week from notice thereof by the city. Any cost incurred for the relocation shall be the sole responsibility of the applicant.

(J) Agriculture uses. Fences located on property zoned agriculture, at least 10 acres in size, and actively and primarily used for agricultural purposes are not subject to the requirements of this section.

Passed and adopted by the City Council of the City of Stacy, Minnesota this 24th day of May, 2016.

This ordinance shall take effect and be in force from and after its publication in the official newspaper of the City of Stacy.

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Mark Utecht  
Mayor

ATTEST:

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Sharon MT Payne  
City Clerk