

Building a fence

Is a permit required?

Yes. A permit is required for any new fence or gate. It is also required for the replacement of a fence or fence panel or post. A permit is not required for the replacement of a damaged board. Before you begin construction, you must obtain a fence permit. A permit application is available on the city website or at City Hall. To submit a complete application, you will need to include:

- A survey or site plan showing the proposed location of your fence
- Plans that show the design of your fence
- \$20 fee for the permit application

Where can the fence be located?

Nothing is more important than location when building a fence. An improperly located fence can result in friction between neighbors, ordinance violations, lawsuits or even the need to move your fence. To avoid these costly and frustrating problems, your fence must be located entirely inside your property line. It cannot be on the property line or on public property (boulevards, sidewalk area, etc.). The fence can extend into the neighbor's property if you provide written permission from the neighbor along with your permit application. It is your responsibility to know where your property line is, so make sure you have located the corner stakes before you install the fence. For tips on finding the property line, see the "Locating a Property Line" handout.

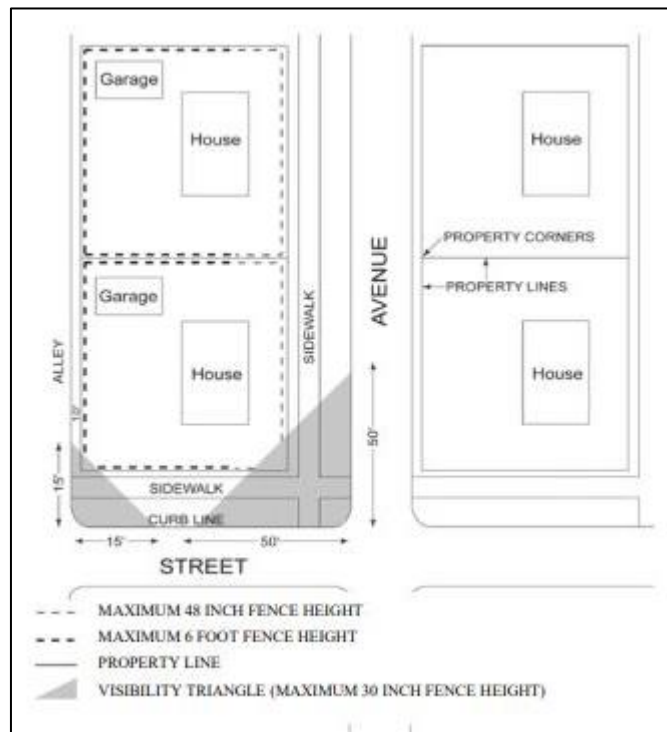
How high of a fence can I build?

The maximum allowed fence height is determined by your lot's location, where the fence is located on your lot, and by visibility triangles (refer to illustration). The height of the fence is determined by starting from the side of the fence with the lowest grade, then measuring to the top of the fence. A retaining wall is included in the measurement when the fence is attached to the wall.

- **Corner lots**

Fences on corner lots have lower allowable heights at the corner of two streets, a street and an alley, and at the intersection of two alleys. A visibility triangle is required at these intersections to maintain visibility of oncoming cars and pedestrians. The fence height in a corner lot's visibility triangle cannot exceed 30 inches.

Determining what is the front yard on a corner lot takes special care because the front yard is not always where the home's front door is located. On a corner lot, the front yard is the yard with the shortest dimension against the public right of way (the yard with the shortest curb length). Corner lot owners should check with the assistant zoning administrator for help in determining visibility triangles and front yard location.



- **Interior lots (neighbors on both sides)**

Fences on interior lots can be no more than 6 feet high in the side or rear yard. Front yard fences cannot be more than 48 inches high.

Can a fence be taller than 6 feet?

There are some specific situations where fences can be taller than 6 feet. Fences along property lines that are adjacent to state highways, schools, churches, synagogues, railroads and commercial or industrial property may be as tall as 8 feet. Any fence over 6 feet in height must be approved by an engineer to meet state building code requirements. You must also fill out a building permit instead of the fence permit application. Check with the planning division to see if your lot qualifies. Call the inspections department at 952.924.2588 for questions about the state building code.

What materials can I use?

Fences must be constructed of durable materials such as exterior grade wood, rigid vinyl, or metal treated for exterior use. Every fence must be constructed so the finished side of the fence faces your neighbor's property. The structural side of your fence must face your property. Alternating board fences, which are finished on both sides, are acceptable. If the posts and/or two-by-fours are visible on one side only, they are considered to be structural and must be on your side of the fence.

Pool fences

A fence surrounding a swimming pool must be constructed to keep children from entering the pool enclosure. Pool fences and gates must be at least 4 feet high. There can be no openings greater than 4 inches either through or under the fence or gate. Pool fences must be constructed without handholds or footholds. Gates must be self-closing and self-catching. Call the inspections department at 952.924.2588 with questions about pool fences.

Questions?

This handout covers commonly asked questions and situations. It does not cover all city ordinances. If you have any questions, or think your situation is unique or not covered by this handout, please call the Planning Department for clarification.