

CITY OF COKATO
ORDINANCE NO: 2015-02

An Ordinance Regarding Fences

The City Council of the City of Cokato, Minnesota ordains as follows:

Section 1. The Cokato city code is amended by adding new sections 903.05 et. seq. as follows:

FENCES

Section Sub. 4. The purpose of this ordinance is to establish standards for the installation of fencing to protect the general health, safety and welfare of the city.

Section Sub. 4. Except as otherwise regulated, fences shall be permitted in all yards subject to the following regulations.

- A. Permit Required: No person may erect any fence up to six feet in height without first securing a building permit. Fences exceeding six feet in height shall require a conditional use permit.

- B. Locations:
 - 1. A fence that requires periodic maintenance shall be located not closer than one foot from any side or rear yard lot line on the property of the person constructing the fence. An exception to this may be allowed if an agreement addressing construction, maintenance and repair responsibilities, including rights of access, is established between the adjoining property owners, which agreement must be determined acceptable by the city attorney and filed with the Wright County recorder against the titles of the respective properties. The fence agreement shall provide for amendment or cancellation only upon written approval of the City.
 - 2. A fence that is maintenance free, such as chain link of steel, plastic or vinyl, may be constructed up to the side or rear yard property line.
 - 3. The City may require the owner of the property upon which a fence now exists or an applicant for a fence permit to establish or verify the boundary lines of the property by a land survey or other appropriate means.
 - 4. No fence shall be placed on or extend into any public right of way or other public property.

- C. Construction and Maintenance
 - 1. Fences shall be constructed in a workmanlike manner and of substantial material reasonably suited for the purpose for which the fence is proposed to be used. Fences shall be maintained in a condition of reasonable repair and shall not be allowed to become a danger, or constitute a nuisance, public or private. Any fence which is or becomes dangerous to the public safety, health or welfare, is a public nuisance, and the City may commence proper proceedings for an abatement thereof.
 - 2. The side of any fence considered to be its "face" (i.e. the finished side having no structural supports) shall face the abutting property or street right of way.
 - 3. Electric fences shall be permitted only when related to agricultural uses, but not as boundary fences, and shall only be permitted in areas zoned for agricultural uses

4. Barbed wire fences shall only be permitted for agricultural, business or industrial purposes, and only in areas zoned for those uses. Barbed wire fences for business or industrial purposes are subject to regulations set forth in part G of this section.
- D. Solid Walls. Solid walls up to six feet in height that are not part of buildings may be constructed and maintained only in the buildable area of a lot.
- E. Traffic Sight Visibility Triangle. On corner lots, no fence or screening material shall be permitted within the traffic sight visibility triangle.
- F. Residential Fencing and Screening.
1. Except as provided herein, fences shall be at least five percent open for passage of air, light and drainage.
 2. Except as provided herein, fences may not exceed six feet in height.
 3. Fences extending across front yards shall not exceed 48 inches in height and shall be at least 75 percent open space for passage of air and light. Fences extended across front yards or side yards abutting a public right-of-way shall not be permitted within the traffic visibility triangle.
- G. Business and Industrial Fencing.
- a. No fence shall be allowed in the front yard of a business use except by conditional use permit.
 - b. Except in a required front yard, business and industrial fences may be erected as provided herein.
 - c. Business and industrial fences with barbed wire security arms shall be erected with a minimum height of six feet (measured without the security arm). The security arm shall be angled in such a manner that it extends only over the property of the permit holder and does not endanger the public. Security fencing shall be prohibited within a required front yard or when located along a property line abutting a residential use.

Section 2. Effective Date: This ordinance shall be effective after its passage and publication.

Adopted by the Cokato City Council, Wright County, Minnesota this 30th day of July, 2015.

Attest:

Andrew Carlson, City Clerk

Gordy Erickson, Mayor