

CITY OF KANDIYOHI, COUNTY OF KANDIYOHI
STATE OF MINNESOTA

CHAPTER 151.45 -151.48: REQUIREMENTS FOR FENCES OR HEDGES

§ 151.45 APPLICATION

The requirements of this subchapter shall apply to all new or replacement fences, walls, or shrubbery erected or installed from and after the effective date of this subchapter but shall not apply to the mere repair of existing fences.

§ 151.46 GENERAL REQUIREMENTS.

- (A) Fences and hedges may be allowed in any zoning district.
- (B) Fences or Hedges placed within a utility easement are subject to removal at the expense of the property owner if required for the maintenance or improvement of the utility.
- (C) No private fences or hedges shall be permitted on the public right-of-way.
- (D) Fences must be kept in good repair, painted, trimmed, and well maintained so as not to endanger life or property and any fence which, through lack of repair, type of construction or otherwise, that imperils health, life or property or the well-being of a neighborhood shall be deemed a nuisance. Every damaged or missing element of any fence or wall shall be prepared or replaced immediately.
- (E) The finished side of the fence, or that side of the fence without exposed support or posts, shall face the neighboring property or streets.
- (F) All fences shall be constructed of stone, brick, finished wood, chained link or vinyl.
- (G) All fences must be located on the private property of the person, firm or corporation constructing the fence.
- (H) No fence shall contain barbed wire.
- (I) *Prohibited material.* No fence shall be charged with electric current, except within an agricultural district.
- (J) All fences must comply with all other requirements of law or this code as it applies to fence installation and materials.

Penalty, see § 151.99

§ 151.47 RESIDENTIAL AND COMMERCIAL REGULATIONS.

(A) Residential Regulations

- (1) *Height.* No fence, wall or other obstruction to vision above a height of six (6) feet from the established street grades shall be permitted within the triangular area formed at the intersection of any street right-of- way lines by a straight line drawn between the right-of-way lines at a distance along each line of 25 feet from their point of intersection.
- (2) *Side and rear yard setbacks.* Fences or hedges erected along a rear or interior side lot line may be constructed right up the property line, although the city recommends a one (1) to two (2) foot setback to allow for fence maintenance.
- (3) *On a corner lot,* the rear yard fence shall be set back at least three (3) feet from the right-of-way line on the street side of the lot and shall be constructed on or behind the existing rear building line. Fences or hedges in the front yard of a principal structure may be no higher than

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three feet (3) measured from its top edge to the ground at any point. In the event a fence or hedge is adjacent to and parallel with the front line (or side lot line on the street side of a corner lot), such fence shall be set back at least three (3) foot from the right-of-way lines.

(4) *Rear yards.* For the purpose of interpreting these fence regulations, rear yard shall be defined as that yard which is on the opposite side of the house from the main entrance (identifiable by the address).

(5) *Front yards.* No fence or wall shall be located in a front yard.

(B) Commercial Regulations

(1) *Height.* No fence, wall or other obstruction to vision above a height of six (6) feet from the established street grades shall be permitted within the triangular area formed at the intersection of any street right-of- way lines by a straight line drawn between the right-of-way lines at a distance along each line of 25 feet from their point of intersection.

(2) *Side and rear lot or parcel setbacks.* Fences or hedges erected along a rear or interior side lot line may be constructed right up the property line, although the city recommends a one (1) to two (2) foot setback to allow for fence maintenance.

(3) *On a corner lot,* the rear yard fence shall be set back at least three (3) feet from the right-of-way line on the street side of the lot and shall be constructed on or behind the existing rear building line. Fences or hedges in the front yard of a principal structure may be no higher than three feet (3) measured from its top edge to the ground at any point. In the event a fence or hedge is adjacent to and parallel with the front line (or side lot line on the street side of a corner lot), such fence shall be set back at least three (3) foot from the right-of-way lines.

Penalty, see § 151.99

§ 151.48 VARIANCE.

Any deviation from the provisions of this subchapter shall require a variance. If a variance is requested, the variance shall be considered in accordance with the zoning variance procedures and fees for this variance will be in accordance with the zoning variance fee.

EFFECTIVE DATE

This Ordinance shall be effective from and after its adoption date of December 1, 2024.