

**CITY OF FARIBAULT
ORDINANCE No. 2011-06**

**AMENDING THE FARIBAULT CODE OF ORDINANCES, APPENDIX B,
UNIFIED DEVELOPMENT ORDINANCE REGARDING FENCING**

WHEREAS, the Planning Commission desired to amend the Faribault Code of Ordinances to allow for additional privacy for corner lots and through lots through the use of fencing; and

WHEREAS, the Planning Commission desired to amend the Faribault Code of Ordinances to not permit metal roof or siding panels to be used as a fencing material due to its negative affect on neighboring properties; and

WHEREAS, the Planning Commission on the 17th day of May, 2011, following proper notice, held a public hearing regarding the request, and following said hearing, made a recommendation that the zoning amendments be adopted; and

WHEREAS, the City Council on the 24th day of May, 2011, following proper notice, held a public hearing to consider the proposed zoning amendment, and all interested persons were provided with an opportunity to comment.

THE CITY OF FARIBAULT ORDAINS: The City Code of Ordinances, shall be amended as follows:

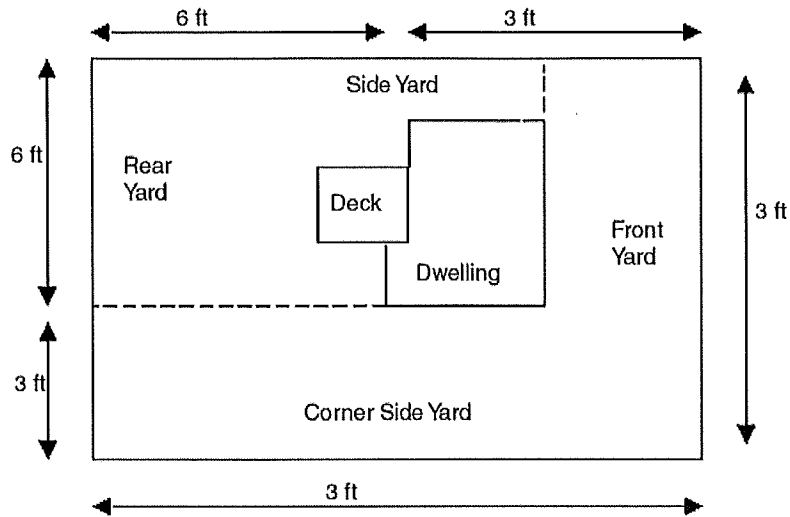
CHAPTER 6. GENERAL REGULATIONS

ARTICLE 6. FENCES

6-250. Fence location and height. Fences may be erected, placed, or maintained in any yard along or adjacent to a lot line, in accordance with the requirements identified below. The owner shall be responsible for properly locating all property lines before construction of any fence.

- (1) No fence shall exceed six (6) feet in height in residential districts or twelve (12) feet in non-residential districts, nor be less than three (3) feet in height. In the case of grade separation such as the division of properties by a retaining wall, fence height shall be determined based on measurement from the average point between highest and lowest grade.
- (2) Any fence extending into a front building setback area, a corner side building setback area, or within a required sight distance triangle shall not exceed three (3) feet in height, except as provided under (3) or (4) below.
- (3) Any fence within a front yard or corner side yard may be increased to a maximum height of four (4) feet if open, decorative, ornamental fencing materials that are less than fifty (50) percent opaque are used.
- (4) Any fence meeting the height requirements of (1) may be permitted in a corner side yard for a total of fifty (50) percent of that lot lines length, provided fence sections are not more than twenty (20) feet continuous and contain a minimum of a ten (10) foot break between fence sections. In no case may these sections be permitted within any portion of a sight distance triangle.
- (5) A rear yard of a through lot shall be permitted to construct a fence up to the property line in compliance with the height requirements of (1).

Figure 6-2. Maximum fence height, residential districts.



6-260. Fence materials and maintenance.

- (1) All walls and fences shall be durable, weather-treated, and kept in a condition so as not to become a private or public nuisance.
- (2) Barbed wire and electric wire fencing may be used only for agricultural purposes, retention of livestock, industrial storage areas when not visible from a public right of way, and when necessary for security purposes at correctional and other similar facilities.
- (3) All fence posts and supporting members shall be erected so that the finished side or sides of the fence face the adjacent property or public right-of-way.
- (4) Slats shall not be permitted within a chain link fence.
- (5) Metal wall or roof panels may be permitted as a fence material by conditional use.

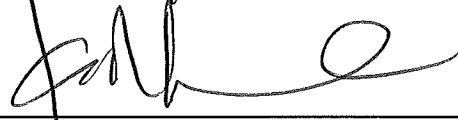
Section 2. This ordinance amendment shall take effect and be in force thirty (30) days after its adoption and publication.

First Reading: May 24, 2011

Second Reading: June 14, 2011

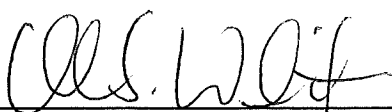
Publication Date: June 18, 2011
22

Faribault City Council



John R. Jasinski, Mayor

ATTEST:



Charles S. Whiting, City Administrator