

CITY OF SHAKOPEE

FENCING HANDOUT

All fences, with the exception of garden fences, shall require a fence permit. A “fence” shall be defined as any permanent partition, structure or gate erected as a dividing marker, barrier or enclosure encircling either wholly or any portion of any area. A “garden fence” shall be defined as a fence that is no more than three (3) feet in height, that may be easily removed and that is used to protect gardens from animals. Residential fences greater than six and a half (6.5) feet in height, or commercial and industrial fences greater than eight (8) feet in height shall also require a Conditional Use Permit (CUP).

Information regarding the proposed fence height, design, and materials along with a certificate of survey which shows the proposed fence location, must be submitted with the fence permit application. **Application must be signed by the property owner.**

Shakopee City Code and the *Easement Fencing and Landscaping Policy* establishes the following criteria for the construction of residential fences six and a half (6.5) feet in height and under or commercial and industrial fences eight (8) feet in height and under:

1. Fences **may be allowed** in drainage and utility easements that do not contain public utilities, so long as they do not impede drainage.
2. Fences shall **not be allowed** within drainage and utility easements that contain public utilities.
3. Fences shall **not be allowed** within drainage and utility easements that serve as inspection and maintenance access points for City personnel.
4. Fences **may be allowed** in drainage and utility easements adjacent to storm water basins. However, they shall **not be allowed below the 100-year high water level.**
5. Fences shall **not be allowed** in trail easements, conservation easements or on park land.
6. Fences shall **not be allowed** in sight triangle areas defined by City Code.
7. Fences shall **not be allowed** in the front yard setback. In the case of double frontage lots, fences **may** be allowed in the setback on the street frontage from which access is not obtained.
8. Fences up to three (3) feet in height **may** be allowed in the front yard setback.
9. All fences adjacent to a public alley shall be **setback three (3) feet** from the property line.
10. No part of the fence is to be located closer than five feet from the edge of a walk or trail, or outer edge of any yard catch basin located on or adjacent to the property. No part of the fence is to be located closer than three feet from any Fire Hydrant, or on City of Shakopee Property.
11. All fences shall be constructed of materials that are not deemed hazardous by the Building Official and of materials of an appearance not deemed detrimental to the property values of the area by the City Planner.

Please note City staff may require that any fence or garden fence in an easement held by the city be removed at the owner’s expense even if written permission has been obtained.

Please be sure to contact Gopher State One at (651) 454-0002 prior to digging.

For additional information on these requirements, please visit the City’s website to obtain a copy of the City’s *Easement Fencing and Landscaping Policy*.