

102-660 Fences

102-660 (a) PERMITS

- (1) Expect as otherwise expressly stated in this section, a fence permit must be obtained before any fence is erected. Fence permit applications must be filed with the zoning administrator.
- (2) Temporary or seasonal fences (such as snow fences, erosion control fences, and fences to protect newly seeded areas) are allowed without a fence permit provided that:
 - a. No such fence may be left in place for more than 6 months without written city approval; and
 - b. Any such fence must be removed within 15 days of the city providing written notice to the landowner that the city has determined the fence no longer serves its originally intended, temporary or seasonal purpose.

102-660 (b) LOCATION

- (1) Boundary line fences must be located entirely upon the private property of the person constructing or causing the construction of such fence.
- (2) Fences must be set back a minimum 7 feet from any lot line abutting an alley.
- (3) The zoning administrator is authorized to require that any applicant for a fence permit or any property owner with an existing fence to establish the boundary lines of their property by means of a property survey produced by a registered land surveyor.
- (4) Fences located in recorded easements are at the sole responsibility and risk of the subject property owner, and the cost of any removal, relocation, or replacement caused by any activity permitted in the recorded easement is the sole responsibility of the property owner.

102-660 (c) CONSTRUCTION AND MAINTENANCE

- (1) All fences must be constructed in a substantial, workmanlike manner of substantial material widely accepted in the fencing industry and reasonably suitable for the purpose for which the fence is intended. No plywood boards, canvas, plastic sheeting, metal sheeting or similar materials may be used for any fence construction.
- (2) Link fences must be installed so that the barbed end is at the bottom of the fence and the knuckle end is at the top thereof Link fences must be constructed so that no barbed ends are exposed at the top of the fence. The finished side of all fences (i.e. the side of the fence without posts or visual structural support elements) must face outward toward the abutting lot or right-of-way.

- (3) All fences must be maintained in a condition of reasonable repair and may not be allowed to become and remain in a condition of disrepair or danger, or constitute a nuisance, public or private.

102-660 (d) NUISANCES

Any fence that is, or has become dangerous to the public safety, health or welfare, is a public nuisance. The zoning administrator is authorized to commence proper proceedings for the abatement such a nuisance.

102-660 (e) BARBED WIRE OR ELECTRIC FENCE

- (1) Electric boundary fences are prohibited in the city.
- (2) Barbed wire fences are permitted only in I zones.

102-660 (f) FENCES IN N AND NX ZONES

- (1) **Height.** The maximum allowed height of a fence in an N or NX zone depends on the fence's location in relationship to the front of the existing principal building, excluding porches or entry features. Fences located between the front of the principal building and the front property line may not exceed 4 feet in height subject to [102-810 \(b\)](#). Fences located between the front of the principal building and the rear property line may not exceed 6 feet in height. Fences enclosing swimming pools must have a minimum height of 4 feet.
- (2) **Opacity.** Any fence along the side of an N- or NX-zoned lot abutting a state or county road may be 100% opaque. In all other cases, fences up to 4 feet in height in N or NX zones may be 100 percent opaque. Fences greater than 4 feet in height in N or NX zones may not exceed 75% opacity, leaving at least 25% of the fence open. The opacity of a fence is determined by calculating the average openness from the top to the bottom of the fence structure over a distance of 50 feet.

102-660 (g) FENCES IN MX, RX, AND IX ZONES

Boundary line fences in MX, RX, and IX zones may not exceed 6 feet in height. Fences up to 8 feet in height may be approved as a conditional use in MX, RX, and IX zones for:

- (1) Approved or nonconforming open sales lots;
- (2) Commercial or industrial operations that require the storage of equipment outside an enclosed building;
- (3) Sites that pose a danger to the public; and
- (4) Uses that are an attractive nuisance.

102-660 (h) FENCES IN I ZONES

Boundary line fences in I zones may not exceed 8 feet in height except that:

- (1) Fences in I zones that are erected primarily as a security measure may have arms projecting toward

102-670 Garage Sales

the applicant's property on which barbed wire can be fastened commencing at a point at least 7 feet above the ground; and

- (2) A fence located in the front yard of premises in an I zone must comply with the setback requirements for principal buildings in the subject zone. The setback area must be landscaped in accordance with a plan approved by the city.

102-660 (i) FENCES IN P ZONES

Boundary line fences in P zones may not exceed 4 feet in height except that, fences adjacent to parking lots may be up to 6 feet in height.

102-660 (j) SPECIAL PURPOSE FENCES

Fences for special purposes and fences differing in construction, height or length may be approved through the conditional use procedures of [102-1390](#) upon a determination that such alternative fence is necessary to protect, buffer or improve the subject property. The conditional use permit must stipulate and provide for the allowed height, location, construction and type of fence.

102-670 Garage Sales

A maximum of 2 garage sales events may be conducted on any lot in N and NX zones per calendar year. Such sales events may not exceed 3 days in duration.

102-680 Vehicles and Equipment

- (1) A maximum of one non-passenger vehicle or one building for winter ice fishing may be parked or stored outside of a building in an N or NX zone, provided that such vehicle or building:
 - a. Does not exceed 22 feet in length;
 - b. Does not occupy a required parking space; and
 - c. Is not located in a street yard, except that a boat may be parked in driveway from May 1 to October 31.
- (2) A maximum of one non-passenger vehicle over 22 feet in length may be parked or stored outside of a building in an N or NX zone. This non-passenger vehicle must be set back at least 5 feet from interior side and rear lot lines and surrounded by a fence and shrubs or trees that will, upon maturity, provide complete visual screening of the vehicle when viewed from abutting lots and rights-of-way.
- (3) Any other provisions of this section notwithstanding, recreational vehicles may be parked on a driveway for up to 48 hours for loading, unloading or routine maintenance purposes. All loading, unloading and

maintenance activities must occur in a driveway, not the street.

102-690 Parking Structures

102-690 (a) APPLICABILITY

The regulations of this section apply to stand-alone, accessory structures occupied by decked, multi-level motor vehicle parking.

102-690 (b) BUILDING TYPE REGULATIONS

The accessory structure tables for each building type identify which zones allow accessory parking structures.

102-690 (c) LOCATION

Accessory parking structures must be located in the rear yard and be screened from view of any primary street by the principal building. Parking structures on lots with multiple primary street frontages must be screened from view of all primary streets.

102-690 (d) ADDITIONAL REGULATIONS

- (1) **Setbacks.** Parking structures may not be located closer to any street or interior side lot line than the principal structure.
- (2) **Height.** The overall height of a parking structure must be at least one story lower than the tallest principal structure.
- (3) **Facade Design.** On non-primary street frontages, accessory parking structures must meet the facade regulations of a principal parking structure (See [102-750 \(n\)](#)).

102-6100 Drive-Through Facility

102-6100 (a) APPLICABILITY

The regulations of this section govern accessory drive-through facilities, which are structures or portions of a building that permit customers to purchase goods or receive services while remaining in their motor vehicle.

102-6100 (b) BUILDING TYPE REGULATIONS

The accessory structure tables for each building type identify the zones in which drive-through facilities are allowed.

102-6100 (c) LOCATION

The drive-through facility must be located in the rear yard or be attached to the rear of the building and be completely fully screened from view of the primary street by the principal building, except in the MX2 zone. In the MX2 zone drive-through facilities may be located on any non-street-facing side of the building.