



FENCING

CONSTRUCTION AND MAINTENANCE

Code Enforcement & Public Health



5200 - 85th Ave. N., Brooklyn Park, MN 55443 (763) 493-8070, Fax (763) 493-8171, TDD (763) 493-8392

The City of Brooklyn Park has certain standards that regulate the use, construction, and maintenance of fences. These standards help maintain the residential or business nature of the appropriate neighborhoods. Some general requirements are summarized in this brochure.

Location & Height

Setbacks. Fences more than thirty (30) inches in height may not be constructed within fifteen (15) feet of any front property line on a public street. Setback distances start from the property line and are in addition to the right-of-way exclusion. Unless the lot is a corner lot or double frontage lot, there are no setback requirements along interior side and rear property lines. Additional standards apply to properties located within the Mississippi Corridor. Please see chapter 152.530 or call the Planning Division at 763-493-8056 to get additional information.

Corner and Double Frontage Lots

On corner and rear lots with a yard along a public street, fences are generally allowed along the property line as long as they do not restrict traffic visibility and as long as they are not within the fifty (50) foot clear view triangle at a public street intersection. However, a setback of 15 feet may be required on double frontage lots. [City Ord. Sec. 152.263 (C)2,a] Please check with City Hall to confirm the setback.

Northwest Corridor Trail Requirements:
Sec. 152.222 C1 and D1.

Right of way

Public right-of-way is the area between the street curb and the property line. Fences may not be constructed on the public right-of-way. [City Ord. Sec. 152.323 (B)]

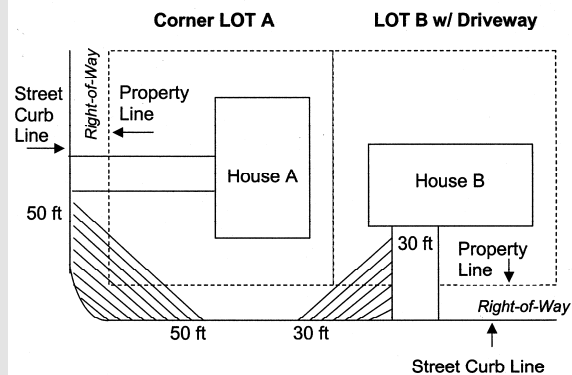
In most residential areas the property line is located fourteen (14) feet behind the curb of the street, or two (2) feet behind the sidewalk. Check your property survey for exact locations!

Easements and Drainage Areas

It is not recommended that fences or other items be placed in any easement (such as drainage, utility, etc.) Fences found to be obstructing maintenance work, natural flow of surface water to or from abutting properties, or creating other problems may be required to be removed at the cost of the property owner. [City Sec. Ord. 152.263 (C)1]

Driveways

A fence may not be constructed inside the 30-foot clear view triangle between a public right-of-way and an access driveway. [City Ord. Sec. 152.223 (B)]



Example: Corner Lot and Access Driveway

Height

No fence shall exceed eight (8) feet six (6) inches, except as approved for commercial and industrial properties, and tennis courts, which may have chain link fences ten (10) feet in height. [City Ord. Sec. 152.263 (C)4]

Note: A building permit is required to install or repair a fence over six (6) feet in height. Please contact the Building Division for permit information.

Materials

- Decay Resistant. All fences must be constructed of metal, wood, masonry or other decay-resistant material. [City Ord. Sec. 104.11 (E)]
- Chain link. Chain link fences must have a top rail, and the posts must be spaced at intervals no more than ten (10) feet apart. [City Ord. Sec. 152.292 (C) 2,c]

Gates

Where any fence dwelling, at least one gate not less than two connects to a building used as a (2) feet six (6) inches in width shall be required to allow access around the building. [City Ord. Sec. 152.263 (C)3,a]

Finishes

Every fence must be maintained in good condition. If the material used in a fence construction is not finished on both sides, the finished side of the material must be on the outside, facing abutting or adjoining properties. All posts or structures supporting the fence or wall must be on the inside of the fence. [City Ord. Sec. 152.291 (C)]

All swimming pools, hot tubs, spas, and other water tanks twenty-four (24) inches in depth must have a fence or other approved barrier around them. (See handout for swimming pools for more information.)

Electric, concertina or barbed wire, or chicken wire fences are prohibited. [City Ord. Sec. 152.292 (C)1]

Temporary Fencing

During construction activities, silt fences are required to prevent erosion and barrier type fencing may be required around excavation. However, these types of fences must be removed from the property upon completion of construction. [City Ord. Sec. 152.292 (C)2,a] Snow fences may not be installed before Nov. 1 and must be removed by Apr. 1 at the end of that snow season. [City Ord. Sec. 152.292 (C)2,b]

Determining Property Lines

Before installing a fence, it is important to locate the property lines. The following steps may be helpful in determining your property lines.

- You may visit the city and review your property records. A copy of the survey may be available.
- Check with your builder. Your builder may have a copy of your survey.
- Check for property line markers in the ground. You may have to use a metal detector to find the metal stakes.
- If you cannot locate the property lines, you may need to contact a licensed surveyor. Fees vary depending on the surveyor. A list of surveyors can be found in the yellow pages.

Property Line Disputes

It is important that neighbors work together to properly locate property lines to prevent any discrepancies. The city does not handle complaints involving infringements of property lines. However, the North Hennepin Mediation Services is available to assist residents with disputes. This service is offered to clients for low or no cost and can be useful to resolve situations before legal actions are necessary. For more information, please contact the North Hennepin Mediation Services at 763-561-0033.



Contacts and Resources

If you have questions regarding fencing requirements and property use issues, please contact:

Planning Division

Prior to Construction
763-493-8056

Building Inspections Division

Permit Information
763-488-6379

Code Enforcement & Public Health Division

Complaints
763-493-8070

This brochure is intended only as a general guide. Other codes and ordinances may apply. You can reference ordinances at the city website by visiting www.brooklynpark.org