



## Fence & Retaining Wall Requirements

### Pine City Development (Zoning) Ordinance

#### Section 10.400.0245. Fencing and Retaining Walls.

The requirements of this section shall apply to all fences and retaining walls unless otherwise stated. These regulations do not apply to fences and retaining wall required by regulations of a state or federal agency, or by the City for reasons of public safety.

*All fences in the City of Pine City require a Zoning Permit, unless they're over seven (7) feet, then a Building Permit is required. So, all fences require oversight from the City.*

#### A. Height.

- a. No **fence** shall exceed four (4) feet in the front yard (corner lots have two (2) front yards) or eight (8) feet in the side or rear yard in height as measured from the average point between the highest and lowest grade. Taller fencing may be constructed only through the approval of a Conditional Use Permit.
- b. **Retaining walls** over forty-eight (48) inches, measured from the top of the footing to top of the wall, are required to be designed and certified by a registered professional licensed in Minnesota. A copy of the signed construction drawings should be submitted with a site plan or building permit.

#### B. Setback.

- a. All **fences**, including footings, shall be located entirely upon the property whose owner or occupant constructs the fence. **It is the property owner's or occupant's responsibility to locate property lines.** No fence, screen, or structure which obstructs view shall be located within twenty-five (25) feet of any corner formed by the intersection of street or railroad right-of-ways as measured from the intersecting property lines.
- b. There is no specific or nominal setback from rear or side property lines for **retaining walls**, however impacts to drainage will be considered by the City's engineer in determining setbacks. In no case shall any portion of a retaining wall or its reinforcement encroach over a property line, without consent of the property owner, which must be recorded against both properties.

#### C. Design.

- a. The finished side of a **fence** shall face the adjacent property. Razor wire, concertina, above ground electrical fences and barbed wire fences are prohibited; except in the Agricultural-Open Space District.

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### City of Pine City – Community Development Department

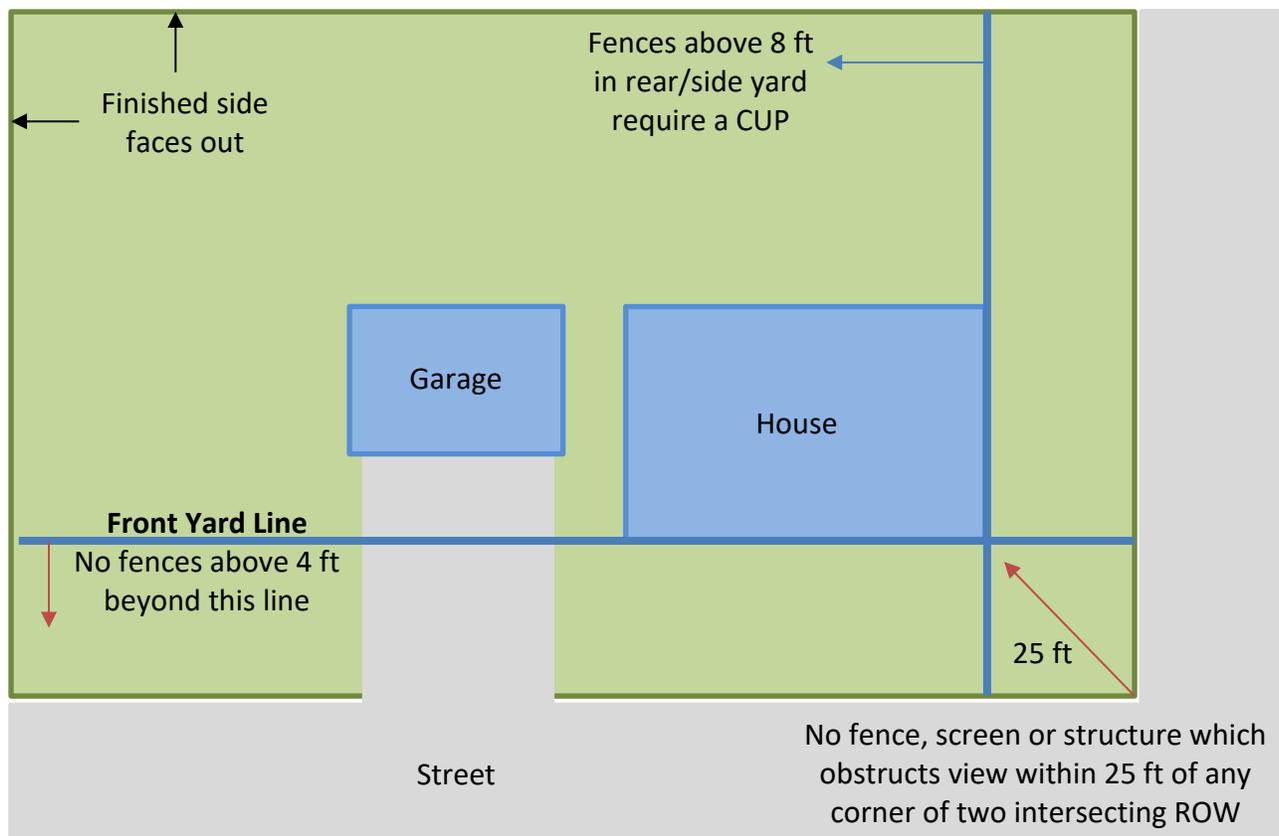
315 Main Street South, Suite 100, Pine City, Minnesota 55063-1619 | Phone: 320.629.2575 | Fax: 320.629.6081  
E-mail: [info@pinecitygov.com](mailto:info@pinecitygov.com) | Website: [pinecity.gov/office.com](http://pinecity.gov/office.com)

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- b. **Retaining walls** supporting an embankment to be retained on any lot that exceeds forty-eight (48) inches in height shall be benched so that no individual vertical segment of a retaining wall exceeds a height of six (6) feet except where the City's engineer determines that topography requires a wall of greater height. Each individual horizontal bench segment, so constructed, shall be minimum width of thirty-six (36) inches.
  
- D. **Maintenance.** All **fences and retaining walls** shall be maintained in good repair, by the property owner. Any fence or retaining wall that is potentially dangerous or in disrepair shall be removed or repaired, at the cost of the property owner.
  
- E. **Other.** Except as provided in "B" above, fences, hedges, or shrubs, less than four (4) feet in height may be located on any part of the lot.

Revised 11/06/2019

Per Minnesota Administrative Rules 1300.0120 [Building] Permits. Subpart 4 Work exempt from [building] permit. A. Building (2): **Fences not over seven feet (2,134 mm) high, do not require [building] permits.**



**City of Pine City – Community Development Department**

315 Main Street South, Suite 100, Pine City, Minnesota 55063-1619 | Phone: 320.629.2575 | Fax: 320.629.6081  
 E-mail: [info@pinecitygov.com](mailto:info@pinecitygov.com) | Website: [pinecity.gov/office.com](http://pinecity.gov/office.com)

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