



Fences and Walls

Community Development Department Building Inspections Division

5200 85th Avenue North / Brooklyn Park, MN 55443
Phone: (763) 488-6379 / Fax: (763) 493-8171
4/15 www.brooklynpark.org

This handout is a **guide** only and does not contain all of the requirements of the Minnesota State Building Code or city ordinances.

A BUILDING PERMIT IS REQUIRED FOR CONSTRUCTION OF A FENCE OR WALL THAT IS MORE THAN 7 FEET IN HEIGHT ABOVE GRADE, OR FOR CONSTRUCTION OF A RETAINING WALL THAT IS MORE THAN 4 FEET IN HEIGHT FROM THE BOTTOM OF THE FOOTING TO THE TOP OF THE WALL.

INSPECTIONS:

The following inspections must be requested only if a building permit has been issued.

1. Site/Footing Inspection - to approve fence or wall location, and footings prior to placement of concrete.
2. Final - upon completion of fence or wall.

Please call (763) 488-6379 to arrange an inspection. Have your permit number available when you call.

SETBACKS AND FENCE OR WALL LOCATIONS:

Fences and walls may be constructed any where on private property except as follows:

1. Fences and walls more than 30 inches in height are not to be constructed within 15 feet of any front property line on a public street. There are no setback requirements along interior side and rear property lines for fences, but walls are not allowed within any drainage & utility easement per City Ordinance 152.070.
2. Corner lots with a side yard along public street, fences are allowed along the property line as long as they are not within the fifty (50) foot clear view triangle at a public street intersection.
3. Fences may not be constructed inside the thirty (30) foot clear view triangle between a public right of way and an access driveway.
4. Fences and walls must not be constructed on the public right of way except for retaining walls as approved by the City Engineer.

SUBMITTALS REQUIRED FOR PERMIT:

- Certificate Of Survey (if not already on file with the City).
- Two (2) copies of construction plan showing proposed designs and materials. Drawings must be drawn to scale on paper and must include:

(continued on back)

- Site Plan showing lot dimensions and locations of existing and proposed structure(s) including location of proposed fence or wall and gates.
 - Cross-Sections and/or Elevations of side views showing:
 - Height of fence or wall above from grade
 - Depth and type of footings
 - Size and placement of structure
 - Spacing of intermediate rails when serving as a swimming pool barrier
 - Type of lumber or other material and design of fence or wall

MAXIMUM HEIGHT:

No fence or wall shall exceed 8 feet 6 inches in height except as approved for commercial and industrial properties; and tennis courts, which may have chain link fences 10 feet in height.

Fence and wall heights are to be measured from the adjoining average grade. In the case of grade separation such as the division of properties by retaining wall, the height shall be determined by measurement of the average point between the highest and lowest grade.

CONSTRUCTION REQUIREMENTS:

1. Aesthetics - If the material used in the fence or wall construction is not finished on both sides, the finished side of the material must be on the outside, facing the abutting or adjoining properties and all posts or structures supporting the fence or wall must be on the inside of the fence or wall.
2. Construction and Maintenance - Where any fence or wall connects to a building used as a dwelling, at least one gate not less than 2 feet 6 inches in width shall be required to allow access around the building.
All fences and walls must be constructed of durable, weather resistant materials and properly anchored. Every fence or wall must be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair or danger or constitute a nuisance. Fences or walls in a state of disrepair may be removed by the City as provided by Minnesota Statutes. The cost of removing fences may be levied against the property as a special assessment.
3. Surface Water Drainage - Fences and walls must in no way detain or inhibit the natural flow of surface water drainage to and from abutting properties.
4. Electric Fences and Barbed Wire Fences - Electric fences and barbed wire fences are prohibited.
5. Chain Link Fences - All chain link fences must have a top rail, barbed ends must be placed at the bottom of the fence, and posts must be spaced at intervals not to exceed 10 feet.
6. Swimming Pool Fence Requirements - All swimming pools, hot tubs, spas and other water tanks exceeding 24 inches in depth must be fenced. (See separate handout for swimming pools.)