

ORDINANCE NO.: 2025-12

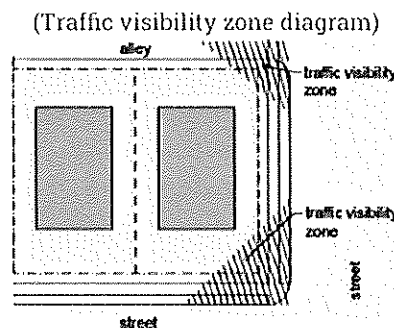
CITY OF BALDWIN  
SHERBURNE COUNTY, MINNESOTA

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
REGARDING FENCES.

THE BALDWIN CITY COUNCIL ORDAINS:

**Section 1.** Chapter 16 of Ordinance 900 (Zoning Ordinance – General Performance Standards) is hereby amended to include the following provisions with subsequent sections renumbered accordingly:

**900-16-8: TRAFFIC VISIBILITY:** Visibility from any street or driveway shall be unobstructed above a height of two feet and less than eight feet, except for fences allowed by Section 900-19-4 of this ordinance, measured from where both street or driveway centerlines intersect within the triangle described as beginning at the intersection of the projected edge of shoulders for rural section streets or curb line of two intersecting streets or drives, then 50 feet along one curb line, then diagonally to a point 50 feet from the point of beginning along the other curb line.



**Section 2.** Chapter 19 of Ordinance 900 (Zoning Ordinance – Landscaping, Screening, and Fences) is hereby amended to include the following provisions with subsequent sections renumbered accordingly:

**900-19-4: FENCES:**

A. Approval Required:

1. An administrative permit approved by the zoning administrator in accordance with section 900-8-3 of this ordinance shall be required for construction of any fence less than seven feet in height within a front yard or within the setbacks required for principal buildings (required yard).
2. A building permit approved by the building official shall be required for construction of

any fence seven feet in height or greater.

3. The approvals required under this subsection shall not apply to fences to be constructed for agricultural purposes as defined by this ordinance.

B. Information Submission:

1. Each application shall include a site plan drawn to scale showing the location of:
  - a. Existing buildings(s), structures(s), and other improvements within the lot.
  - b. The location of the fencing proposed to be erected, altered, or relocated.
2. The owner of the property on which a fence exists or is proposed to be constructed shall be responsible for verifying the property lines by:
  - a. Locating the property monuments; or
  - b. If the property lines cannot be located:
    - (1) The zoning administrator or the building official may require the owner of property upon which a fence now exists, or may require any property owner proposing to construct a fence, to establish the boundary lines of the property by a Certificate of Survey thereof to be made by a registered land surveyor; or
    - (2) The owner of property upon which a fence now exists, or the property owner on which the fence is to be constructed, and the owner(s) of the adjoining properties enter into an agreement regarding the location of the fence to be recorded with the titles of the respective properties.

C. All fences within the city shall be located in accordance with the following provisions

1. All fences shall be located entirely upon the property of the person constructing or causing the construction of such fence.
2. No fences shall be placed on or extend into the public rights-of-way.
3. Fences abutting a public right-of-way shall be setback a minimum of 12 feet from the lot line.
4. Fences shall not be allowed within drainage and utility easements except as approved by the city engineer subject to the following conditions:
  - a. The fence or a portion thereof may be removed by the city at any time for the purpose of utilizing the easement, and such action shall be at the property owner's expense.
  - b. For encroachment into a drainage and utility easement allowed by the city

engineer, except for standard drainage and utility easements required at the perimeter of a lot by the Subdivision Ordinance, the property owner shall execute an encroachment agreement that is to be recorded by the city at Sherburne County with the title of the property.

D. Construction Standards:

1. All man-made fences shall be constructed of materials comparable in grade and quality to the following:
  - a. Brick, stone, or rock face block.
  - b. Metal rod or chain link.
  - c. Wood, provided the surfaces are finished for exterior use, or wood of proven durability is used, such as cedar, redwood, white oak, or treated wood.
  - d. Metal; not including galvanized or unfinished steel or aluminum.
  - e. Vinyl.
2. Use of barbed wire or charging by electrical systems shall only be allowed:
  - a. For agricultural purposes as defined by this ordinance.
  - b. For the keeping of farm animals on residential properties as allowed by this ordinance.
  - c. Within commercial and industrial districts for security purposes when installed at a minimum height of seven feet above grade.
3. Height: The allowed height of a fence measured from the highest projection of a fence structure or support post to the adjacent finished grade shall be:
  - a. Rural Districts: 7 feet
  - b. Commercial and Industrial Districts: 12 feet
4. Fences located within a required yard abutting a local street right-of-way as designated by the comprehensive plan shall exceed five feet in height and be not less than 75 percent open.
5. A Fence on riparian lots within the Shoreland Overlay District constructed within the shoreland impact zone shall not exceed four feet in height and shall be not less than 75 percent open.
6. All fences shall not obstruct natural stormwater runoff and drainage.

7. All fences shall be provided with a gate which affords reasonable and convenient access for public safety and allows maintenance of portion of the lot, including boulevards, outside of the area enclosed by the fence.
  8. That side of any fence considered to be its "face" (i.e., the finished side having no structural supports) shall face abutting property.
  9. Both sides of any fence shall be maintained in a condition of reasonable repair and appearance by its owner and shall not be allowed to become and remain in a condition of disrepair or danger, or constitute a nuisance, public or private.
- E. Special Purpose Fences: Fences for special purposes and fences differing in construction as required by this section may be permitted by the City by issuance of an interim use permit in accordance with section 900-5-3 of this ordinance upon a finding by the City Council that the fence is necessary to protect, buffer, or improve the premises for which such fence is intended.

**Section 3.** This ordinance shall be in full effect upon adoption and publication.

*(remainder of page intentionally blank signatures follow)*

ADOPTED by the Baldwin City Council this 4th day of August, 2025.


MOTION BY: walker


SECONDED BY: RUSH

IN FAVOR: All

OPPOSED: none

Scott Case  
Jeff Holm  
Absent

  
\_\_\_\_\_  
CITY OF BALDWIN  
Jay Swanson, Mayor

ATTEST:  
  
\_\_\_\_\_  
Joan Heinen, City Clerk/Treasurer