



CITY COUNCIL MEMORANDUM

TO: City Council

FROM: Matthew R. Schmitz, MPA - City Manager

DATE OF MEETING: August 11, 2025

ITEM TITLE: Resident Request to Discuss Amending City Code Chapter 152.02 – Fence Setback Requirements

BACKGROUND:

A city resident, Nathan Hansen, has formally requested to be placed on the agenda to discuss a potential amendment to the City's Code of Ordinances. Specifically, Mr. Hansen is concerned with Chapter 152.02, which requires a three-foot setback for fences when written permission from an adjoining property owner is not obtained. The resident has been in communication with the City's Building Official regarding a fence he wishes to install and has formally requested the Council consider removing this requirement from the code. This ordinance is not subject to Planning & Zoning Commission review and can be acted on directly by the City Council.

DISCUSSION:

Amending a City Ordinance requires a specific, and potentially lengthy, process. Typically, for a prospective ordinance change like this, the item is first brought to the City Council for initial discussion, often at a work session to allow for in-depth review and dialogue.

Following a work session, the ordinance amendment would be presented at a regular Council meeting for its first reading. State law requires three separate readings for an ordinance to be adopted. The Council has the authority to waive the second and third readings with a supermajority vote. If the readings are not waived, the process would span several meetings.

Based on the current meeting schedule, if the Council directs this to a work session, it would likely be held on September 2nd. The first reading would then occur at the September 8th meeting, the second on September 22nd, and the final reading on October 13th. The ordinance would then be published and become effective by the week of October 20th.

RESULTS:

The City has established priorities during strategic planning sessions. This item supports the Vision from that session of **supporting high-quality City services** and **efficient and effective planning and prioritizing of all available resources**.

This item helps achieve that vision by ensuring the City's regulations are reasonable, not unduly burdensome on property owners, and reflect the current needs and desires of the community. Reviewing the ordinance based on resident feedback is a key part of effective governance.

FINANCIAL CONSIDERATION:

There are no direct financial considerations associated with this discussion. If the ordinance is amended, there may be minor costs associated with publishing the new ordinance, which can be absorbed into the current operating budget.

RECOMMENDATION:

Staff recommends that the City Council discuss the resident's request and provide direction. Should the Council be amenable to considering a change, the recommended next step would be to schedule the topic for a City Council Work Session on September 2, 2025, to allow for a more thorough discussion of the matter. If the Council would like to accelerate that, we could bring an Ordinance Change to the August 25, 2025, City Council meeting for consideration.