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# AGENDA ITEM

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TO: Tim Vandall, City Administrator  
FROM: Matthew Schmitz, MPA – Director, Community and Economic Development  
DATE: September 15, 2022  
SUBJECT: Ordinance No. 1089 – Updating Chapter 4, Article VII - Fences, Section 701 – Permit Required; Fee and Section 705 – Residential Fences; Standards of the City of Lansing, KS Code

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**Explanation:** During the August 25<sup>th</sup> City Council Work Session, staff discussed with council potential updates to the City Code in reference to requirements for Fence permits and Fence locations in Lansing.

The attached ordinance would codify the changes discussed during the work session as follows for Section 701 – Permit Required; Fee:

1. Replace Community Development Division of the Public Works Department with Community & Economic Development Department.
2. Correct "...or invoice disputes of property lines..." to "...or involve disputes of property lines..."
3. Changed the time for field review to occur by City Staff from 1 business day to 2 business days.

The attached ordinance would codify the changes discussed during the work session as follows for Section 705 – Residential Fences; Standards:

1. Clarify that no fence shall be constructed in, or within 12 inches of, City owned Right-of-Way without the express permission of the City Council.
2. Clarify that all fences are subject to permission from adjacent property owners if they are to be constructed on a property line, and that permission must be provided with the application for permit.
3. Increase maximum height for side and rear yards from 48" with an exception by the City inspector for areas around paved patios and swimming pools to a maximum height of 72" with no other requirements.
4. Remove requirement for side and rear yards that fences cannot be constructed in the building setback areas.

**Policy Considerations:** The modification of this part of the code and control over the location of fences in town is consistent with other cities in the area as outlined during the work session discussion.

**Financial Consideration:** Not applicable.

**Action:** Motion to approve Ordinance No. 1089, an ordinance updating Chapter 4, Article VII – Fences, Section 701 – Permit Required; Fee and Section 705 – Residential Fences; Standards of the City of Lansing, KS Code.

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