

**ORDINANCE # 616**

AN ORDINANCE TO AMEND TITLE 17-5-3

BE IT ORDAINED BY THE CITY OF GARRETSON, MINNEHAHA COUNTY, SOUTH DAKOTA that Ordinance Title 17 Chapter 5 Section 3, of the Municipal Code of the City of Garretson is amended to read in its entirety.

**17-5-3 FENCES, WALLS AND HEDGES  
AN ORDINANCE TO AMEND TITLE 17-5-3**

BE IT ORDAINED BY THE CITY OF GARRETSON that Ordinance Title 17-5-3 dealing with Fences, Walls and Hedges be amended so that Title 17-5-3, of the Municipal Code of the City of Garretson is amended to read in its entirety:

Notwithstanding other provisions of this ordinance fences, walls and hedges may be permitted in and along any rear or edge of any yard, provided that no fence, wall or hedge along the rear or side edges of any yard shall be over 6 feet in height. No fences, walls or hedges may be permitted along the frontage of any building, or running even with the front of the building to the street along the side yard.

An exception to this provision is stated below concerning the placement location and requirements of underground or invisible fencing.

Requirements for Underground or Invisible Fences

1. Building Permit is required for installation of underground or invisible fencing.
2. Fences (above and underground), walls or hedges are permitted in the rear of the property only.
3. Fences (above and underground), walls or hedges will not be permitted to extend past the rear of any building, towards the front of the property.
4. Underground fencing must be installed with a set-back requirement of 4 (four) feet from the property line.
5. Underground fencing shall not be permitted within any public right of way.
6. Persons who utilize "invisible fencing" to contain any animal must display prominently on their property immediately adjacent to the public right of way a sign which indicates that an any animal located thereon is contained by the way of "invisible fencing."

Violation of this ordinance shall require the property owner to receive written notice requiring that they correct the fence, wall, or hedge within 30 days. Failure to comply within 30 days shall result in removal of fence, wall, or hedge by the city or a subcontractor at the property owner's expense. Failure to pay for the expense will result in the assessment of all related fees to the property

All prior ordinances and parts of prior ordinances, in conflict with the provisions of this Ordinance are hereby repealed. That this ordinance shall take effect on and be in force as provided after the second reading thereof and approved and after the period of time prescribed by statute after publication.

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Timothy Mullin  
Mayor

(SEAL)  
ATTEST:

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Anna N. Uhl  
Municipal Finance Officer

Legislative History:

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| First Reading  | November 11, 2013 |
| Second Reading | December 9, 2013  |
| Published      | December 18, 2013 |
| Effective Date | January 7, 2014   |