



CITY OF SAINT PAUL
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TO: City of Saint Paul Mayor and Council Members

FROM: Ricardo Cervantes-Director of the Department of Safety and Inspections (DSI)

SUBJECT: Fence Permits

At the request of Councilmember Brendmoen, DSI and PED staff reviewed relevant codes, current policies/procedures and practices of other regional municipalities regarding the need to regulate the construction and installation of fences in Saint Paul. This memo summarizes those results and describes the need to amend the SPLC (see attached proposed amendment).

The Department of Safety and Inspections issues approximately 900 fence permits annually. Fence permit applicants must complete a plan review, which may also require a Zoning and Heritage Preservation Commission (HPC) staff review. The fence permit is not approved until a Building Inspector inspects the construction of the fence.

The issuance of fence permits benefits the residents of Saint Paul greatly. This process ensures that fences are designed appropriately, conform to applicable zoning and HPC requirements, and are constructed safely. However, there are a number concerns regarding this program:

- Many other MN cities do not require any fence permit, and customers complain that installation of a fence in Saint Paul is needlessly difficult.
- DSI staffing costs exceed fence revenues by approximately \$10k annually.
- Many contractors/property owners fail to call for a final fence permit inspection. This contributes to the backlog of unapproved permits in the Construction Services division.
- The current Minnesota State Building Code (MSBC) requires a permit for fences greater than 7' in height. The vast majority of fences in Saint Paul are 6' in height and pose little safety threat.

Under this amendment, those seeking to install a fence on their property would still be required to complete a Fence Plan Review and pay the current fence permit fee (\$38) to offset the cost of that plan review. During this process, the applicant will document where and how the proposed fence will be constructed, ensuring that it will be constructed safely and meets all applicable zoning/HPC requirements. However, no city inspection will be required to complete the process. In fact, DSI staff will only inspect fences on a complaint basis. Additionally, complaint-based fence inspection duties will shift from the Construction Services division to the Code Enforcement and Fire Safety divisions. These changes have the following benefits:

- Streamlines the process for the fence contractor/property owner by eliminating the inspection requirement.
- Aligns DSI fence regulatory costs with fence plan review revenues.
- Reduces the number of unapproved/uninspected building permits by approximately 350 permits annually.
- More closely aligns the SPLC with the MSBC requirements.
- Shifts the responsibility of fences from the Construction Services division to other more appropriate DSI divisions.

For additional questions, please contact me at 651-266-9101 or Deputy Director Travis Bistodeau at 651-266-1922.