

EASEMENT FENCING AND LANDSCAPING POLICY

Adopted by the Shakopee City Council June 5, 2007

Amended by the Shakopee City Council July 1, 2008

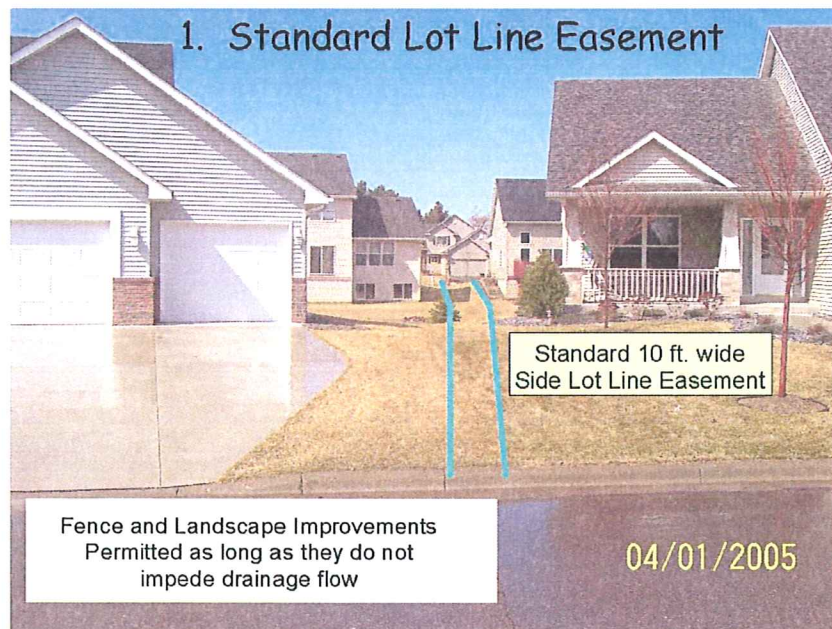
For the purpose of this policy, easements shall be classified into the following categories:

- 1) Standard lot line drainage and utility easements that do not contain underground storm sewer, sanitary sewer, or watermain utilities.
- 2) Drainage and utility easements that contain underground storm sewer, sanitary sewer, or watermain utilities.
- 3) Drainage and utility easements that serve as inspection and maintenance access points for City personnel.
- 4) Drainage and utility easements that serve as ponding basins.
- 5) Trail or pedestrian easements.

Any fence, plantings, or other landscape improvements installed within a drainage and utility easement are subject to removal as necessary for the installation, repair, maintenance, access or removal of public utilities and/or drainage improvements. The property owner shall be responsible at their expense for both the removal costs and reinstalling any improvements within the drainage and utility easement that were removed in order to utilize the drainage and utility easement.

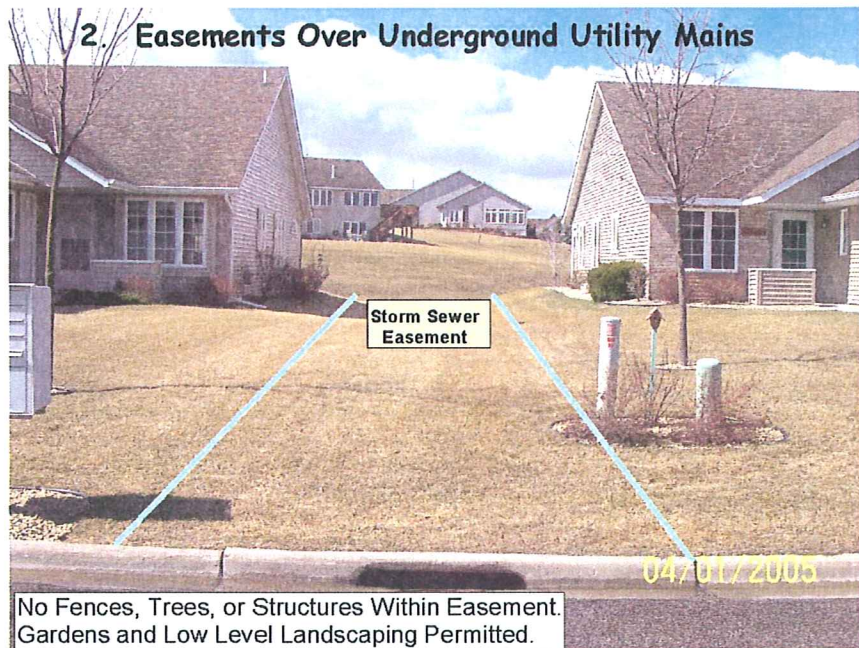
1. Standard lot line drainage and utility easements that do not contain underground storm sewer, sanitary sewer, or watermain utilities.

Fences, trees, bushes, gardens, lawn irrigation systems and other types of landscaping are permitted as long as the improvements meet City ordinance requirements and applicable permits are granted. However, these improvements cannot impede drainage flow.

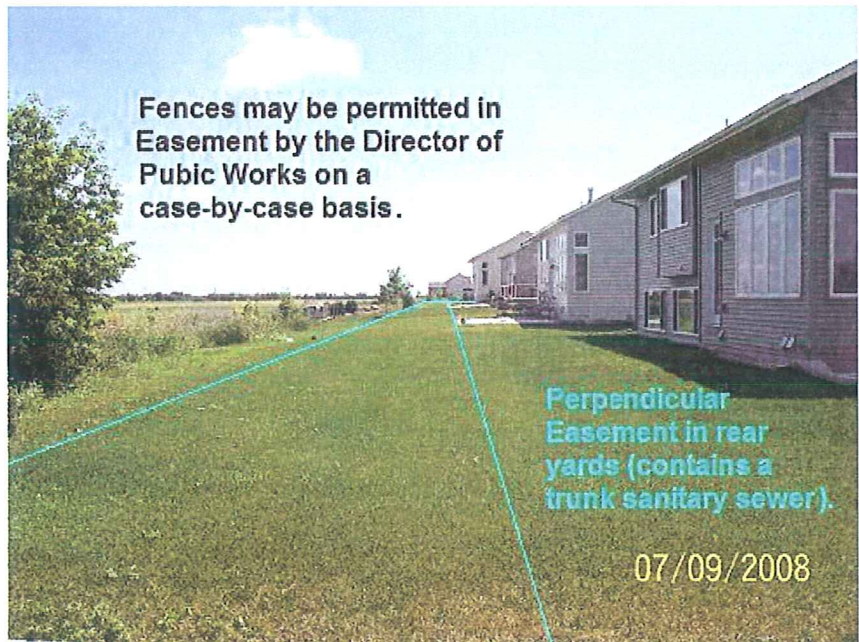


2. Drainage and utility easements that contain underground storm sewer, sanitary sewer, or watermain utilities.

No fences, trees, landscape timbers or block, play structures, utility sheds or hedges and other large bushes shall be installed within drainage and utility easements that contain underground storm sewer, sanitary sewer, or watermain utilities. Small gardens, small bushes and other low level landscaping is permitted within these easements as long as such improvements do not block inspection and maintenance access to the underground utilities.

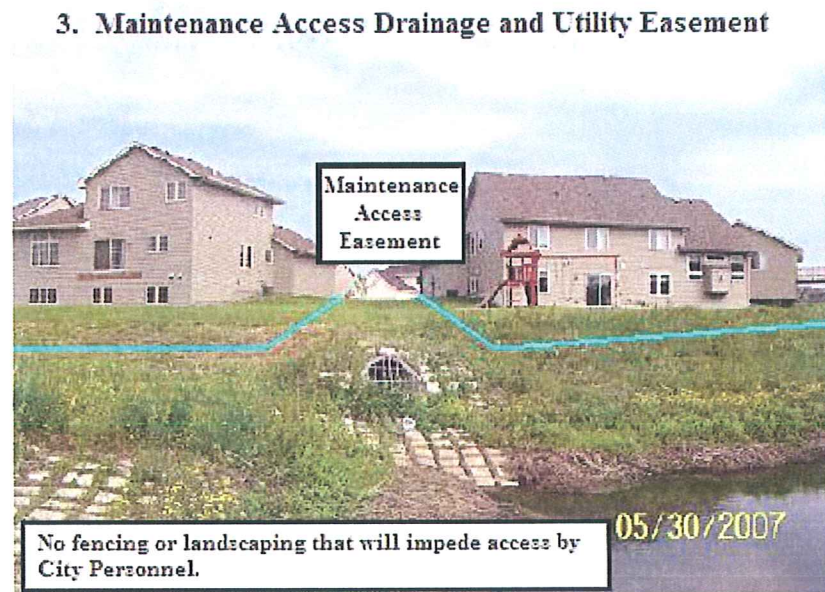


Fences may be permitted by the Director of Public Works on a case-by-case basis in situations where the easement runs perpendicular to the property line and sufficient access to the utilities will be maintained. In addition, the fence will need to meet all City ordinance requirements, applicable permits must be applied for and approved by the City and the property owner must enter into an encroachment agreement with the City, if recommended by the Director of Public Works.



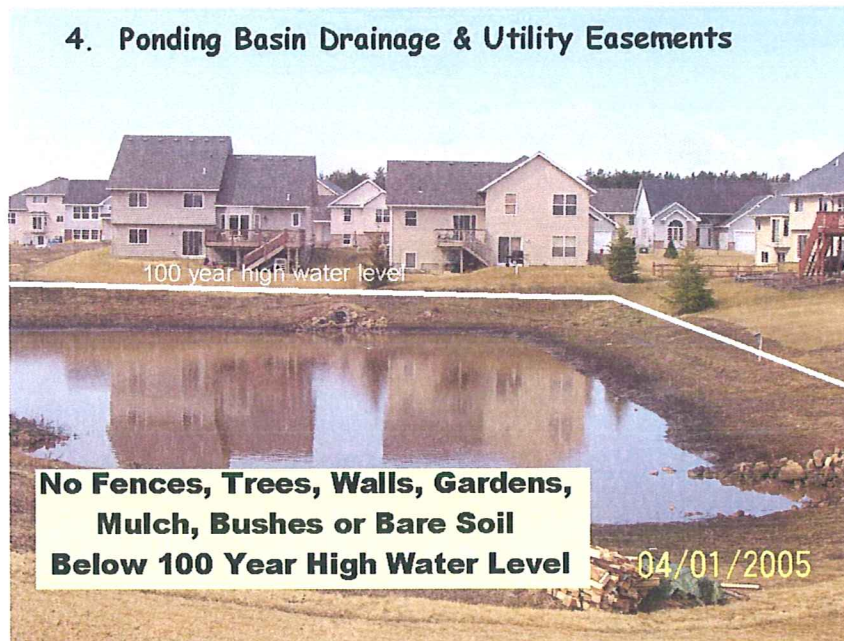
3. Drainage and utility easements that serve as maintenance access points for City personnel.

No fencing or landscaping improvements are permitted within a drainage and utility easement that will impede inspection or maintenance access points for City personnel.



4. Drainage and utility easements that serve as ponding basins.

Non-slat chain link fences or split rail type fences, trees, bushes, landscape walls, and other landscape materials may be permitted within drainage and utility easements that serve as ponding basins provided they are: approved by the Public Works Department; are installed above the 100 year high water level for the pond; and do not impede water flow or maintenance access to the pond. The Public Works Department may require the installation of gates for fence installations that may restrict access to the ponding basin.



All of the ground surface within the ponding basin area at or below the 100 year high water level for the pond must be vegetated with grass or other suitable ground cover approved by the Public Works Department. No mulch, gardens, bushes or bare soil shall be permitted within the ponding basin area at or below the 100 year high water level for the pond.

5. Trail or pedestrian easements.

No private fence or landscaping improvements are permitted within trail or pedestrian easements.

