Residential Fences
Do I need a permit?
The city does not issue residential fence permits; however, you are required to follow all Zoning Regulations of the Marion Code of Ordinances for Corner Visual Clearance (Section 176.35-10) and fence placement (Section 176.35-12). Commercial fences exceeding 7 feet need a permit thru the Building Department.

How tall can my fence be?
A fence may have a maximum height of 6 feet above grade in a residential zoning district.

What material can be used for the fence?
Permitted materials include: wood, vinyl, composites, chain link or wrought iron.

Barbed-wire and electrical fences are **NOT** permitted in residential areas.

Check your covenants as some subdivisions and associations have more specific requirements.
Finding Your Property Lines

The City of Marion does not locate property pins; only a certified land surveyor can locate property pins.

Hiring a Certified Land Surveyor

- To find a list of licensed land surveyors look in the Yellow Pages section of a phonebook under ‘Surveyors-Land’.
- Per Iowa Code Chapter 193C-1, only a licensed land surveyor can legally locate, relocate, establish, reestablish, set or reset a permanent monument (pin) for any parcel or tract of land.

Knowing Your Property

- Finding out the dimensions of your lot can give you an idea of where your property lines are located.
  - The Planning & Development Department can assist you with the dimensions of your lot.
- Pins may be at the surface or buried in the ground a couple of feet and may be able to be located with a metal detector.

DO NOT MOVE OR REMOVE PROPERTY PINS.
Where Can a Fence be Located?

• A fence can be located on the property line; the fence is then considered a shared fence.

• If a fence is installed inwards from the property line it is the property owner’s responsibility to continue to maintain that outlying portion of property.

• An opaque fence may not be located in a required front yard. (Section 176.35-12)

• An opaque fence in a corner side yard or rear yard of a double-fronted lot in any Residential zone must be at least 12 feet from any driveway, alley or back of street curb. (Section 176.35-12)

• “Opaque” – a structure which blocks or otherwise prevents the passage of light through 50% or more of its surface. (Section 176.35-12)

Corner Lot Visual Clearance Requirements

Triangular shaped area bounded by the street right-of-way lines of a corner lot and a straight-line joining the points of said right-of-way lines that are 30 feet from the point of intersection. (Section 176.35-10)
A Drainage Hold Harmless Agreement needs to be filled out and submitted to the Planning Department if the fence is proposed to be within a city easement, i.e. drainage or sewer.

Submission of a hold harmless application does NOT mean the installation of the fence in an easement will be approved by the City.

Due to topography and varying drainage areas, each hold harmless application is reviewed as a unique situation.

When work needs to be performed within easements, City and/or utility workers have the right to remove and not replace anything located in that easement, i.e.: fences, landscaping, sheds, play structures, et cetera.
You may visit the Marion webpage for the Drainage Hold Harmless Agreement

www.cityofmarion.org

Call Before You Dig!
Iowa One-Call 1-800-292-8989

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