

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.



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)

Drainage Hold Harmless Agreement

- 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.

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.

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

Marion Planning & Development
1225 6th Avenue, Suite 210
Marion, Iowa 52302
Phone: (319) 743 6320

Residential Fences

