

JULY 27, 2023 LEGAL AFFAIRS COMMITTEE MEETING MINUTES

5:15 PM Legal Affairs Committee. Members present: Steven Weiss, Richard Ostenso. Others present: Admin.-Alan Christianson, Asst. DPW- Doug Parker, Mayor Robert Grotzinger, Councilman Al Christianson.

Call to Order:

Dr.Weiss called the meeting to order at 5:15 PM.

Amendment to yard fencing Ordinance:

Councilman Christianson noted he has brought this item before the committee on behalf of his daughter Stephanie Christianson. Councilman Christianson noted that some may see this as a conflict of interest but since he has no financial interest in this he believes this is not the case. Mr. Christianson remarked that if anyone thought the amended ordinance wouldn't be beneficial to others or do more harm than good to reject the proposal.

A photo of a fence at 501 Corbett was reviewed, the fence started at six feet tall but due to grade change has exceeded ten feet tall. Mr. Christianson advised the committee that the building inspector had sent Ms. Christianson a letter of Ordinance non-compliance. Mr. Christianson noted that many area fences do not meet code but noted that many of the noncompliant fences were erected before the ordinance was established and "grandfathered in". New fencing must meet the fencing ordinance 13-1-142. Mr. Christianson showed "step down fencing diagram" and queried if this was an option. Some fences exceed the six-foot rule due to people holding the fence up to trim under them.

Councilman Christianson provided a handout amending side and rear yard fence regulations.

Ordinance 2023-07

Amending Side and Rear yard fence regulations.

The Common Council of the City of Ladysmith do ordain as follows:

That new Sec. 13-1-142(c)(6) shall be added to the Municipal Code of Ordinances to read as follows.

(6) Elevations

Any side yard or rear yard fence that is otherwise compliant with this section, but is located on a sloping site may be "stair stepped" to follow the slope or, alternately, the top of such fence may be maintained at a consistent level provided, however, that its elevation above the top of underlying ground shall not exceed 6.5 feet at its beginning and shall not exceed 10.5 feet above the top of underlying ground, more or less, elsewhere in its structure.

Mayor Grotzinger noted concern amending the ordinance without hearing from law enforcement and the city building inspector. Why was the fence height set at six feet? Aesthetics, animals, privacy,

Motion to recommend council amend Sec. 13-1-142 per Ordinance 2023-07 as noted above by Dr Steven Weiss, second by Richard Ostenso pending approval of law enforcement and city building inspector. Motion passes by unanimous voice vote.

Adjourn:

Meeting ended 5:30 PAM.

Motion to adjourn by Dr. Weiss, second by Robert Ostenso.

Meeting Minutes by Doug Parker 07/28/2023