

HOUSE RESEARCH

Bill Summary

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State law allows towns to pass a fence policy that preempts the partition fence law, and gives them the ability to exempt parcels of land less than 20 acres from the law. Cities and counties do not currently have this authority.

H.F. 2757 gives cities the same authority that towns have.

Minnesota Statutes, chapter 344, is the state fence law and establishes rules governing the construction and upkeep of partition fences. A partition fence is a fence on or very near the boundary line separating adjoining properties. (If a fence is built which does not create a shared-cost obligation, it is a division fence rather than a partition fence.) Fence law provisions are intended to resolve disputes when the adjoining landowners are unable to agree on the need for a fence, the type and construction for it, the value of an existing fence, and the proper division of costs for a partition fence. Chapter 344 also provides for local enforcement.