

EASEMENT FENCING AND LANDSCAPING POLICY

Adopted by the Hastings City Council April 4, 2005

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 drainage ways draining more than one lot.
- 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.

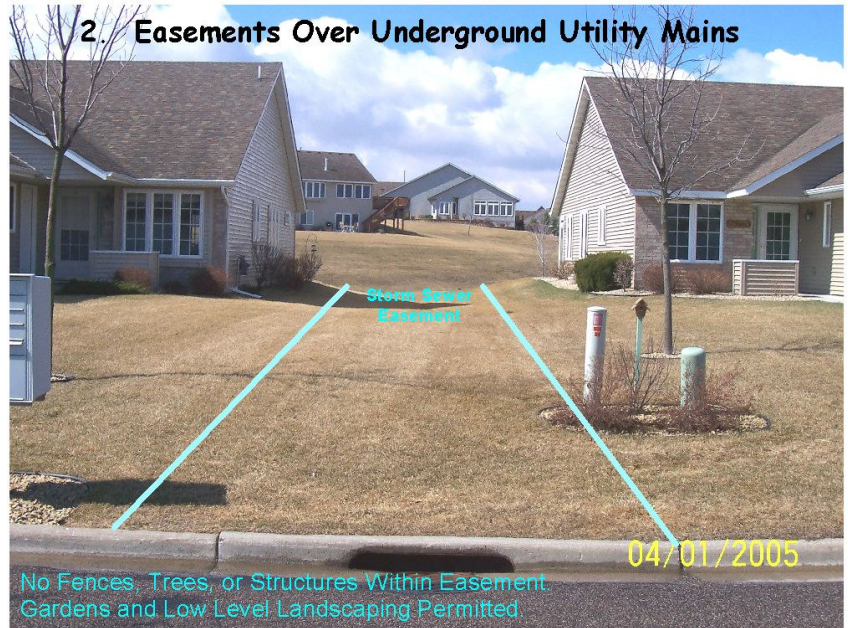
1. Standard lot line drainage and utility easements that do not contain underground storm sewer, sanitary sewer, or watermain utilities.

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.



3. Drainage and utility easements that serve as drainage ways draining more than one lot.

Any fences crossing or installed within drainage and utility easements that serve as drainage ways for more than one lot cannot impede water flow. Installation of split rail fences or chain link fences that do not contain slats will be permitted. Privacy fences that would impede water flow may be permitted if the Public Works Department determines that the drainage way carries minor flows and if the bottom of the privacy fence is constructed a minimum of 12 inches above the ground through the drainageway.



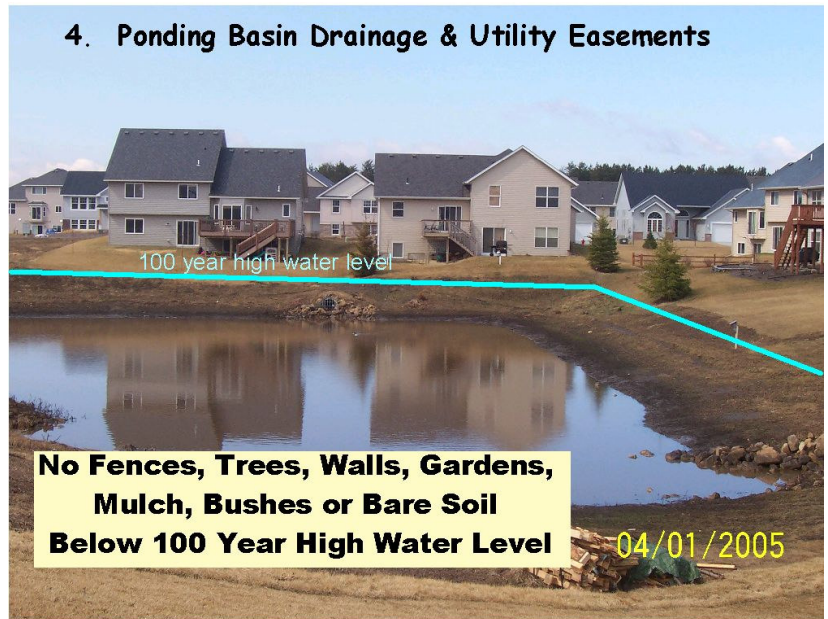
Coniferous trees are not permitted within the drainage way. Deciduous trees may be planted not closer than 5 feet from the centerline of the flow channel. All of the

ground surface within the drainage and utility easement must be vegetated with grass or other suitable ground cover approved by the City Forester. No mulch, gardens, bushes or bare soil shall be permitted within the drainage and utility easement. No landscaping timbers, block, play structures or utility sheds shall be permitted within the drainage and utility easement.

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 City Forester. 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.

