



City of Moorhead – Easements

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Background: Public Utility and Drainage easements are designated areas on private property that allow access and use for installing and maintaining utility and drainage systems.

Easement & Setback FAQ's:

1. Can I install a shed over an easement?

- a. No. Structures are not permitted in easements.

3. Can I install a sprinkler system in an easement?

- a. Sometimes. To work in an easement, you must request an Excavation Permit and a Gopher One Call (811) prior to any work.
- b. If sprinklers are placed in an easement and they are damaged during maintenance, the utility would not be liable for damages.

4. Can I install pavement over an easement?

- a. Sometimes. Pavement in an easement is only permitted for a driveway or parking area approved by the Engineering Department.
- b. If pavement is placed in an easement, a utility has the right to remove it during maintenance and not replace it.

5. Can I install mechanical equipment (e.g., air conditioner) in an easement?

- a. No.
- b. Mechanical equipment and their platforms may be placed within setbacks up to 24 inches, if no easement is present.

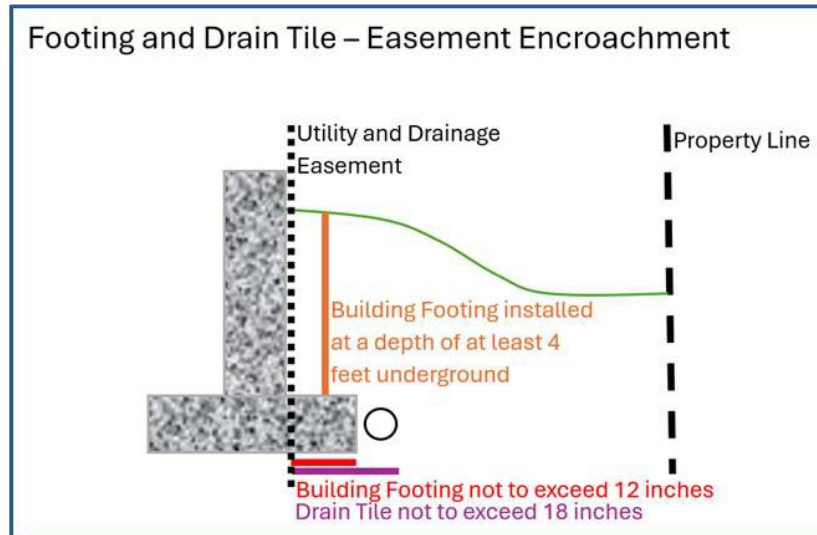
6. Can I install fence in an easement?

- a. Yes. To work in an easement, you must request an Excavation Permit and a Gopher One Call (811) prior to any work. Please note, the permit request may be denied.
- b. If a fence is placed in an easement, a utility has the right to remove it during maintenance and not replace it.
- c. If you install a fence in an easement, it must meet setbacks and may not block drainage:
 1. Solid wood or vinyl fencing must be raised off the ground at least 4 inches to allow sufficient drainage to occur (*3 inches for required pool fencing*). If a fence is found to block drainage, the property owner will be required to remove it.
 2. Chain link or other open fencing may be placed at ground level with routine clearance of material buildup to allow sufficient drainage to occur.

7. Can I install building footings, drain tile, window wells or other underground features in an easement?

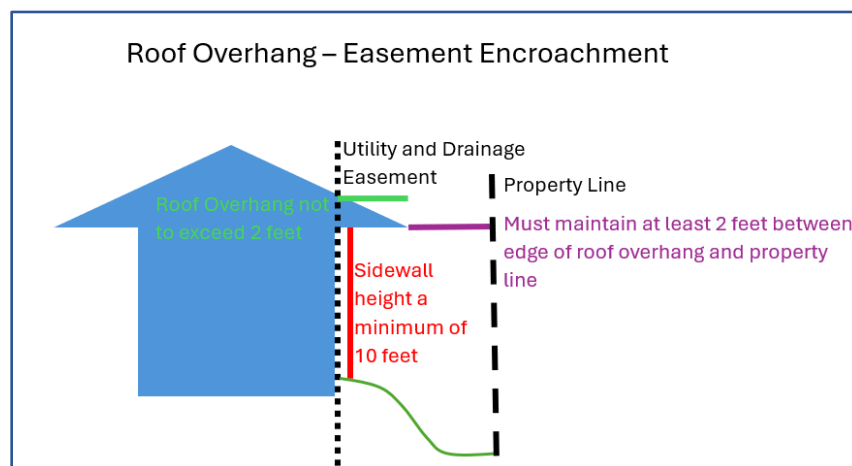
- a. Sometimes. To work in an easement, you must request an Excavation Permit and a Gopher One Call (811) prior to any work. Please note, the permit request may be denied.
- b. To work in an easement, consideration may be based on the following:
 1. **Footings:** May be installed up to 12 inches within an easement if the footings are at least four feet (4') underground.
 2. **Drain Tile:** May be installed up to 18 inches within an easement if the footings are at least four feet (4') underground.

3. **Window Wells:** May not be installed within an easement but may be placed within setbacks up to 24 inches.



8. Can I install my roof overhang over an easement?

- Sometimes. Building roof overhang may be allowed to extend up to 2 feet over an easement if the overhang is at least 10 feet above existing ground.
- Roof setback: At least 2 feet must be maintained between roof edge and property line.



9. Can I plant trees or other landscaping in an easement?

- Sometimes. To work in an easement, you must request a Gopher One Call (811) prior to any work.
- To plant in an easement, considerations for the following should be made:
 - Utilities have the right to remove landscaping during maintenance and not replace it.
 - Landscaping may not block drainage.
 - Planting trees under overhead power lines is not recommended but if you do, MPS has the right to trim them back as much as they deem necessary.
 - Tree roots may cause future damage to underground utilities that may require replacement at the property owner's cost.

Permit Required: For all but landscaping, if you wish to work in an easement, you must request an Excavation Permit from Moorhead Engineering. Contact engineering@moorheadmn.gov for more information.