CHAPTER 150: BUILDING REGULATIONS

Section

Building Numbering

150.01 Requirement
150.02 Assignment of numbers
150.03 New buildings
150.04 Administration
150.05 Size and type and location
150.06 Area identification within buildings
150.07 Compliance
150.08 Enforcement
150.09 Violation

Dangerous Property Conditions

150.20 Property Standards Section moved to Chapter 155, Article 5, 155.74 (Res. No. 08-015, 3/24/08)
150.25 Definition
150.26 Prohibition
150.27 Abatement
150.28 Nuisance

Pipeline Setback

150.40 Purpose
150.41 Definitions
150 42 Applicability
150.43 Setback
150.44 Variances

State Codes Adopted

150.60 State building code adopted
150.61 Minnesota Electrical Act
150.62 Plumbing Plan Review and Inspection of Plumbing Systems

BUILDING NUMBERING

§ 150.01 REQUIREMENT.

The owner of every residential, commercial or industrial structure, whether public or private, shall place house numbers or building numbers as herein provided on the structure. This shall not apply to accessory buildings, private garages, barns or other similar accessory buildings or structures used in connection with buildings or permanent structures displaying building numbers. (1981 Code, § 730.01)

§ 150.02 ASSIGNMENT OF NUMBERS.

House and building numbers shall be assigned in a uniform manner. It shall be the duty of the City Administrator to assign numbers to every house or other building in the city, and if necessary, make changes in the existing numbering system to provide for a uniform method of numbering. (1981 Code, § 730.03)

§ 150.03 NEW BUILDINGS.

Whenever any house or other building is to be erected hereinafter, a number shall be assigned at the time the building permit is granted. When property in which a building is located is annexed to the city or is moved into the city in any manner, a number shall be assigned immediately by the City Administrator. (1981 Code, § 730.05)

§ 150.04 ADMINISTRATION.

The developer, building or person at the time of submitting a preliminary plat or plan or application for building permits shall submit a building numbering plan for review by the Planning Commission of the city. (1981 Code, § 730.07)

§ 150.05 SIZE AND TYPE AND LOCATION.

(A) Each number of the address shall be three inches or greater in height and shall be of a color that sharply contrasts with the color of the background to which it is attached. The numbers shall not be written and shall be in Arabic form.

(B) The assigned number for the house or building shall be displayed on the side of the building facing the public street, which street is included in the address of the building. The numbers shall be clearly visible from the street.

(C) In those cases where the principal building is located more than 101 feet from the street of address, or if the principal building is obscured from the view from the street of address by accessory buildings, trees, shrubbery or other visual obstruction, the numbers shall be displayed on the mailbox, in numerals not less than three inches high. The numbers shall be constructed of a material which contrasts with the color of the background to which it is

attached. The mailbox shall be located on the public right-of-way adjacent to the driveway or main entry to the property in which the principal building is located.

(D) In those cases where there is no mailbox, and the principal building is located more than 100 feet from the street of address or if the principal building is obscured from the view from the street of address by accessory buildings, trees, shrubbery or other visual obstruction, the numbers shall be displayed from a permanent signpost located on the public right-of-way adjacent to the driveway or main entry to the property in which the principal building is located. The numbers shall be no less than three inches high and shall be of a color which contrasts with the color of the background to which it is attached. The bottom of the number or address shall be at least three feet above the ground.

(E) In cases where the principal building is occupied by more than one business or family dwelling unit, each separate front entrance of such principal building shall be marked by a separate number. (1981 Code, § 730.09)

§ 150.06 AREA IDENTIFICATION WITHIN BUILDINGS.

All rooms in homes for the aged, hotels, motels, lodging and boarding homes, apartments within multiple dwellings and any other room or dwelling unit in buildings other than single-family homes or duplexes used by a person or persons for living or dwelling shall be identified as separate units, by consecutive numbering or lettering which shall be placed on the door in Arabic numbers or English capital letters with a minimum size of one inch in height. (1981 Code, § 730.11)

§ 150.07 COMPLIANCE.

Every owner of a building or structure shall comply in full with the regulations set forth in this subchapter. Any owner who fails to comply with the provisions of this chapter shall be sent notification of this violation by certified mail with a 30-day time period for compliance commencing on the date of receipt of the certified notice. (1981 Code, § 730.13)

§ 150.08 ENFORCEMENT.

It shall be the duty of the Zoning Administrator or Chief of Police or their designated representatives to enforce this subchapter. (1981 Code, § 730.15)

§ 150.09 VIOLATION.

Whoever shall fail to comply with the provisions of this subchapter shall be guilty of a petty misdemeanor and shall be subject to those penalties contained in the state statute as now exists or is later amended. (1981 Code, § 730.17) Penalty, see § 10.99.

DANGEROUS PROPERTY CONDITIONS

§ 150.25 DEFINITION.

The term ***DANGEROUS PROPERTY CONDITIONS*** as used in this section is defined to mean and include:

(A) Any pit, excavation, hole or other property feature which is dangerous to the public health because of its condition and which may cause or aid in the injury to the health of the occupant of it or neighboring property or the general public; or

(B) Any pit, excavation, hole or other property feature which by reason of any cause is liable to cause damage to other property by collapse; provided, however, that existing conditions completely enclosed by a fence at least four feet six inches in height above grade level and constructed of minimum No. 9 gauge woven wire mesh corrosion-resistant material or similar material with openings equipped with gates with self-closing and self-latching devices placed at the top of the gate shall be exempted from the definitions above. (1981 Code, § 305.01)

§150.26 PROHIBITION.

It shall be unlawful to maintain or permit the existence of a dangerous property condition in the city. It shall be unlawful for the owner, occupant or person in custody of any such property to permit the same to remain in a dangerous condition or to occupy such property or permit it to be occupied if it is or remains in a dangerous condition. (1981 Code, § 305.03) Penalty, see § 10.99

§150.27 ABATEMENT.

Whenever the Chief of Police shall be of the opinion that any property in the city contains a dangerous property condition, he or she shall file a written statement to this effect with the City Administrator. The City Administrator shall thereupon cause written notice to be served upon the owner or occupant thereof, if any, by registered mail or by personal service. Such notice shall state that the property has been declared to contain a dangerous property condition and that such dangerous condition must be remedied by fencing or filling it and that the condition must be remedied at once. (1981 Code, § 305.05)

§ 150.28 NUISANCE.

The maintenance of such a dangerous property condition is declared to be a nuisance. (1981 Code, § 305.07)

PIPELINE SETBACK

§ 150.40 PURPOSE.

The purpose of this subchapter is to create public safety by requiring that new development be set back from pipeline locations. (1981 Code, § 245.01)

§ 150.41 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

BUILDING. A structure designed primarily for human use of occupancy, including businesses, offices, educational facilities, medical facilities, residences and institutions. Decks, overhangs, porches or similar attached structures are considered part of the building. Building does not include appurtenances required to operate or maintain pipeline systems.

GAS. The meaning given in 40 C.F.R. 192.3.

HAZARDOUS LIQUID and ***HIGHLY VOLATILE LIQUID***. As defined in 49 C.F.R. 195.2.

OTHER DEVELOPMENT. Commercial, industrial or agricultural development when it results in the construction of a building or place of public assembly.

PIPELINE.

1. Pipe with a nominal diameter of six inches or more, located in the state, that is used to transport hazardous liquids, but does not include pipe used to transport a hazardous liquid by gravity and pipe used to transport or store a hazardous liquid within a refining, storage or manufacturing facility; or

2. Pipe operated at a pressure of more than 275 pounds per square inch that carries gas.

PIPELINE EASEMENT. The existing easement or the negotiated easement resulting from a blanket easement.

PLACES OF PUBLIC ASSEMBLY. A site that is occupied by 20 or more persons on at least five days a week for ten weeks in any 12-month period. The days and weeks need not be consecutive. (1981 Code, § 245.03)

§ 150.42 APPLICABILITY.

This subchapter applies to new residential and other development. It does not apply to development that has occurred or for which development permits have been issued before the effective date of this subchapter. (1981 Code, § 245.05)

§ 150.43 SETBACK.

Buildings and places of public assembly shall not be constructed closer to a pipeline than the boundary of the pipeline easement. (1981 Code, § 245.07)

§ 150.44 VARIANCES.

Variances to the terms and conditions of this subchapter may be granted pursuant to the procedures established in the Zoning Code. (1981 Code, § 245.09)
Cross-reference: Zoning Code, see Chapter 155

STATE CODES ADOPTED

§ 150.60 STATE BUILDING CODE ADOPTED.

(A) *Codes adopted by reference*. The Minnesota State Building Code, as adopted by the Commissioner of Administration pursuant to M.S. Ch. 16B.59 to 16B.75, including all of the amendments, rules and regulations established, adopted and published from time to time by the Minnesota Commissioner of Administration, through the Building Codes and Standards Division is hereby adopted by reference with the exception of the optional chapters, unless specifically adopted in this subchapter. The Minnesota State Building Code is hereby incorporated in this subchapter as if fully set out herein.

(B) *Application, administration and enforcement*.

1. The application, administration and enforcement of the code shall be in accordance with Minnesota State Building Code. The code shall be enforced within the extraterritorial limits permitted by M.S. § 16B.62, Subd. 1, as it may be amended from time to time, when so established by this subchapter.

2. The code enforcement agency of the city is called the Lake City Zoning Department.

3. This code shall be enforced by the Minnesota Certified Building Official designated by the city to administer the code, M.S. § 16B.65, Subd. 1, as it may be amended from time to time.

(C) *Permits and fees*. The issuance of permits and fees shall be as authorized by M.S. § 16B.62, Subd. 1, as it may be amended from time to time. Permit fees shall be assessed for work governed by this code in accordance with the fee schedule adopted by the city in Ord #268. In addition, a surcharge fee shall be collected on all permits issued for work governed by this code in accordance with M.S. § 16B.70, as it may be amended from time to time.

(D) *Building code optional chapters*. The Minnesota State Building Code, established pursuant to M.S. §§ 16B.59 and 16B.75, as they may be amended from time to time, allows the city to adopt by reference and enforce certain optional chapters of the most current edition of the

Minnesota State Building Code.

(E) *Penalty*. A violation of the code is a misdemeanor, M.S. § 16B.69, as it may be amended from time to time. (Ord. 344, passed 5-12-2003)

§ 150.61 MINNESOTA ELECTRICAL ACT

(A) *Authority to inspect*. The City of Lake City hereby provides for the inspection of all electrical installations, pursuant to Minn. Stat. § 326B.36. subd. 6.

(B) *Adopted by reference*. The Minnesota Electrical Act, as adopted by the Commissioner of Labor and Industry pursuant to Minnesota Statutes Chapter 326B, Sections 326B.31 to 326B.399. The Minnesota Electrical Act is hereby incorporated into this ordinance as if fully set out herein. The Minnesota State Building Code incorporates by reference the National Electrical Code pursuant to Minn. R. 1315.0020. All such codes incorporated herein by reference constitute the electrical code of the City of Lake City.

(C) *Compliance*. All electrical installations shall comply with the requirements of the electrical code of the City of Lake City and this ordinance.

(D) *Permits and fees*. The issuance of permits and the collection of fees shall be as authorized in Minnesota Statutes 326B.37. Any inspection or handling fees will be payable to the City of Lake City. In addition, a state surcharge fee of 50 cents shall be collected on all permits issued for work governed by this ordinance in accordance Minn. Stat. § 326B.148.

(E) *Notice and appeal*. All notices of violations and orders issued under this ordinance shall be in conformance with Minn. Stat. § 326B.36, subd. 4.

(F) *Violations and penalties*. A violation of the Minnesota Electrical Act is a misdemeanor. (M.S. 326B.082, subd. 16).

(G) *Sunset*. This ordinance shall be revoked without further action of the city council once the Department of Labor and Industry is funded for the 2011 fiscal year by legislative enactment of a state budget.

§ 150.62 PLUMBING PLAN REVIEW AND INSPECTION OF PLUMBING SYSTEMS

(A) *Inspections*. The City does not conduct inspections of plumbing systems. However, plumbing systems must be inspected by a licensed plumbing inspector unless the plumbing is part of a state-licensed facility as defined in Minnesota Statutes Section 326B.103, subdivision 13, a public building as defined in Minnesota Statutes Section 326B.103, subdivision 11 or a project of a special nature for which Department of Labor and Industry plan review and inspection is requested by either the City or the Department of Labor and Industry, including all school district and charter school projects regardless of cost, and all dialysis projects. In those events, the Department of Labor and Industry is responsible for performing the plumbing inspection.

(B) *Authority to review plans.* The Department of Labor and Industry performs plumbing plan reviews for all projects in the City. However, plans for connecting to the City's water or sanitary sewer system must be reviewed by the City prior to issuance of a connection permit by the City.

(C) *Adopted by reference.* Minnesota Statutes Chapter 326B, Sections 326B.41 to 326B.49 and Minnesota Rules Chapter 4715 ("Plumbing Code") are hereby incorporated into this Chapter as if fully set out herein. All such codes incorporated herein by reference are adopted pursuant to Minnesota Statutes Section 471.62 as the plumbing code of the City.

(D) *Compliance.* All plumbing systems, plans and specifications shall comply with the requirements of the plumbing code of the City.

(E) *Insurance.* No person who engages in the business of plumbing in the City shall be required to post a bond or maintain public liability insurance as a prerequisite for engaging in the business of plumbing, except the bond to the state and insurance required under Minnesota Statutes Section 326B.46 and except any performance bond and insurance required under a contract with the person for the performance of plumbing work for the City.

(F) *Violations and penalties.* A violation of the plumbing code is a misdemeanor and will be reported by the City to the Minnesota Department of Labor and Industry.

(Section 150.62, Ord. No. 553, 10-12-15)