

CHAPTER FIVE

BUILDING CODE

AN ORDINANCE ADOPTING THE MINNESOTA STATE BUILDING CODE. THIS ORDINANCE: PROVIDES FOR THE APPLICATION, ADMINISTRATION, AND ENFORCEMENT OF THE MINNESOTA STATE BUILDING CODE BY REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, AND MAINTENANCE OF ALL BUILDINGS AND/OR STRUCTURES IN THIS MUNICIPALITY; PROVIDES FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREOF; PROVIDES PENALTIES FOR VIOLATION THEREOF; REPEALS ALL ORDINANCES AND PARTS OF ORDINANCES THAT CONFLICT THEREWITH. THIS ORDINANCE SHALL PERPETUALLY INCLUDE THE MOST CURRENT EDITION OF THE MINNESOTA STATE BUILDING CODE WITH THE EXCEPTION OF THE OPTIONAL APPENDIX CHAPTERS. OPTIONAL APPENDIX CHAPTERS SHALL NOT APPLY UNLESS SPECIFICALLY ADOPTED.

LENT TOWNSHIP does ordain as follows:

SECTION 1. APPLICATION, ADMINISTRATION AND ENFORCEMENT

1.01. Application.

The application, administration, and enforcement of the code shall be in accordance with Minnesota Rule Chapter 1300.

1.02. Administrating Officer

This Ordinance shall be administered by the Lent Township Building Inspector who shall be designated by the Town Board and have those authorities, duties and powers granted pursuant to the this Ordinance, the procedures and requirements of Chapter Six (6) of the Lent Township Land Use Regulations, and Minnesota Statutes, Section 16B.65. The Township Building Inspector shall be a Minnesota Certified Building Official pursuant to the requirements of Minnesota Statutes, Section 16B.65.

1.03. Enforcement.

This Ordinance shall be enforced by the Lent Township Building Inspector who shall have those authorities, duties and powers granted pursuant to this Ordinance, the procedures and requirements of Chapter Six (6) of the Lent Township Land Use Regulations, and Minnesota Statutes, Section 16B.65.

SECTION 2. ADOPTION OF BUILDING CODE

The Minnesota State Building Code, established pursuant to Minnesota Statutes, 16B.59 to 16B.75, including all of the referenced amendments, rules and regulations, is hereby adopted by reference with the exception of the optional chapters, unless specifically adopted in this ordinance. The Minnesota State Building Code is hereby incorporated in this ordinance and shall have the same force and effect as if fully set out herein.

SECTION 3. PERMITS AND FEES

A. The issuance of permits and the collection of fees shall be as authorized in Minnesota Statutes, 16B.62, subdivision 1 and Chapter Six (6) of the Lent Township Land Use Regulations.

B. Permit fees shall be assessed for work governed by this code in accordance with the fee schedule adopted by the Town Board pursuant to Chapter Six (6) of the Lent Township Land Use Regulations. In addition, a surcharge fee

Lent Township Land Use Regulations

shall be collected on all permits issued for work governed by this code in accordance with Minnesota Statutes, Section 16B.70.

C. Expiration of Permits.

1. Every building permit issued by the building inspector shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one hundred and eighty (180) days from the date such permit was issued, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred and eighty (180) days. Before such work can be recommenced, a new building permit shall be first obtained to do so, and the fee therefore shall be one-half (½) of the amount required for a new permit for such work, excluding any plan review fee, provided no changes have been made in the original plans and specifications for such work.
2. The building inspector may grant, in writing, one or more extensions of time, for periods not more than one hundred and eighty (180) days each. Such extensions shall be requested in writing and shall demonstrate sufficient cause or justification for granting the extension.

SECTION 4. SPECIAL PROVISIONS

4.01. Roof Repair and Replacement.

In order to obtain final approval of a roof repair or replacement, in addition to conformance with this Ordinance, photographs of ice and water barrier installation must be submitted to the Township Building Inspector prior to the final inspection.

SECTION 5. VIOLATIONS AND PENALTIES

A. Any firm, person, or corporation who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine and/or imprisonment as provided by law.

B. Any firm, person or corporation who violates any of the provisions of this Ordinance shall be guilty of an administrative offense and shall be subject to the administrative penalties established in Chapter Six (6) of the Lent Township Land Use Regulations.

C. Each day that a violation continues to exist shall constitute a separate offense.

D. In the event of a violation or threatened violation of any of the terms of this ordinance, the Township may take appropriate action to enforce this Ordinance, including application for injunctive relief, action to compel performance or other appropriate action to court if necessary to prevent, restrain, correct or abate such violations or threatened violations.

E. Upon motion, the court may award costs, disbursements and reasonable attorney's fees and witness fees, which costs and fees can be assessed against the property.

SECTION 6. DATE OF EFFECT

This Ordinance shall be in full force and effect after its approval and publication as provided by law.

Passed and approved this 16th day of January, 2007, by the Lent Township Board of Supervisors.

Gene Olson

Gene Olson, Chairman

ATTEST:

Roxanne Kahler

Roxanne Kahler, Township Clerk

Published in the *Chisago County Press* January 25, 2007.

Published in the *East Central Minnesota Post Review* January 24, 2007.

Amendments

Amendment 05-001 passed and approved May 20, 2008, by the Lent Township Board of Supervisors.