

## ORDINANCE NO. 218

**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.**

**WHEREAS**, to promote the public safety, health and welfare of the City of Arlington;

THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA, DOES ORDAIN AS FOLLOWS:

**SECTION 1. Codes Adopted by Reference.** The Minnesota State Building Code, as adopted by the Commissioner of Administration pursuant to Minnesota Statutes Chapter 16B.59 to 16B.75, including all 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 ordinance. The Minnesota State Building Code is hereby incorporated in this ordinance as if fully set out herein. All laws and regulations adopted by the State of Minnesota amending or superseding any laws or regulations cited herein are hereby adopted.

**SECTION 2. Application, Administration and Enforcement.** This application, administration, and enforcement of the code shall be in accordance with the Minnesota State Building Code. The code shall be enforced within the extraterritorial limits permitted by Minnesota Statutes, 16B.62, subdivision 1, when so established by this ordinance.

The code enforcement agency of the City of Arlington is called the City of Arlington Building Department. This code shall be enforced by the Minnesota Certified Building Official designated by the City of Arlington to administer the code as authorized in Minnesota Statute 16B.65, subdivision 1.

**SECTION 3. Permits and Fees.** The issuance of permits and the collection of fees shall be as authorized in Minnesota Statute 16B.62, subdivision 1.

Permit fees shall be assessed for work governed by this code in accordance with 90% of the 1997 Uniform Building Code Fee Schedule. Roofing, siding, windows, plumbing, and mechanical permit fees shall be \$25 with the demolition permit fee being set at \$50. In addition, a state surcharge fee shall be collected on all permits issued for work governed by this code in accordance with Minnesota Statute 16B.70. Future permit fees shall be set by City resolution.

**SECTION 4. Violations and Penalties.** A violation of the code is a misdemeanor per Minnesota Statute 16B.69.

**SECTION 5. Building Code Optional Chapters.** The Minnesota State Building Code, established pursuant to Minnesota Statutes 16B.59 to 16B.75, allow the City of Arlington to adopt by reference and to enforce certain optional chapters of the most current edition of the Minnesota State Building Code.

The following optional chapters are hereby adopted and incorporated as part of the building code for the City of Arlington: (None)

**SECTION 6. Repeal of Previous Ordinance.** Ordinance No. 174, adopted by the Arlington City Council on April 21, 2003, is hereby repealed.

**SECTION 7. Effective Date of Ordinance.** This ordinance shall be come effective immediately upon publication.

Adopted by the City Council of the City of Arlington on the 3<sup>rd</sup> day of December, 2007.

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James R. Kreft, Mayor

ATTEST:

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Matthew Jaunich, City Administrator

First Reading: November 19, 2007  
Second Reading: December 3, 2007  
Adopted: December 3, 2007  
Published: December 6, 2007