

CHAPTER 150: BUILDING REGULATIONS

Section

General Provisions

- 150.01 *Minnesota State Building Code* adopted
- 150.02 Establishment of Building Code Department and authorities

Permits

- 150.15 Plan checking fee
- 150.16 Permit exceptions
- 150.17 Permit for deposit of building materials; cleanup of waste matter

Manufactured Homes

- 150.30 Applicability of supplementary standards to manufactured homes
- 150.31 Pre-code manufactured homes
- 150.32 Minimum standards for manufactured homes
- 150.33 Inspection of manufactured homes; fee
- 150.34 Regulation by restrictive covenant

- 150.99 Penalty

GENERAL PROVISIONS

§ 150.01 MINNESOTA STATE BUILDING CODE ADOPTED.

(A) *Adoption.* The Minnesota State Building Code, as adopted by the Commissioner of Administration pursuant to M.S. §§ 16B.59 through 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 section. The Minnesota State Building Code is hereby incorporated in this section as if fully set out herein.

(B) *Application, administration and enforcement.* The 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 M.S. § 16B.62, subdivision 1, when so established by this section. The Building Inspection Division is the code enforcement agency for the city. This code shall be enforced by the Minnesota Certified Building Official designated by the city to administer the code pursuant to M.S. § 16B.65, subdivision 1.

(C) *Violations and penalties.* A violation of the code is a misdemeanor pursuant to M.S. § 16B.69 and Minnesota Rules, Chapter 1300.

(D) *Permit, inspection, and fees.* The issuance of permits and the collection of fees shall be as authorized in M.S. 16B.62, subdivision 1. Permit fees shall be assessed for work governed by this code in accordance with the fee schedule adopted by the city, 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.

(E) *Building code optional chapters.* The following optional chapters and appendices are not a mandatory part of the Minnesota State Building Code but are hereby adopted by reference for the city and are incorporated into this code as completely as if set out in full herein.

(1) Chapter 1306 - Special Fire Protection Systems.

(2) Chapter 1335 - Flood Proofing Regulations, Parts 1335.0600 through 1335.1200.

(3) Appendix Chapter K (Grading), of the 2002 Supplements to the International Building Code. (Am. Ord. 1113.04, passed 2-23-04) Penalty, see § 150.99

§ 150.02 ESTABLISHMENT OF BUILDING CODE DEPARTMENT AND AUTHORITIES.

(A) The Engineering Division shall be the Building Code Department of the city. The Administrative Authority shall be a state-certified "Building Inspector."

(B) The Appointing Authority shall designate the Building Inspector for the jurisdiction of the city.

('75 Code, § 20.20001) (Ord. 1078.92, passed 7-27-92; Am. Ord. 1092.95, passed 8-17-95)

Cross-reference:

Building Inspector, see §31.21

Division of Engineering, see §32.18

PERMITS

§ 150.15 PLAN CHECKING FEE.

A plan checking fee of 65% of the building permit fee derived from Table No. 3-A of the State Uniform Building Code shall be charged each permit. The Building Inspector may at his or her option submit the plans and specifications to the State Building Department or a private consultant for plan review, and assess any additional cost for that service to the plan checking fee. ('75 Code, § 20.0004) (Ord. 1078.92, passed 7-27-92)

Cross-reference:

Subdivisions; approval required before issuance of building permit, see §153.20

§ 150.16 PERMIT EXCEPTIONS.

No permit shall be required for detached tool sheds, utility buildings, or playhouses that are less than 120 square feet in projected roof area. No permit shall be required for other non-structural remodeling that has a total value of \$1,000 or less.
(’75 Code, § 20.0005) (Ord. 1078.92, passed 7-27-92)

§ 150.17 PERMIT FOR DEPOSIT OF BUILDING MATERIALS; CLEANUP OF WASTE MATTER.

No person shall deposit upon any street, avenue, alley, or other public place or upon any private lot, vacant or occupied, any natural soil, earth, sand, clay, gravel, lumber, stones, brick, cement, or other building materials unless such person shall have first obtained a permit therefore from the City Clerk. Under the permit, the City Engineer shall have sole authority as to where the materials shall be deposited and for what period of time they may be deposited there. The City Engineer may at any time revoke such permit if the materials are not placed where directed or if said materials are deposited thereon for an unreasonable length of time. The owner of property where such building materials are deposited shall clean up and remove waste matter from the premises when the materials have been disposed of or removed.
(’75 Code, § 20.201) Penalty, see § 150.99

Cross-reference:

Streets and sidewalks; obstructions, see § 92.03

MANUFACTURED HOMES

§ 150.30 APPLICABILITY OF SUPPLEMENTARY STANDARDS TO MANUFACTURED HOMES.

(A) Manufactured homes as defined by M.S. § 327.31(G) may be permanently placed in an “R” District only if all of the requirements of division (C) are met.

(B) The provisions of division (C) shall not apply to manufactured homes placed in manufactured home parks.
(’75 Code, §§ 20.1018-20.19) (Ord. 1066.89, passed - -89)

(C) Notwithstanding any provisions of the Minnesota Statutes, the State Building Code, or rules and/or regulations promulgated thereunder or other ordinances of the city to the contrary, the following standards shall apply to any residential structure erected or otherwise placed in the city including any such structure moved from one location in the city to another:

(1) The structure shall have a permanent masonry or wood foundation meeting the requirements of the State Building Code that shall be solid for the complete circumference of the structure.

- (2) The minimum average width of the structure and foundation shall be 20 feet.
- (3) A single-family unit shall contain a minimum of 750 square feet.
- (4) The structure shall have conventional siding, lapping the foundation by a minimum of one inch.
- (5) The structure shall be anchored in accordance with the State Building Code.
- (6) The structure shall have a pitched roof, covered with shingles or tile, with a minimum of 12-inch eaves.
- (7) The home shall comply with all zoning regulations for the zone in which it is to be located.
- (8) A building permit and any other required permits shall be obtained for the home.
- (9) The application for a building permit, in addition to the other information required, shall include exterior elevations of the proposed manufactured home which will adequately and accurately indicate the height, size, design, and the appearance of all elevations of the proposed building and a description of the construction and materials proposed to be used therein. Such information shall indicate that the exterior architectural design, when erected, will not be so at variance with, nor so dissimilar to, the exterior architectural design of any structure or structures already constructed or in the course of construction in the immediate neighborhood, not so at variance with the character of the applicable district as to cause a substantial depreciation in the property values of said neighborhood, within said applicable district or elsewhere, or adversely affect the public health, safety, morals, or general welfare.
(‘75 Code, § 20.1017) (Ord. 1066.89, passed - -89) Penalty, see § 150.99

Cross-reference:

Zoning; relocation of dwellings, see § 154.025

§ 150.31 PRE-CODE MANUFACTURED HOMES.

(A) A ***PRE-CODE MANUFACTURED HOME*** is any manufactured home built prior to HUD CFR 3280 (24 CFR 42.3280) Standards effective June 15, 1976, or built prior to State of Minnesota inspection and certification in accordance with ANSI (American National Standards Institute) Standards A119.1, July 1, 1972.

(B) No pre-code manufactured home shall be placed on any lot or within any manufactured home park within the city unless it complies with the minimum standards as set forth in § 150.32. (‘75 Code, § 20.1021) (Ord. 1091.95, passed 4-6-95)

(C) The minimum standards set forth in § 150.32 shall not apply to any pre-code manufactured home which was in place within the city as of March 16, 1995, so long as such

manufactured home is not removed to a different location.
(‘75 Code, § 20.1023) (Ord. 1091.95, passed 4-6-95) Penalty, see § 150.99

§ 150.32 MINIMUM STANDARDS FOR MANUFACTURED HOMES.

(A) Egress windows and exits.

(1) Each home shall have at least one egress window in each bedroom that meets the minimum specifications of HUD 3280.106 (24 CFR 42.3280.106) and 3280.404 (24 CFR 42.3280.404) for manufactured homes. These standards require that the window be at least 22 inches in the horizontal or vertical least dimension and at least five square feet in area, and that the bottom of the window opening shall be not more than 36 inches above the floor, and that locks and latches which need to be operated to permit exiting not be located more than 54 inches above the finished floor. If the requirements of the State Building Code and/or ANSI A119.1 1972 are met, the home shall be deemed to be in compliance with this subdivision.

(2) The home shall have two exterior exit doors located remote from each other as required in HUD 3280.105 (24 CFR 42.3280.105). These standards require single-section manufactured homes to have the doors not less than 12 feet center to center from each other and multi-section manufactured home doors to be not less than 20 feet center to center from each other measured in a straight line regardless of the length of path of travel between doors. One of the required exit doors must be accessible from the doorway of each bedroom without traveling more than 35 feet. Exterior swing doors shall have a minimum 28-inch by 74-inch clear opening and sliding glass doors shall have a 28-inch by 72-inch clear opening. Each exterior door other than screen/storm doors shall have a key-operated lock that has a deadlocking latch or a key-operated dead bolt with a passage latch, and locks shall not require the use of a key or special tool for operation from the inside of the home.

(B) Flame spread.

(1) Walls and ceilings adjacent to or enclosing a furnace or water heater shall have an interior finish with flame spread rating not exceeding 25. Sealants and other trim materials two inches or less used to finish adjacent surfaces within these spaces are exempt from this provision provided all joints are supported by framing members or materials with a 25 or less flame spread rating. Combustible doors providing interior or exterior access to furnace and water heater spaces shall be covered with materials of limited combustion (i.e., 5/16-inch gypsum board, etc.) with the surface allowed to be interrupted for louvers ventilating the space. However, the louvers shall not be of materials of greater combustibility than the door itself (i.e., plastic louvers and a wooden door). Reference HUD 3280.203 (24 CFR 42.3280.203).

(2) Exposed interior finished surfaces, including vertical surfaces between a range top and overhead cabinets and/or ceiling, shall have a flame spread rating not exceeding 50 as required by HUD 3280.203 (24 CFR 42.3280.203). Back splashes not exceeding 6 inches in height are exempted. Vertical clearance above cook tops and ranges shall be not less than 24 inches as required by HUD 3280.709 (24 CFR 42.3280.709).

(C) *Smoke detectors.*

(1) A smoke detector shall be installed on any wall in the hallway or space communicating with each bedroom area between the living area and the first bedroom as required by HUD 3280.208 (24 CFR 42.3280.208). Homes with bedroom areas separated by any one or a combination of common-use areas such as a kitchen, dining room, living room, or family room (but not a bathroom or utility room) shall be required to have one detector for each bedroom area.

(2) Smoke detectors shall not have switches in the circuit to the detector between the over-current protection device protecting the branch circuit and the detector. The detector shall be attached to an electrical outlet box and connected by a permanent wiring method into a general electrical circuit. The detector shall not be placed on a branch circuit or any circuit protected by a ground fault circuit interrupter.

(D) *Solid fuel burning stoves and fireplaces.*

(1) Solid fuel burning, factory-built fireplaces and fireplace stoves may be used in manufactured (mobile) homes provided that they are listed for use in manufactured homes and installed as per their listing/manufacture's instructions and the minimum requirements of HUD 3280.710 (24 CFR 42.3280.710).

(2) A solid fuel burning fireplace or fireplace stove shall be equipped with integral doors designed to close the fire chamber opening and shall include complete means for venting through the roof, a combustion air inlet, or hearth extension, and means to securely attach the unit to the manufactured home structure.

(a) A listed factory-built chimney designed to be attached directly to the fireplace/fireplace stove and equipped with, in accordance with the listing, a termination device and spark arrester shall be required. The chimney shall extend at least three feet above the part of the roof through which it passes and at least two feet above the highest elevation of any part of the manufactured home within ten feet of the chimney.

(b) An air intake assembly shall be installed in accordance with the terms of listing/manufacture's instructions. A combustion air inlet shall conduct the air directly into the fire chamber and shall be designed to prevent material from the hearth dropping onto the area beneath the manufactured home.

(c) The hearth extension shall be of noncombustible material a minimum of 3/8-inch thick, shall extend a minimum of 16 inches in front and eight inches beyond each side of the fireplace/fireplace stove opening. The hearth shall also extend over the entire surface beneath a fire place stove and beneath an elevated or overhanging fireplace.

(E) *Support systems.* Pre-code homes built prior to June 15, 1976, are required to be installed (set-up) in accordance with the standards of the State Building Code, Chapter 1350.

(F) *Aluminum wiring.* All electrical systems shall be tested for continuity to assure that metallic parts are properly bonded, shall be tested for operation to demonstrate that all equipment is connected and in working order, and shall undergo a polarity check to determine that connections are proper. The electrical system shall be properly protected for the required amperage load. If the unit is of aluminum conductors, all receptacles and switches rated 20 amperes or less directly connected to the aluminum conductor shall be marked CO/ALR. Exterior receptacles other than heat tape receptacles shall be of the ground fault circuit interrupter (G.I.) type. Conductors of dissimilar metals (copper/aluminum/or copper-clad aluminum) must be connected in accordance with the National Electrical Code.

(G) *Replacement furnaces and water heaters.*

(1) If the manufactured (mobile) home has had or is to receive a replacement furnace or water heater, it shall be listed for use in a manufactured (mobile) home. Vents, roof jacks, and chimneys necessary for the installation shall be listed for use with the furnace or water heater.

(2) The furnace and water heater shall be secured in place to avoid displacement. Every furnace and water heater shall be accessible for servicing and/or replacement.

(3) Furnaces and water heaters shall be installed to provide complete separation of the combustion system from the interior atmosphere of the manufactured home as required by HUD 3280.709 (24 CFR 42.3280.709).

(4) The floor area in the water heater area shall be free from damage from moisture and the like, to assure that the floor will support the weight of the water heater and water contained within.

(H) *Gas line testing.* The gas piping for each pre-code home shall be tested with the appliance valves removed from the piping and capped at those areas. The piping shall withstand a pressure of at least six inches mercury or 3 psi gauge for a period of not less than ten minutes without showing any drop in pressure. Pressure shall be measured with a mercury manometer, a slope gauge calibrated so as to read in increments of not greater than 1/10 pound, or an equivalent device. The source of normal operating pressure shall be isolated before the pressure test is made. After the appliance connections are reinstalled, the piping system and connections shall be tested with line pressure of not less than ten inches nor more than 14 inches water column air pressure. The appliance connections shall be tested for leakage with soapy water or bubble solution.

('75 Code, § 20.1022) (Ord. 1091.95, passed 4-6-95) Penalty, see § 150.99

§ 150.33 INSPECTION OF MANUFACTURED HOMES; FEE.

Prior to connection of any municipal utility to a manufactured home placed on any lot or within any manufactured home park within the city, said manufactured home shall be inspected by the City Building Inspector and shall be in compliance with the provisions of § 150.32. The

owner or occupant of said manufactured home shall make application in writing to the city hall for inspection prior to locating said manufactured home within the city, which application shall be accompanied by an inspection fee as may be adopted from time to time by Council resolution or ordinance.

('75 Code, § 20.1024) (Ord. 1091.95, passed 4-6-95) Penalty, see § 150.99

§ 150.34 REGULATION BY RESTRICTIVE COVENANT.

Nothing in § 150.30 shall prevent the further regulation of uses of property by means of restrictive covenants.

('75 Code, § 20.1020) (Ord. 1066.89, passed - -89)

Cross-reference:

Zoning code; zoning districts, see § 154.055 et seq.

§ 150.99 PENALTY.

Any person violating any provision of this chapter shall be guilty of a misdemeanor and penalized as provided in § 10.99.