

## Ordinance No. 94

[Adopting Minnesota State 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; PROVIDES FOR AUTOMATIC SPRINKLER SYSTEM REQUIREMENTS; 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.**

THE CITY COUNCIL OF THE CITY OF MEDICINE LAKE HEREBY ORDAINS 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 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 Divisions hereby adopted by reference with the exception of the optional chapters, unless specifically adopted in this ordinance as if fully set out herein.

**Section 2. Application, Administration and Enforcement.** The application, administration, and enforcement of code shall be in accordance with Minnesota State Building Code. The code shall be enforced within the extraterritorial limits permitted by Minnesota Statute 16B.62, Subdivision 1, when so established by this ordinance. The code enforcement agency of the City of Medicine Lake is the Building Official designated by the City of Medicine Lake to administer the code (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 Statutes 16B.62, Subdivision 1. Permit fees shall be assessed for work governed by this code in accordance with the fee schedule adopted by the municipality in Ordinance 90. In addition, a surcharge fee shall be collected on all permits issued for work governed by this code in accordance with Minnesota Statute 16B.70.

**Section 4. Violations and Penalties.** A violation of the code is a misdemeanor (Minnesota Statute 16B.69).

**Section 5. Automatic Sprinkler Systems.** The regulation of automatic sprinkler systems shall be authorized in Minnesota Statutes 1306.0020, Subpart 3: New Buildings. Automatic sprinkler systems for new buildings, additions to existing buildings, or buildings in which the occupancy classification has changed must be installed and maintained in operational condition within the structure. The requirements of this subpart apply to structures that fall within the occupancy classifications established in part 1306.0030.E.1. Group R-1 and R-2 occupancies with 8,500 or more gross square feet of floor area or dwelling units or guestrooms on three or more floors; and attached R-3 occupancies and attached townhouses built to the International Residential code with 8,500 or more gross square feet of floor area. All floors, basements, and garages are included in this floor area threshold.

**Section 6. Repealer.** Previously adopted ordinances are hereby repealed.

**Section 7. Effective Date of Ordinance.** This Ordinance shall take effect upon its adoption and publication.

**Adopted by the City Council of Medicine Lake this 3rd day of April, 2006.**

Mary Anne Young, Mayor

ATTEST: Chris Lentz, City Clerk