

ORDINANCE NO. 93

**(Adopting Minnesota State Building Code)
(Self-Perpetuating)**

**CITY OF NEW GERMANY
CARVER COUNTY, MINNESOTA**

August 8, 2007

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 THE CITY OF NEW GERMANY; 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.

THE CITY COUNCIL OF THE CITY OF NEW GERMANY, CARVER COUNTY, MINNESOTA, ORDAINS:

Section 1. Codes adopted by reference. The Minnesota State Building Code (the “Code”), as adopted by the Commissioner of Labor and Industry pursuant to Minnesota Statutes Sections 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 Labor and Industry, through the Building Codes and Standards Unit, 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.

Section 2. Application, Administration and Enforcement. The application, administration, and enforcement of the Code shall be in accordance with the Minnesota State Building Code and Minnesota Rules, Chapter 1300, as it may be amended from time to time. The Code shall be enforced within the extraterritorial limits permitted by Minnesota Statutes Section 16B.62, Subdivision 1, when so established by this ordinance. The Code shall be enforced by a Minnesota Certified Building Official designated by the City Council to administer the Code.

Section 3. Permits and Fees. The issuance of permits and the collection of fees shall be as authorized in Minnesota Statutes Section 16B.62, Subdivision 1. Permit fees shall be assessed for work governed by the Code in accordance with a fee schedule adopted by the City Council. In addition, a surcharge fee shall be collected on all permits issued for work governed by the Code in accordance with Minnesota Statutes Section 16B.70.

Section 4. Violations and Penalties. A violation of the Code is a misdemeanor.

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

The following optional provisions identified in the most current edition of the State Building Code are hereby adopted and incorporated as part of the building code for the City of New Germany.

None.

Section 6. Perpetual Existence. This ordinance shall perpetually include the most current edition of the Minnesota Statute Building Code with the exception of the optional appendix chapters. Optional appendix chapters shall not apply unless specifically adopted.

Section 7. Repealer. All ordinances or parts of ordinances previously adopted that conflict or are inconsistent with the provisions of this ordinance are repealed.

Section 8. Effective Date. This ordinance shall be in effect from and after its passage and publication according to law.

Passed and adopted by the City Council of the City of New Germany this 8th day of August, 2007.

CITY OF NEW GERMANY

Pete Peterson, Mayor

ATTEST:

Joan Guthmiller, Clerk

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