AN ORDINANCE of the CITY OF MINNEAPOLIS

By: Lilligren

Amending Title 5, Chapter 91 of the Minneapolis Code of Ordinances relating to Building Code: Permit Fees.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 91.10 of the above-entitled ordinance be amended to read as follows:

91.10. Fee procedure. The fees established and set forth in this chapter shall be collected by the director of inspections City before the issuance of any permits for which fees are required under the provisions of this chapter. The director of inspections building official shall not issue any such permit for which the payment of a fee is required by said provisions until such fee shall have been paid to said director of inspections the City, excepting, however, such permits may be issued for work to be done for the United States without the payment of any fee. Every person, at the time of applying to the director of inspections City for any permit for which a fee is required to be paid under the provisions of this chapter, except in the case of street permits, shall make a statement in writing, upon blanks and forms to be furnished by the director of inspections City for that purpose, which shall contain information as to the location, nature, extent and cost of the proposed structure, work, installation or other purpose, as well as all other information which the director of inspections City shall have the right to require under this Code and said statement shall contain a declaration that the facts and representations herein made are true and correct, which statement shall be subscribed to by the person or persons, or officer or agent of the corporation applying for said permit. Upon such statement being filed as above required and upon the payment to the director of inspections City by the applicant for said permit of the required fee for said permit, said director of inspections building official shall issue such permit.

All fees collected shall be paid over to the city finance office, by the director of inspections, daily, or as soon after collections as practicable.

Section 2. That Section 91.15 of the above-entitled ordinance be amended to read as follows:

- **91.15. Fee refunds.** (a) There shall be no refund of any permit fee or plan checking fee collected by the <u>director of inspections City</u> in accordance with this chapter when the amount of the fee so collected is equal to or less than the minimum fee established in section 91.40 and the director's fee schedule. However, claims for full refund of permit fees only, based on <u>department of inspections Construction Code Services Division of the Community Planning Economic Development (CPED) Department</u> error, may be granted.
- (b) All claims for refunds of permit fees in accordance with this section shall be made to the director of inspections building official within one hundred eighty (180) calendar days of the payment of said fees.
- (c) For permits which are cancelled after issuance, where no authorized work has begun, a refund of fifty (50) percent of the permit fees claimed in excess of the minimum fee established in section 91.40 may be granted less a processing fee as established in the director's fee schedule pursuant to section 91.70; in no case shall such fees retained by the director of inspections City exceed a maximum retained fee as specified in the director's fee schedule section 91.70, if no work has been started. If any work authorized by a permit has been started, the department may retain a percentage of the fee for such permit over and above the maximum retained fee set out herein commensurate with the percentage of the work completed.
- (d) The director of inspections <u>building official</u> shall cause to be placed in the <u>director of inspections'</u> office <u>where permits are to be obtained</u> notices of such size and readability that persons making application for permits and paying the fees therefor shall be notified of the refund policies of the department.
- (e) Refunds due under the foregoing provisions shall be made upon written request of the permit applicant. The city finance officer shall refund such monies by issuing a check to the applicant for the refund amount due, upon receipt of a check request approved by the <u>director of inspections building official</u>. Said request shall contain the name and address of the permit applicant, the permit number, and the amount of refund due under this section.
- Section 3. That Section 91.20 of the above-entitled ordinance be amended to read as follows:
- **91.20. Street permits.** (a) The director of inspections <u>City</u>, before issuing any permit for the use or occupancy of any portion of any street, shall require the payment by the applicant for such permit, in the manner herein provided, of a fee as established in the director's fee schedule pursuant to section 91.70
- (b) No person shall place or allow to be placed on any street, boulevard or alley any container which has a capacity of more than five (5) cubic feet, and which is designed or utilized for the collection of building debris, solid waste, or any other material without first obtaining a street use permit.

- (1) Street use permits for solid waste containers may only be issued to those persons licensed as a Minneapolis Solid Waste Hauler as required by Chapter 225.290 of this Code or as a Class A or B Wrecker of Buildings as required by Chapter 277.2270 of this Code.
- (c) Street use permits for personal storage containers may only be issued to the company which is responsible for the delivery and pickup of the personal storage container.
 - (1) Personal storage container shall mean a storage container that is contracted to be delivered to a residence and used to store personal items then picked up by a hauler and stored at a facility until it is requested to be delivered back to the residence so that the personal items may be retrieved.

Section 4. That Section 91.35 of the above-entitled ordinance be amended to read as follows:

- 91.35. Service charges. (a) When an agency or person requests that research work or service be performed by the department of inspections Regulatory Services

 Department or the Community Planning Economic Development (CPED) Department, an hourly research fee as established in the director's fee schedule pursuant to Section 91.70, at a minimum charge of one (1) hour, shall be imposed.
- (b) For each check returned as nonnegotiable due to insufficient funds, closed account or other reason, a bad-check charge of thirty dollars (\$30.00) shall be collected together with the face amount of the returned check. In the future, this amount shall change to follow Minnesota State Statute 604.113, subd. 2(a), as amended.
- Section 5. That Section 91.50 of the above-entitled ordinance be amended to read as follows:
- **91.50. When fees doubled.** Should any person begin work of a kind for which a permit from the director of inspections <u>City</u> is required by this Code without having secured the necessary permit therefor from the director of inspections, that person shall, when subsequently securing such permit, be required to pay double the fees provided for such permit, and shall be subject to all the penal provisions of said Code.

Section 6. That Section 91.60 of the above-entitled ordinance be amended to read as follows:

91.60. Violations. No person shall violate any provision of this chapter, or make any false statement in the affidavit as sworn statement made, as required by this Code, in connection with the securing of any permit from the director of inspections <u>City</u>.

Section 7. That Section 91.70 of the above-entitled ordinance be amended to read as follows:

- 91.70. Unit based permit fee adjustment; director's fee schedule. (a) The minimum fee as shown in section 91.40 and certificate, permit, service or other fees calculated on a unit item or other basis, as shown in sections 46.40, 48.310, 50.70, 56.110, 56.30, 59.40, 59.50, 91.15, 91.20, 91.35, 91.55, 91.105, 91.115, 91.120, 91.150, 91.190, 91.220, 91.270, 91.380, 91.390, 91.410, 91.460, 91.465, 91.610, 91.620, 91.740, 91.750, 91.770, 91.780, 91.900, 108.30, 174.500, 249.80, and 389.105 shall be subject to automatic adjustment based on annual increases in the construction cost index (CCI) for the City of Minneapolis as published quarterly by the Engineering News Record. Such adjustment, rounded off to the nearest one (1) percent, shall be effective on April first of each year based on the construction cost index for the period ending December 31 of the preceding calendar year. Thereafter the director's fee schedule shall be subject to automatic annual adjustment pursuant to the terms of subsection (a) and shall be made available to the public at least thirty (30) days prior to going into effect. In the event CCI for the preceding calendar year is less than three (3) percent, the annual increase will be three (3) percent.
- (b) The director of inspections <u>City</u> shall publish, maintain and make available to the public via all readily available means, including posting to the city's designated Internet site(s), a schedule of all such fees referenced in subsection (a). Such schedule shall be titled the director's fee schedule and shall be promptly revised and updated by the director <u>building official</u> on April first of each year. The council shall approve the initial director's fee schedule to be effective April 1, 2004. Thereafter the director's fee schedule shall be subject to automatic annual adjustment pursuant to the terms of subsection (a) and shall be made available to the public at least thirty (30) days prior to going into effect.
- (c) The building permit fee amounts herein established shall be effective April 1, 2004 and shall be subject to automatic annual adjustment each April first thereafter in a percentage equal to annual increases in the consumer price index (CPI) for the period ending December 31 of the preceding calendar year. In the event CPI for the preceding calendar year is less than three (3) percent, the annual increase will be three (3) percent. Such building permit fees and subsequently adjusted building permit fees shall be published and maintained in the director's fee schedule referenced in section 91.70 and shall be based on the following valuation categories:

Valuation Categories

\$1.00 to \$500.00

\$501.00 to \$2,000.00

\$2,001.00 to \$25,000.00

\$25,001.00 to \$50,000.00

\$50,001.00 to \$100,000.00

\$100,001.00 to \$500,000.00

\$500,001.00 to \$1,000,000.00

\$1,000,001.00 and up

Section 8. That Section 91.90 of the above-entitled ordinance be amended to read as follows:

- **91.90.** Required generally. (a) The director of inspections <u>City</u> before issuing (1) any permit for the wrecking, moving, raising and holding or erection of any building or structure, or portion thereof, (2) any permit for an addition to any existing building or structure or for any alterations or repairs to any existing building or structure, or (3) any annual maintenance permit as provided for in the Minnesota State Building Code, upon application therefor, shall require the payment by the applicant for such permit of value-based fees in the amounts herein set forth.
- (b) Building valuation for the purpose of establishing building permit fees shall be as set forth by the valuation data published by the Building Code Division, Department of Administration, State of Minnesota, as may be amended from time to time, or the applicant's value, including all labor and materials, whichever greater. The valuation to be used in computing the permit and plan-check fees shall be the total contract price of all construction or maintenance work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent work or permanent equipment. Nothing in this method of determining valuation for building permit fees shall be construed as supplementing or decreasing the fees for other permits required by this Code.
- (c) The building permit fee amounts herein established shall be effective April 1, 2004 and shall be subject to automatic annual adjustment each April first thereafter in a percentage equal to annual increases in the consumer price index (CPI) for the period ending December 31 of the preceding calendar year. In the event CPI for the preceding calendar year is less than three (3) percent, the annual increase will be three (3) percent. Such building permit fees and subsequently adjusted building permit fees shall be published and maintained in the director's fee schedule referenced in section 91.70 and shall be based on the following valuation categories:

Valuation Categories

\$1.00 to \$500.00

\$ 501.00 to \$2,000.00

\$2,001.00 to \$25,000.00

\$25,001.00 to \$50,000.00

\$50,001.00 to \$100,000.00

\$100,001.00 to \$500,000.00

\$500,001.00 to \$1,000,000.00

\$1,000,001.00 and up

Section 9. That Section 91.100 of the above-entitled ordinance be amended to read as follows:

91.100. Plan-checking fees. When the valuation of the proposed construction exceeds one thousand dollars (\$1,000.00) and a plan is required to be submitted, a plan-checking fee shall be paid to the <u>director of inspections building official</u> at the time of submitting plans and specifications for checking. Said plan-checking fees for all buildings shall be sixty-five (65) percent of the building permit fees as set forth in section 91.90, except that for expedited plan-checking services as set forth in section 89.20, the fee shall be one hundred (100) percent of the building permit fees as set forth in section 91.90

Where plans are incomplete, or changed so as to require additional plan checking, an additional plan-check fee shall be charged at a rate established by the director of inspections building official.

Applications for which no permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation and plans submitted for checking may thereafter be returned to the applicant or destroyed by the director of inspections building official. The director of inspections building official may extend the time for action by the applicant for a period not exceeding one hundred eighty (180) days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan-check fee.

Section 10. That Section 91.105 of the above-entitled ordinance be amended to read as follows:

91.105. Special inspection fees. The fee for special inspections of a transitory project, including but not limited to carnivals, festivals and special events, or for special inspections to be performed during hours other than the normal working hours established by the director of inspections City shall require the payment of an hourly fee

as established in the director's fee schedule pursuant to section 91.70, including a minimum specified fee, such fees to be paid to the city treasurer by the contractor, building owner or agent, or any other person requesting the special inspection.

Section 11. That Section 91.120 of the above-entitled ordinance be amended to read as follows:

91.120. Fees for temporary certificates of occupancy. Temporary or partial certificates of occupancy may be issued at the discretion of the director of inspections building official upon prepayment of a fee in an amount as established in the director's fee schedule pursuant to section 91.70 for each such temporary or partial certificate of occupancy requested and so issued. Temporary certificates of occupancy may be renewed upon prepayment of the renewal fee in an amount equal to the fee for issuance at the discretion of the director of inspections building official.

Section 12. That Section 91.180 of the above-entitled ordinance be amended to read as follows:

91.180. Fees required. The director of inspections City, before issuing any permit for the installation of any plumbing work, fixture or device, shall require the payment by the applicant of such permit fees in the amount herein provided.

Section 13. That Section 91.190 of the above-entitled ordinance be amended to read as follows:

- **91.190. Basic fees.** (a) The fees for all plumbing permits shall be computed on the basis of the number of fixture openings, plumbing fixtures or devices provided for in such permits, and the fee for each shall be as established in the director's fee schedule pursuant to section 91.70 based on the following categories:
 - (1) Plumbing fixture installed, including waste and/or vent piping;
 - (2) Plumbing fixture set only;
 - (3) Waste and vent piping only;
 - (4) Rainwater leader, for ten (10) stories or fraction thereof.
- (b) For the purpose of calculating fees, plumbing fixtures counts include but are not limited to lavatories, water closets, bath tubs, dishwashers, disposals, ice makers, sumps, floor drains, indirect wastes, heat exchangers, sewer ejectors, solar heat exchangers, receiving tanks, cross-connection control devices, electric or steam water heaters, water storage tanks and food service equipment when connected to the water supply.

- (c) Water service, supply and distribution system. The director of inspections City, before issuing any permit for the installation or replacement of, or extension to any water service, water supply or water distribution pipe or system of piping in any building or structure, shall require the payment by the applicant for such permit of fees as established in the director's fee schedule pursuant to section 91.70 and based on the following categories:
 - (1) For any permit for installing a water meter or fire meter.
 - (2) For any permit for installing, repairing, overhauling, or testing of reduced-pressure-zone (RPZ) backflow preventers.
 RPZ permits are exempt from the minimum fee requirement as called for in section 91.150.
 - (3) For any permit for replacing or extending water distribution piping for each one hundred (100) lineal feet or fraction thereof.
 - (4) For any extension of the water pipe to a water-using device or fixture for which a plumbing permit is required, such plumbing permit and the fee paid shall cover the installation of both the device or fixture and the water piping for such device or fixture (subject to minimum fees, section 91.40).

Section 14. That Section 91.250 of the above-entitled ordinance be amended to read as follows:

91.250. Fees required. The director of inspections <u>City</u>, before issuing any permit for the installation of any gas piping or gas fixtures, or device, shall require the payment by the applicant for such permit of fees in the amount herein.

Section 15. That Section 91.310 of the above-entitled ordinance be amended to read as follows:

91.310. Fees required. The director of inspections <u>City</u>, before issuing any house moving permit or a permit for the wrecking of any building or structure, shall require the payment by the applicant for such permit of fees in the amounts herein provided.

Section 16. That Section 91.360 of the above-entitled ordinance be amended to read as follows:

91.360. Fees required. The director of inspections <u>City</u>, before issuing any permit for the installation of any sign, billboard or marquee, or for annual registration of same, shall require the payment by the applicant for such permit or registration of fees in the amounts herein provided.

Section 17. That Section 91.380 of the above-entitled ordinance be amended to read as follows:

91.380. Sign fees established. The permit fee for off-premises advertising billboards shall be as established in the director's fee schedule pursuant to section 91.70. For all other signs, the permit fee for a sign shall be as established in the director's fee schedule and shall require a fee for the first one hundred (100) square feet of area, plus a fee for each additional fifty (50) square feet of area, or fraction thereof. An additional fee shall be specified in the director's fee schedule for projecting sign permits. The fee for recovering the framework of awnings and canopies shall be as set forth in section 91.90 pertaining to other structures.

Section 18. That Section 91.415 of the above-entitled ordinance be amended to read as follows:

91.415. Banner signs. The fee for banner signs shall be that required for a temporary sign as set out in section 91.410. Such banner signs shall be installed only by a licensed sign hanger, after obtaining a temporary sign permit from the director of inspections <u>City</u>. The temporary sign permit for a banner sign shall have a limited expiration date of sixty (60) days and shall include all provisions set forth in section 109.370 of this Code.

Section 19. That Section 91.460 of the above-entitled ordinance be amended to read as follows:

91.460. Fees required. The director of inspections <u>City</u>, before issuing any permit for the construction, installation, alteration, addition or repair of any furnace, boiler, heating or power plant or system, or any device or equipment connected therewith, or for any other device connected, or to be connected with any chimney or stack, or for the construction, installation, alteration, addition or repair of any air conditioning system or ventilation system or sheet metal ductwork or equipment connected therewith, shall require the payment by the applicant for such permit of the fee or fees in the amount shown in the attachment. The permit fee amounts herein established shall be effective immediately and shall be subject to automatic adjustment each April first thereafter in a percentage equal to annual increases in the consumer price index (CPI) for the period ending December 31 of the preceding calendar year. Such permit fees and subsequent adjusted fees shall be published and maintained in the director's fee schedule referenced in Section 91.70 and shall be based on the following valuation categories.

Contract Price	Required Heating and Valuation Categories
\$1.00—\$50,000.00	

\$50,001.00 and over	

The cost of installations, alterations, additions or repairs as used in this article shall include all labor and material supplied by the contractor. In addition, it shall include all materials supplied by other sources when these materials are normally supplied by the contractor.

The permit fee for the installation of a gas burner and its equipment for use in connection with a heating system shall be as established in the director's fee schedule pursuant to section 91.70.

Section 20. That Section 91.470 of the above-entitled ordinance be amended to read as follows:

91.470. Revision of estimated cost. The estimated cost shall be subject to review by the director of inspections building official, and if the estimate does not reflect the true cost, it shall be revised and the applicant shall pay the fee based upon such revision. The director of inspections building official may revoke any permit issued containing false information regarding the value of the work authorized by said permit. If the actual cost exceeds the estimate by five hundred dollars (\$500.00) or more, the applicant shall report, within thirty (30) days after completion of the job, the actual cost to the inspection department and the fee shall be revised and the applicant shall pay a fee computed on the basis of the actual cost.

Should the director of inspections <u>building official</u> find that estimated cost was undervalued and not reported, or that for fees computed on a per-item basis, the number or type of items exceeds that reported on the work permit application, a penalty fee of fifty dollars (\$50.00) shall be paid in addition to the revised permit fee.

Section 21. That Section 91.480 of the above-entitled ordinance be amended to read as follows:

91.480. Permit fees for heating, air conditioning and refrigeration by alternative sources of energy. Permits shall be required for the construction, installation, alteration, addition or repair of any furnace, boiler, heating or power plant or system, or any device or equipment connected therewith, or for the construction, installation, alteration or repair of any cooling piping and equipment, or of any air conditioning system or ventilation system or sheet metal ductwork or equipment connected therewith, or of any refrigeration plant or equipment when using an alternate source of energy such as, but not limited to, solar energy. The fee shall be determined by the director of inspections building official.

Section 22. That Section 91.600 of the above-entitled ordinance be amended to read as follows:

- **91.600.** Fees required. The director of inspections City, before issuing any permit for the installation, extension, alteration or repair of any passenger or freight elevator, dumbwaiter, escalator or manlift, or for the installation or repair of gates or enclosure work in connection with any elevator, or for an annual elevator registration, shall require the payment by the applicant for such permit or registration of the fees in the amount herein provided.
- Section 23. That Section 91.730 of the above-entitled ordinance be amended to read as follows:
- **91.730.** Fees required. The director of inspections <u>City</u>, before issuing any certificate of code compliance or making any prerequisite inspection, shall require the payment by the applicant for such certificate of code compliance of the fees in the amounts herein set forth.
- Section 24. That Section 91.740 of the above-entitled ordinance be amended to read as follows:
- **91.740.** One- and two-family dwellings. The fee for a one- or two-family dwelling shall be as established in the director's fee schedule pursuant to section 91.70.
- Section 25. That Section 91.750 of the above-entitled ordinance be amended to read as follows:
- **91.750. Multiple dwellings.** The fee for multiple dwellings such as apartment buildings, shared-bath dwellings, rooming houses, boardinghouses, dormitories, fraternity and sorority houses, any building containing combinations of the above types of occupancy, and other similar type buildings shall be as established in the director's fee schedule pursuant to section 91.70 for the first dwelling, shared-bath or rooming unit, plus an additional fee as specified for each additional dwelling or shared-bath unit, and a separate specified fee for each additional rooming unit.
- Section 26. That Section 91.770 of the above-entitled ordinance be amended to read as follows:
- **91.770.** Commercial or industrial buildings. The fee for commercial or industrial buildings shall be as established in the director's fee schedule pursuant to section 91.70 for the first one thousand (1,000) square feet, or fraction thereof, of floor area, plus an additional specified fee for each additional one thousand (1,000) square feet of floor area, or fraction thereof.
- Section 27. That Section 91.780 of the above-entitled ordinance be amended to read as follows:
- **91.780.** Temporary certificate of code compliance. The fee for any temporary certificate of code compliance shall be as established in the director's fee schedule

pursuant to section 91.70 and compliance with section 87.265 of this Code shall be required.

Section 28. That Section 91.900 of the above-entitled ordinance be amended to read as follows:

91.900. Fees required. The director of inspections <u>City</u>, before issuing any permit for erosion and sediment control shall require the payment by the applicant of such permit fees in the amount herein provided.

Section 29. That Section 91.910 of the above-entitled ordinance be amended to read as follows:

91.910. Basic fees. The fees for the permit required by section 52.140 shall be as established in the director's fee schedule pursuant to section 91.70 based on the following categories:

TABLE A EROSION AND SEDIMENT CONTROL PLAN REVIEW AND INSPECTION FEES (UTILITIES)

Per lineal foot disturbed—Minimum fee as established by 91.40

TABLE B EROSION AND SEDIMENT CONTROL PLAN REVIEW AND INSPECTION FEES (MULTI-FAMILY, COMMERCIAL, AND INDUSTRIAL)

500 square feet or less

501 square feet or more

**Area is based on ground area disturbed

TABLE C

676 square feet or less detached garage

No fee

ALL OTHER CONSTRUCTION

EROSION AND SEDIMENT CONTROL PLAN REVIEW AND INSPECTION FEES (SINGLE-FAMILY RESIDENTIAL)

500 square feet or less

501 to 3,000 square feet

3,001 square feet or more

For each additional 1,000 square feet

**Area is based on building footprint

TABLE D EROSION AND SEDIMENT CONTROL PLAN REVIEW AND INSPECTION FEES (DEMOLITION ONLY)

Single-family residential

All others

(If building permit is issued at same time as demolition permit, the fee will be waived.)

TABLE E EROSION AND SEDIMENT CONTROL PLAN REVIEW AND INSPECTION FEES (MAINTENANCE PROJECTS)

Annual permit

Other Inspections and fees:

1. Inspection outside of normal business hours per hour*

(minimum charge—two hours)

*Or the total hourly cost to the city, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

Section 30. That Section 91.950 of the above-entitled ordinance be amended to read as follows:

91.950. Authority to inspect. The director of inspections <u>City</u> is hereby authorized, when requested by the Minnesota Housing Finance Agency, to conduct inspections of rental properties within the city pursuant to Minnesota Statutes, Section 462A.071, in order to certify compliance with applicable housing codes for the purpose of qualifying the property for taxation as Class 4D property under Minnesota Statutes, Section 273.13. If the director determines it is determined that the property has already been inspected by the inspections department's housing inspection division's inspectors within the previous three (3) year period for purposes of the Minneapolis Rental Dwelling License Ordinance, Minneapolis Code of Ordinances, sections 244.1800 et.

seq., then the <u>director property</u> may <u>certify be certified as in compliance</u> with the applicable codes to the State of Minnesota based upon an inspection of <u>department applicable</u> records without re-visiting the property. Inspections shall be conducted in conformity with section 244.1855 of this Code.

AN ORDINANCE of the CITY OF MINNEAPOLIS

By: Lilligren

Amending Title 5, Chapter 93 of the Minneapolis Code of Ordinances relating to Building Code: Safety Precautions: Protection of Public Property.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 93.20 of the above-entitled ordinance be amended to read as follows:

93.20. Authority to stop construction or wrecking of buildings. The director of inspections building official is hereby given authority to stop the construction, alteration or repair of any building, or the wrecking of any building, whenever in the director's building official's judgment the same is being done in a reckless, careless or unsafe manner, or in violation of any ordinance of the city, and to order, in writing or by parole, any and all persons in any way or manner whatsoever engaged in constructing, altering, repairing or wrecking any such building to stop and desist therefrom. When any such work shall have been so stopped by the director of inspections building official, it shall not be resumed until after said director building official shall have been satisfied that all precautions will be taken for the protection of life and property and that such work will be prosecuted in a safe manner and in conformity with the ordinances of the city.

Section 2. That Section 93.50 of the above-entitled ordinance be amended to read as follows:

93.50. Temporary use of sidewalks, streets. Whenever buildings adjacent to street lines are to be erected or torn down, or altered in such manner as might give rise to any hazard to people passing the same, substantial fences shall be constructed in front of such buildings and when required temporary sidewalks and sidewalk covers shall be constructed as required herein. All such constructions shall be safely and substantially built to meet the approval of the director of inspections building official and shall be maintained in a safe condition at all times. If construction work is abandoned for more than sixty (60) days they shall be removed if so ordered by the director of inspections building official and the street or sidewalk cleared of all materials.

Section 3. That Section 93.60 of the above-entitled ordinance be amended to read as follows:

93.60. Permit to place building material on streets. Any person building or repairing a building near any street, avenue or public ground, or desiring to remove any building along any street, may apply to the city engineer for a permit to place building material, or properly contained building refuse, upon such street, avenue or public ground during the progress of such building or repairing, or removing such building, and the city engineer may, applying reasonable discretion, when the necessities of the case seem to require it, grant such permit under such conditions and restrictions (to be set forth in such permit) as will in the city engineer's judgment prevent needless inconveniences to the public. Such permit shall be in writing and may be revoked by the city engineer or the director of inspections building official upon good cause being shown, but while in force shall protect the property from seizure and the person permitted from the penalties of this Code, so long as such person shall rigidly observe the conditions and restrictions therein. Such permit shall be presented to the director of inspections building official and recorded in a book kept for that purpose by the department of inspections Construction Code Services Division of the Community Planning Economic Development (CPED) Department, and until the permit is so recorded it shall be of no force or effect. All permits issued by the director of inspections building official pursuant to the provisions of this chapter shall expire at the end of a ninety-day time period.

Section 4. That Section 93.70 of the above-entitled ordinance be amended to read as follows:

- **93.70.** Walk and fence around building material. (a) When required by the city engineer or the director of inspections building official, a sidewalk or passageway, at least four (4) feet in width, shall be kept in front of any building during the progress of its construction, and shall extend from the side of the permanent sidewalk in front of each lot adjoining the sides of the lot on which such building is being erected. Such sidewalk, if temporary, shall be laid out around the space to be used for the materials to be employed in the erection of such building, but shall be laid wholly within that part of the street which is so permitted to be used for such building materials.
- (b) Any such sidewalk shall at all times be kept clear for the passage of persons over the same, except when materials are being handled over said sidewalk, and no person shall leave any materials, tools, implements or machinery thereon.
- (c) Such sidewalk, if temporary, shall be constructed in a manner approved by the director of inspections building official and the city engineer.
- (d) The respective ends of said temporary sidewalk shall be laid even with the sidewalk to which it is connected.

- (e) A fence four (4) feet in height shall be constructed from the line of the curb to the building line on both sides of any place where the permanent sidewalk shall be removed or obstructed by any building operations.
- (f) It shall be the responsibility of the person granted a temporary occupancy permit to provide such safeguards as necessary to prevent access to that part of the street set out in said permit by unauthorized persons. It shall be unlawful for any unauthorized person to enter that part of the street provided with proper safeguards as required by this chapter.

Section 5. That Section 93.90 of the above-entitled ordinance be amended to read as follows:

93.90. Sidewalk to be covered. Whenever any new building abutting directly upon any street within the city shall have attained the height of one story, or whenever it may become necessary to unroof or take down any building so abutting upon any street within the city, or to perform any work thereon whereby risk may be incurred to any person passing the same, the party or parties erecting, unroofing, taking down or performing any work on any such building, or the owner thereof, shall erect a good and substantial covering over the sidewalk, at least four (4) feet in width and having headroom of not less than seven (7) feet six (6) inches in height, to be approved by the director of inspections building official.

Section 6. That Section 93.100 of the above-entitled ordinance be amended to read as follows:

93.100. Curb, paving or parking meters; how to remove. Whenever in the construction, alteration, repair or removal of any building, it shall be necessary to remove any of the paving or curb, or any parking meter, or meters, in the street in front of said building, or in the alley adjacent thereto, either for the purpose of making excavations or for setting derrick-posts, the director of inspections building official shall not issue a permit for said proposed work until the applicant for such permit presents to the director of inspections building official a permit from the city engineer for the removal of said paving, curb or parking meter, or meters, together with a receipt from the city finance officer for the amount of money necessary, according to the estimate of the city engineer, to defray the expense of relaying said paving and resetting said curb and parking meters, and to defray the loss to the city of the public use of the parking spaces due to the removal of any parking meters. The estimate of loss to the city by reason of the removal of parking meters shall be determined in accordance with the estimate of cost for loss of the use of parking meters as set forth in section 478.430

The removal and reinstallation cost of meter shall be one hundred dollars (\$100.00) per meter pole plus daily hooding/loss fees as set forth in section 478.430. These fees shall be increased as needed on an annual basis by the city engineer based on the actual cost to the city.

Section 7. That Section 93.180 of the above-entitled ordinance be amended to read as follows:

- **93.180.** Director Building official to be notified before pouring concrete. (a) The contractor shall notify the director of inspections building official, when the reinforcing steel is being placed in the forms and nearly completed, to make an inspection.
- (b) When metal lath hangers and ties for suspended ceilings are placed by the contractor, he shall, upon completion, notify the plaster inspector to make an inspection.
- (c) No concrete shall be poured until both of the above inspections shall have been made and permission granted to proceed.

Section 8. That Section 93.210 of the above-entitled ordinance be amended to read as follows:

93.210. Fire prevention during construction. No combustible materials or equipment in excess of actual requirements shall be kept or stored in any building during construction. Shavings, wood cuttings and other light combustible materials shall be removed at frequent intervals. Form lumber, planking, scaffolding and similar material shall be removed as soon as they are no longer needed. No salamander shall be used on a floor of combustible construction unless protected with at least four (4) inches of sand under the legs thereof and no combustible material shall be permitted near such apparatus. All salamanders shall be securely constructed and designed so that they cannot be accidentally overturned. Such fire extinguishers of a nonfreezing type shall be provided as the director of inspections building official may require. In buildings over ten (10) stories high a guard shall be kept at the work during all hours that work is not in progress.

Section 9. That Section 93.220 of the above-entitled ordinance be amended to read as follows:

93.220. Additional precautions. When an unusual situation arises in the construction, alteration or wrecking of buildings which creates a substantial danger or hazard to the public, and when in the judgment of the director of inspections building official and the city engineer the provisions of this Code are not adequate to properly protect the public, or the enforcement of the provisions of this Code might create danger or hazard to the public, then upon the recommendation in writing of the director of inspections building official and the city engineer, the city council may prescribe additional precautions and safety measures and may direct or authorize deviation from the requirements of this Code to meet the specific conditions of the project, as may be deemed necessary for the safety and protection of the public.

AN ORDINANCE of the CITY OF MINNEAPOLIS

By: Lilligren

Amending Title 5, Chapter 95 of the Minneapolis Code of Ordinances relating to Building Code: Projections and Encroachments.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 95.90 of the above-entitled ordinance be amended to read as follows:

- **95.90. Areaways.** (a) *Defined.* The term "areaway," as used in this Code, shall mean a below-grade area which is or was used as an extension of, or adjunct to, a building or structure and which extends into and occupies a portion of a street or other public right-of-way.
- (b) New construction or modification of areaway. No areaway shall be constructed or modified without an encroachment permit issued by the city engineer. Persons seeking an encroachment permit for an areaway shall submit an application before they apply for a building permit and shall submit their plans, including present and proposed top-of-curb profiles and other pertinent information, for the city's review regarding compliance with the following conditions and restrictions:
 - (1) No areaway shall be permitted in any alley right-of-way or in the roadway portion of any street (from the back of the curb to back of curb, or, if a new layout plan for a street has been approved by the city council, then between the proposed backs of curbs).
 - (2) No areaway shall be permitted in the sidewalk utility corridor, which is the five-foot wide portion of the public right-of-way parallel and adjacent to the back of the curb and having a depth of nine (9) feet measured from the top of the curb. No areaway shall extend more than twelve (12) feet into the public right-of-way as measured from the property line. Further, the areaway shall not serve as an essential support function for the adjacent building, so that the areaway can be readily removed without affecting the structural integrity of the adjacent building or other essential support systems to said building.

- (3) The minimum granular cover material between the top of the areaway and the bottom of the sidewalk or driveway shall be six (6) inches at the property line. Further, said cover shall uniformly increase by sloping the areaway roof downward way from the property line at a minimum rate of three-fourths (3/4) inch per foot advancing into the right-of-way.
- (4) No opening of any kind, including, but not limited to, stairways, chutes, and ventilation openings, shall be allowed from the public sidewalk into the areaway.
- (5) The walls of the areaway shall be of adequate strength and sufficiently braced with cross walls to resist all lateral and vertical loads, including but not limited to earth loads, hydrostatic loads, vehicular loads and loads imposed by the structure.
- (6) The areaway shall be constructed of reinforced concrete or other suitable material adequate to safely carry the design load, including the capability of sustaining a concentrated live load of ten thousand (10,000) pounds on any area not exceeding six (6) inches square. All materials shall be corrosion-resistant.
- (7) The shutoff (stop box) for all water supply lines shall be outside of and at least two (2) feet from the areaway walls and no such areaway shall interfere with pipes, sewers, conduits or other underground construction of the city or any public service corporation.
- (8) Areaway roofs less than three (3) feet from the surface shall be insulated with a suitable material so as to prevent the melting and refreezing of snow caused by heat loss to the sidewalk or utility corridor above.

Upon completion of the review, the application for an areaway encroachment permit will be forwarded to the city engineer for approval or denial. After the city engineer issues the encroachment permit, the requesting party shall obtain a building permit prior to constructing said areaway.

Any modification of an existing areaway shall be performed in compliance with the requirements of section (b) above, as well as the additional requirements set forth for existing areaways in section (c) below as determined by the city engineer.

(c) Existing areaway compliance. All areaways or the remains of areaways, in existence prior to January 1, 1990, shall be allowed to remain in place until such a time as the city engineer may require that the areaway be modified or abandoned to accommodate projects for the public good, including, but not limited to, the following projects: Sidewalk, including condemned sidewalk replacement, curb, gutter, street pavement, utility, street lighting system, traffic signal system, and streetscape. When an areaway must be modified or abandoned for such purpose, the city engineer shall notify

the property owner of the existing or potential areaway conflict. The property owner shall, within two (2) weeks, respond to the city engineer's notice and provide a schedule satisfactory to the city engineer for completing the required work. Should the property owner fail to supply a satisfactory schedule or follow through with the approved schedule, the city council may direct the city engineer to abandon said areaway in its entirety and may assess all associated costs against the property adjoining the areaway and such assessment shall be levied and collected in the same manner as special assessments under Chapter 10, Section 8 of the Charter of the City of Minneapolis. Before the city council orders the city engineer to abandon an areaway, it shall hold a public hearing on the matter and shall provide the owner of the areaway fourteen (14) days written notice of the hearing, specifying the time and place thereof. An areaway or the remains of an areaway adjacent to a vacant lot, shall be abandoned and removed whenever a new building is constructed on any such vacant lot. All areaways or the remains of areaways in existence prior to January 1, 1990, shall remain in compliance with the following requirements:

- (1) All existing stairway areaways or open areas shall be properly protected by smooth iron or brass railing with iron gates at the tops of all such stairways. If such stairways occur at street corners, they shall be rounded off so that they shall have a radius not exceeding the distance that said stairways project into the sidewalks, measured at right angles to the front or sides of the building.
- (2) Areaways for ventilation shall not exceed four (4) feet by four (4) feet and shall be covered with a steel grating having openings not over one and one-fourth (11/4) inches wide.
- (3) Coal chutes, ash hoists or similar openings shall not exceed three (3) feet four (4) inches by five (5) feet, and shall be covered with suitable covers or doors, having a rough surface which shall be approved by the city engineer and having hinges and other hardware flush with top surface.
- (4) The covers over sidewalk areas mentioned in subsections (2) and (3) above shall be designed to carry a live load of one hundred fifty (150) pounds per square foot and when constructed in an alley right-of-way shall be designed to carry a concentrated load of six thousand (6,000) pounds on an area not exceeding six (6) inches square. When not opened, all such covers shall be securely locked in place. The walls around such areaways shall be of masonry or reinforced concrete of adequate strength to resist all stresses.
- (5) Existing areaways larger than those permitted above or areaways to be used for other purposes shall not be allowed to remain unless a special permit was issued by the city council prior to January 1, 1990, and unless said areaways remain in compliance with the following requirements: The walls shall be of adequate strength and sufficiently braced with cross walls

to resist all lateral and vertical loads; the sidewalk or roadway over areaways shall be constructed of steel, reinforced concrete or brick arches, adequate to safely carry at least one hundred fifty (150) pounds per square foot and if such surface is used as a roadway, shall also be capable of sustaining a concentrated load of six thousand (6,000) pounds on any area not exceeding six (6) inches square; the top surface of such sidewalk or roadway shall be smooth and flush, but shall not be slippery when wet; the controls on all water supply lines shall be outside of and at least two (2) feet from the retaining walls of such areas and no such areas shall interfere with any pipes, sewers, conduits or other underground constructions of the city or any public service corporation.

All areaways to be modified shall be designed to meet all applicable state and local building codes by a design engineer who shall be a qualified civil or structural engineer, licensed by the State of Minnesota as a professional engineer. Inspection of the work shall be provided during construction by or under the direct supervision of a qualified engineer, licensed by the State of Minnesota as a professional engineer, so as to ensure that the work performed conforms to the design documents and all applicable state and local building codes. Said design and construction inspection engineer(s) shall be selected, hired and paid by the owner of the areaway.

(d) Abandonment of areaways.

(1) Partial removal permitted. Partial removal of an abandoned areaway is allowed only if the city engineer or his designee determines that a partial removal would better serve the public good for reasons including, but not limited to, avoidance of extensive excavation into roadways, minimizing disruption to vehicular traffic and minimizing disruption to pedestrian traffic.

Partial removal of an areaway shall require the demolition and complete removal of the areaway roof, floor and upper portion of the walls. The upper portion of the walls shall be defined as the top of wall to an assumed horizontal line five (5) feet below the bottom of the sidewalk or driveway at the property line. The remains of the areaway shall continue to be the responsibility of the abutting property owner and shall be subject to complete removal when the adjacent building is being demolished or for projects for the public good as set forth in paragraph (c) of this section. Property owners shall be required to file an affidavit with city engineer verifying the existence of the areaway remains and stipulating to the property owner's responsibility for its ultimate removal. The areaway's encroachment permit shall be maintained so long as the partial remains of the areaway are in existence. If the areaway does not have an

- encroachment permit, one must be obtained before the partial removal can proceed.
- (2) Complete removal required. Unless the city engineer determines that a partial removal would better serve the public good, areaways that are to be abandoned shall be completely removed from city right-of-way, subject to demolition permit requirements. Areaways that are to be abandoned shall be completely removed from city right-of-way, subject to demolition permit requirements. An areaway adjacent to or part of a building being demolished shall also be demolished, unless it is to be incorporated into a new structure. Existing areaways so utilized must be modified to be consistent with the above said new areaway construction requirements in subsection (b) above.

All areaways to be abandoned in their entirety or partially removed shall be designed to meet all applicable state and local building codes by a design engineer who shall be a qualified civil or structural engineer, licensed by the State of Minnesota as a professional engineer. Inspection of the work shall be provided during construction by or under the direct supervision of a qualified engineer, licensed by the State of Minnesota as a professional engineer, so as to ensure that the work performed conforms to the design documents and all applicable state and local building codes. All costs associated with the services provided by said design and construction inspection engineer(s) shall be the responsibility of the areaway owner.

(e) Safety inspection and certification of areaways. All areaways shall be inspected when they become twenty (20) years of age, and every five (5) years thereafter, by an inspecting engineer who shall be a qualified civil or structural engineer, licensed by the State of Minnesota as a professional engineer. Said inspecting engineer shall be selected, hired and paid by the owner of the areaway, to determine whether said areaway is capable of carrying the required loads and is otherwise structurally sound and in compliance with the provisions of this section.

The inspecting engineer shall make an engineering report of findings which shall consist of the following: (i) a statement as to whether or not the areaway is capable of carrying required loads, is structurally sound and is in compliance with the requirement of subsection (c) for areaways constructed prior to January 1, 1990, or subsection (b) for areaways constructed on or after January 1, 1990; and (ii) a list of the modifications, if any, that must be made in order to make the areaway capable of carrying required loads, structurally sound and in compliance with the appropriate subsection (b) or (c) as stated above; and (iii) a signed signature paragraph, stating the inspection and report was done by or under direct supervision of the inspecting engineer who is a duly licensed professional engineer under the laws of the State of Minnesota. In lieu of extensive modifications, the owner of the areaway may opt to make lesser modifications and more frequent engineering report of findings inspections, all as recommended by the inspection engineer, and included as an option in the engineering report of findings; provided, that such lesser modifications shall, in any event, incorporate sufficient

structural and safety features to satisfy the appropriate subsections (b) or (c). In all cases, the full list of modification to meet the requirement (ii) above must be submitted to the director of inspections building official.

The director of inspections <u>building official</u> shall provide notification of the inspection and certification requirements of this section to the owner of any affected areaway whenever an order is issued requiring compliance with the inspection and certification provisions of this section.

This subsection (e) shall apply to all areaways in existence prior to the effective date of this ordinance as well as those constructed after the effective date. For areaways in existence at the effective date of this ordinance, the initial implementation for the engineering report of findings inspection, shall be done in an orderly manner as scheduled by the director of inspections building official with the general direction that the primary intent of this subsection is to require inspections of the areaways at the regular intervals, as stated above, and that the dates of the inspections, in relation to the age of the areaways, is secondary and reasonably adjustable. Whenever the age of an areaway is not readily ascertainable, the director of inspections building official shall use reasonable and best efforts to estimate the age of the areaway. Said estimated age shall then be used for the purpose of setting inspection schedules, as stated above. The areaway owner may, for whatever reason, have an engineering report of findings inspection done at any time. Once the engineering report of findings is submitted to the director of inspections building official and the fee is paid, the future inspection schedule shall be adjusted, maintaining the frequencies of visual inspections and engineering report of findings inspections, as described above, without regard to the actual age of the areaway.

Whenever the city engineer or the director of inspections building official becomes aware of any areaway for which there is no encroachment permit, the city engineer shall send a written notice to the owner of the areaway, setting forth the requirements of this subsection. Also included in the notice shall be the requirements of an encroachment permit for the areaway. Within sixty (60) days after the city engineer has sent the written notice to the owner, the owner shall submit a completed encroachment permit application and an engineering report of findings by the owner's inspecting engineer as required by this subsection, if the areaway is more than thirtyfive (35) years of age. If the areaway is between twenty (20) years and thirty-five (35) years of age, the director of inspections building official, or designee, will conduct a visual inspection of the areaway. The owner shall comply with all provisions of this section relating to the making of necessary modifications to the areaway in the same manner and time schedule as required herein as to owners who have an encroachment permit. The owner shall also comply with all of the encroachment permit requirements of this chapter applicable to areaways. Should the owner fail to comply with these requirements, no encroachment permit shall be issued and the owner of the areaway may be ordered by the city council to remove the areaway pursuant to section 95.20 of this chapter.

The city council may revoke any previously issued encroachment permit for the failure to comply with the provisions of this section, including the failure to cause the required areaway inspections to be made or the failure to make the necessary modifications within the submitted time schedule. Upon revocation of such permit, the owner of the areaway may be ordered by the city council to remove it pursuant to section 95.20.

This subsection (e) shall not apply to any areaway that is appurtenant to a parking ramp for which an operating certificate has been issued and is currently in effect pursuant to Chapter 108 of this Code.

- (f) Fee. Whenever an engineering report of findings is required under this section, the owner of the areaway shall be required to pay a fee of seventy-five dollars (\$75.00) to the city to defray the city's administrative costs in connection therewith. Whenever a visual inspection by the director of inspections building official is required under this section, the owner of the areaway shall be required to pay a fee of one hundred fifty dollars (\$150.00) to the city to defray the city's field inspection and administrative costs in connection therewith. Such fee shall be in addition to the fee for the encroachment permit required under section 95.13
- (g) Areaways appurtenant to city property exempt. Areaways that are constructed as an extension of, or adjunct to a building or structure which is constructed and owned by the City of Minneapolis, shall be exempt from the provisions of subdivision (b) of section 95.90 and the other provisions of this chapter 95 pertaining to encroachments and projections.

AN ORDINANCE of the CITY OF MINNEAPOLIS

By: Lilligren

Amending Title 5, Chapter 101 of the Minneapolis Code of Ordinances relating to Building Code: Plumbing.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 101.60 of the above-entitled ordinance be amended to read as follows:

101.60. Plumber's license required. No person shall construct, reconstruct, extend, alter or repair any plumbing work or building drainage, or construct cesspools, or construct, reconstruct or connect any building drainage with cesspools, legal drainage terminal or the sewer system of the city, either directly or indirectly, until such person shall have first obtained a license from the city to do such work. No holder of any such plumber's license shall allow said licensee's name to be used by any other person or persons either for the purpose of doing plumbing work or obtaining a permit therefor, nor cause or permit any person in the licensee's employ to do or perform any plumbing work for the licensee without such employee having first obtained a certificate of competency as required by Chapter 278, Article I of this Code. Violation of these provisions by any such licensee shall be deemed good and sufficient cause for the revocation of the plumber's license, and the director of inspections building official is authorized to refuse to issue further permits to any licensee so violating said provisions. No person shall display any sign stating or implying that such person is a licensed plumber, unless such is a fact, or any sign stating or implying such that person is carrying on the business of plumbing unless such person is duly licensed to do so, as provided by this Code. No owner or lessee, nor any representative or agent of any owner or lessee, shall knowingly hire or otherwise engage any unlicensed person to do any plumbing work in any building in the city.

Section 2. That Section 101.70 of the above-entitled ordinance be amended to read as follows:

101.70. Permits. (a) Any person, before beginning to construct, reconstruct, extend, alter or repair any plumbing work, or install any plumbing fixture, appliance or appurtenance, or connect any plumbing work with a cesspool or the sewerage system, shall first obtain a permit for doing so from the inspections division.

- (b) No person or persons shall make, or cause to be made, any change in the work for which a permit has been granted, without the consent of the director of inspections building official.
- (c) Notwithstanding any other provisions of this Code to the contrary and where permitted by state law, permits may be issued to make repairs, additions, replacements and alterations to any plumbing or drainage work of any attached or detached single-family dwelling structure used exclusively for living purposes or any accessory buildings thereto provided that all such work in connection therewith shall be performed under the authorization of a permit obtained by the owner-occupant of said dwelling pursuant to section 89.30 of this Code.
- (d) The director of inspections building official may require the submission of plans, specifications and other data in one or more sets with each application for a permit.
- Section 3. That Section 101.75 of the above-entitled ordinance be amended to read as follows:
- 101.75. Work site notice to be displayed. No person required to be licensed by the provisions of this chapter shall commence with the construction, reconstruction, extending, altering or repairing of any plumbing work, or installing any plumbing fixture, or connecting any plumbing work with a cesspool or the sewerage system except as provided in the plumbing code unless there shall be conspicuously posted at the work site a work site notice. The work site notice shall be not less than eight by ten (8 x 10) inches in size and shall state the name of the licensed plumber, said plumber's business address and the certificate number identifying such plumber as issued by the director of inspections building official along with the contractor's business phone number. The work site notice required by this section may be posted or painted conspicuously on a vehicle when such vehicle is located on or adjacent to the property where the plumbing work is being done, but the vehicle is not to be concealed within a building or structure. In the event that the work site notice required by this section is not properly posted, the director of inspections building official or the director's building official's duly authorized agents may stop all plumbing work at the job site until this section has been complied with.

Section 4. That Section 101.190 of the above-entitled ordinance be amended to read as follows:

101.190. Officers designated. The director of inspections <u>building official</u> and inspectors of plumbing under the direction of the <u>director of inspections</u> <u>building official</u>, shall enforce and cause to be enforced the provisions of the plumbing code.

AN ORDINANCE of the CITY OF MINNEAPOLIS

By: Lilligren

Amending Title 5, Chapter 103 of the Minneapolis Code of Ordinances relating to Building Code: Gas Piping.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 103.30 of the above-entitled ordinance be amended to read as follows:

103.30. Permits. Every person before constructing, reconstructing, installing, extending or altering any gas distribution pipes for the conveyance, distribution or use of illuminating or fuel gas, or installing or connecting any gas burning appliance with the gas distribution pipes whether from a public or private source or supply shall first secure a permit from the director of inspections building official authorizing said work. However, no permit shall be required of a licensed person for repair of gas distribution pipe leaks, repair and service of appliances, or the disconnecting and reconnecting of appliances necessary for repair or service to an appliance or the building in which it is located. The application for such permit shall be made upon a blank form published by said director the building official for that purpose, and shall clearly describe the work to be done under such permit and shall be accompanied when required by said director by full plans and specifications of the same; after which, if it shall appear to said director the building official that the laws and this Code are complied with, or will be, when the installation is completed, the director building official shall grant such permit.

Section 2. That Section 103.40 of the above-entitled ordinance be amended to read as follows:

- **103.40.** Approval of materials and appliances required. (a) No person shall install any material or appliance, or connect same to any gas system, which material or appliance has not been approved by the inspections division Construction Code Services Division of the Community Planning Economic Development (CPED) Department.
- (b) No person shall knowingly represent that any appliance or material has been approved by the inspections division Construction Code Services Division of the

Community Planning Economic Development (CPED) Department for installation when such is not a fact.

- (c) The inspections division Construction Code Services Division of the Community Planning Economic Development (CPED) Department shall accept for installation any appliance or material which has been listed by a recognized national testing laboratory, until such time as experience in the field of actual service develops unforeseen factors warranting withdrawal of acceptance.
- Section 3. That Section 103.50 of the above-entitled ordinance be amended to read as follows:
- **103.50. Procedure for securing approval.** (a) Any person wishing acceptance of material or materials, appliance or appliances, which have not been accepted by a recognized national testing laboratory, shall submit all blueprints, cut-away sections, materials, appliances specifications or other required information to the plumbing or mechanical section of the <u>inspections division</u> <u>Construction Code Services Division of the Community Planning Economic Development (CPED) Department.</u>
- (b) When tests or other investigations are required on any material or appliance, all arrangements shall be made by, and all expenses in connection with such test shall be borne by sponsor or sponsors for said appliance.

AN ORDINANCE of the CITY OF MINNEAPOLIS

By: Lilligren

Amending Title 5, Chapter 105 of the Minneapolis Code of Ordinances relating to Building Code: Heating, Air Conditioning and Refrigeration.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 105.20 of the above-entitled ordinance be amended to read as follows:

- **105.20. Permits.** (a) No person shall construct or install any heating, ventilating, air conditioning or refrigeration plant or equipment such as is subject to regulation by this chapter, in or for any building, or alter or repair any such existing heating, ventilating, air conditioning or refrigeration plant or equipment, without first making written application to and securing a permit from the <u>director of inspections building official</u>. However, a permit will not be required for service work, repairs or replacement of components or controls of any existing heating, ventilating, air conditioning or refrigeration system if all the following requirements are met:
 - (1) There is no change in the type or method of control.
 - (2) There is no increase in the required capacity, rating or BTU input of the system or equipment.
- (b) No person shall make or cause to be made any change in the work regulated by this chapter for which a permit has been granted, or to the plans submitted for such a permit without first having obtained the approval of the director of inspections building official.
- Section 2. That Section 105.30 of the above-entitled ordinance be amended to read as follows:
- **105.30. Work site notice.** No person required to be licensed prior to obtaining a permit by the provisions of this chapter shall commence with or perform or enter upon the construction, installation, alteration or change of any heating, ventilating, air conditioning or refrigeration work within the city for which a permit is required unless there shall be conspicuously posted at the work site a work site notice. The work site

notice shall be not less than eight (8) by ten (10) inches in size and shall state the name of the licensed mechanical contractor and said contractor's business address or business phone number. The work site notice required by this section may, upon approval by the director of inspections building official, be satisfied by a conspicuously marked vehicle when such vehicle is located on or adjacent to the property where the mechanical work is being done, but the vehicle is not to be concealed within a building or structure. A conspicuously marked vehicle shall be readily identifiable by company logo or name and may include the business address and/or phone number. In the event that the work site notice required by this section is not properly posted, the director of inspections building official or the director's building official's duly authorized assistants may stop all mechanical work at the job site until there has been compliance with this section.

Section 3. That Section 105.50 of the above-entitled ordinance be amended to read as follows:

105.50. Supervision and enforcement. The director of inspections building official and the director's building official's regularly authorized assistants assigned to such work shall enforce and cause to be enforced the heating code, and shall supervise all necessary tests and make all necessary inspections of heating, ventilating, air conditioning or refrigeration plants and equipment installed thereunder.

Section 4. That Section 105.70 of the above-entitled ordinance be amended to read as follows:

- 105.70. Permits only to licensed installers. (a) No permit for the construction, installation, alteration or repair of any heating, ventilating, air conditioning or refrigeration plant or equipment shall be issued by the director of inspections building official to any person who is not duly licensed by the city council, as required by this Code. However, permits may be issued by the director of inspections building official for the construction, installation, alteration or repair of boilers, other than cast iron sectional boilers, to any unlicensed contractor who has in possession an R stamp or ASME code stamp as provided for by the American National Standard ANSI/NB23, National Board Inspection Code 1983 as proof of special training for such type of work; provided, further, that permits may be issued by the director of inspections building official to unlicensed persons for the construction, installation, alteration or repair of ventilation systems (for single or multiple dwellings only) of a type commonly used for domestic kitchen or bathroom exhaust when each system is individually vented.
- (b) Notwithstanding any other provision of this Code to the contrary and where permitted by state law and with exception of safety devices and combustion equipment, permits may be issued to make repairs, additions, replacements and alterations of any steam or hot water boiler, warm air furnace, air conditioning, ventilating or refrigeration equipment of any attached or detached single-family dwelling structure used exclusively for living purposes or any accessory buildings thereto, provided there is no change in the required capacity of the systems involved and that all such work in connection

therewith shall be performed under the authorization of a permit obtained by the owneroccupant of said dwelling pursuant to section 89.30 of this Code.

Section 5. That Section 105.75 of the above-entitled ordinance be amended to read as follows:

105.75. High-pressure steam and high-pressure hot water piping. No permit for construction, installation, alteration, or repair or any high-pressure steam or high-pressure hot water piping shall be issued by the director of inspections building official to any person unless such person has a valid steam fitters' contracting license issued by the State of Minnesota, Department of Labor and Industry, pursuant to Section 326.46 et seq., Minnesota Statutes. All persons so licensed shall, prior to obtaining any permit from the director of inspections building official, file with said director building official their current state license number and no permit shall be issued to any person without said license number being on file in the office of the director of inspections building official. The standards for the installation, alteration, or repair of high-pressure steam or high-pressure hot water piping within the City of Minneapolis shall be as set out in the State of Minnesota High Pressure Code, Chapter 5230 of the department of labor and industry, steam fitter rules and codes for power piping systems.

"High-pressure steam piping," for the purposes of this section, shall mean steam piping operating at a pressure of fifteen (15) pounds or more per square inch gauge. High-pressure hot water piping shall mean piping operating at a pressure in excess of thirty (30) pounds per square inch gauge and exceeding a temperature of two hundred fifty (250) degrees Fahrenheit.

Section 6. That Section 105.80 of the above-entitled ordinance be amended to read as follows:

105.80. Unlawful permits for others. Any person duly licensed as required by this Code to construct, install, alter, maintain or repair any heating, ventilating, air conditioning or refrigeration plant or equipment who, as such licensee, shall take out or secure a permit such as required by the heating code for work to be done by any person who shall allow his name to be used by any person for the purpose either of doing any such work or of obtaining permit therefor, shall by such act, upon conviction thereof, forthwith forfeit his license. The <u>director of inspections building official</u> shall thereafter refuse to issue any further permits to construct, install, alter or repair any heating or air conditioning plant or equipment under any license so forfeited.

Section 7. That Section 105.90 of the above-entitled ordinance be amended to read as follows:

105.90. Approval of materials and appliances required. (a) No person shall install any material or appliance, or connect same to any heating, ventilating or air conditioning system, which material or appliance has not been approved by the

department of inspections division Construction Code Services Division of the Community Planning Economic Development (CPED) Department.

- (b) No person shall knowingly represent that any appliance or material has been approved by the department of inspections Construction Code Services Division of the Community Planning Economic Development (CPED) Department for installation when such is not a fact.
- (c) The inspections division Construction Code Services Division of the Community Planning Economic Development (CPED) Department shall accept for installation any appliance or material which has been listed by a recognized national testing laboratory, until such time as experience in the field of actual service develops unforeseen factors warranting withdrawal of acceptance.

Section 8. That Section 105.95 of the above-entitled ordinance be amended to read as follows:

105.95. Installation permit required. Before a permit may be issued by the director of inspections building official for the installation of any compressor unit, air conditioning device, air tempering device or other stationary mechanical equipment, the applicant shall provide a sketch sufficient for the director of inspections building official to determine that potential adverse noise effects have been considered. Consideration shall be deemed to have been made when a sketch of the installation with dimensions together with sound rating number of the equipment to be installed has been provided.

Any person who installs an air conditioner, heating unit, compressor unit or other stationary mechanical equipment in violation of this section shall remove said mechanical equipment without any additional cost to the owner of the property where such unlawful installation was made.

AN ORDINANCE of the CITY OF MINNEAPOLIS

By: Lilligren

Amending Title 5, Chapter 107 of the Minneapolis Code of Ordinances relating to Building Code: Elevators, Escalators, Hoists and Lifts.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 107.20 of the above-entitled ordinance be amended to read as follows:

- **107.20. Permits.** (a) *Required.* Any person desiring to install, relocate, alter, repair or replace any elevator, hoist, lift, escalator, moving walk or part thereof shall first obtain a permit for so doing from the inspections division building official.
- (b) Not required. Permits will not be required for maintenance work such as lubrication, cleaning and adjusting of equipment or for the replacement of worn or broken parts which are normal maintenance, when such maintenance is defined in Section 1206 of the Safety Code for Elevators and Escalators, ASME A17.1-1993 but not including Rule 1206.3 thereof.
 - (c) Fees. Permit fees shall be as provided in Article IX of chapter 91 of this Code.
- Section 2. That Section 107.30 of the above-entitled ordinance be amended to read as follows:
- 107.30. Identification labels. The conveyances regulated by this chapter shall bear an identification label having a number assigned and recorded by the inspections division Construction Code Services Division of the Community Planning Economic Development (CPED) Department. Such labels shall be furnished and placed by the inspections division Construction Code Services Division of the Community Planning Economic Development (CPED) Department at a uniform location on or about the device or apparatus. Such identification labels shall not be removed without the permission of the director of inspections building official.
- Section 3. That Section 107.50 of the above-entitled ordinance be amended to read as follows:

107.50. Annual operating permits. No person shall use or maintain any passenger elevator, freight elevator, escalator, dumbwaiter or manlift, as defined in the safety code for elevators and escalators, ASME A17.1-1993, for which an annual operating fee shall have been established by article IX of Chapter 91 of this Code, without first having applied to and obtained from the <u>director of inspections building official</u> a permit to do so. Operating permits shall expire on the first day of November of each and every year, and shall be renewed annually on or before said date for as long as such equipment shall be used. However, no such permit shall be required until the first day of November following the installation of such equipment.

AN ORDINANCE of the CITY OF MINNEAPOLIS

By: Lilligren

Amending Title 5, Chapter 108 of the Minneapolis Code of Ordinances relating to Building Code: Parking Ramps.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 108.10 of the above-entitled ordinance be amended to read as follows:

108.10. Definitions. For purposes of this chapter, the following terms shall mean:

<u>Building Official</u>: The Minnesota Certified Building Official designated by the city pursuant to Minnesota State Statue 326B.133.

Department: The Minneapolis Department of Inspections Construction Code Services Division of the Community Planning Economic Development (CPED) Department.

Director: The director of inspections.

Parking ramp: A building or structure, or part thereof, in which a structural level other than a slab on grade is used for parking, storage, or maintenance of motor vehicles.

Qualified civil or structural engineer: A person registered by the State of Minnesota as a professional engineer whose field of practice is civil or structural engineering, and who is insured in accordance with section 108.80 of this chapter.

Section 2. That Section 108.30 of the above-entitled ordinance be amended to read as follows:

108.30. Application for certificate; fee established. The fee for a parking ramp operating certificate shall be as established in the director's fee schedule pursuant to Chapter 91, Section 91.70. Application for a parking ramp operating certificate shall be filed with the department on forms provided by the department. The application shall

contain the name, business address and telephone number of the owner of the ramp; the address of the parking ramp; the number of parking spaces; the year in which the ramp was constructed; and such other information as the <u>director building official</u> may require. The application shall also state the name, address and telephone number of the person or firm which operates the parking ramp, if different from the owner.

Section 3. That Section 108.60 of the above-entitled ordinance be amended to read as follows:

108.60. Affidavit and engineer's report required. Upon application for or renewal of the required operating certificate, the owner or operator of a parking ramp shall file with the director building official an affidavit stating that the parking ramp has been inspected in accordance with section 108.50 of this chapter by a qualified civil or structural engineer. The owner or operator shall file with the affidavit a copy of the engineer's inspection report. The report shall contain the engineer's findings and shall indicate whether the structure is capable of supporting the loads for which it is used. The report shall contain a statement by the engineer whose field of practice is civil or structural engineering and that he or she carries professional liability insurance in the amount of two hundred fifty thousand dollars (\$250,000.00).

Section 4. That Section 108.70 of the above-entitled ordinance be amended to read as follows:

- **108.70.** Certificate revocation; nonrenewal; penalties. (a) No operating certificate shall be issued or renewed unless the owner or operator of the parking ramp has obtained the annual inspections required by section 108.50 and filed the annual affidavits and reports required by section 108.60
- (b) If the owner or operator of a parking ramp fails to file the annual affidavit and report required by section 108.60, the director of inspections <u>building official</u> may revoke the certificate. A decision to revoke the certificate may be appealed in writing to the city council within twenty-one (21) days of mailing of the director's building official's decision.

Section 5. That Section 108.90 of the above-entitled ordinance be amended to read as follows:

108.90. Insurance required for parking ramp operation. No operating certificate shall be granted unless the owner or operator shall carry liability insurance with an insurance company authorized to do business in the State of Minnesota. The liability insurance for the premises and operations of the ramp, which shall include coverage for any injury or loss caused by explosion or collapse, shall be in the sum of at least one million five hundred thousand dollars (\$1,500,000.00).

The owner or operator of an automobile service facility which provides less than one hundred (100) parking spaces in the service facility structure, shall carry liability insurance with an insurance company authorized to do business in the State of

Minnesota. The liability insurance for the premises and operation of the ramp, which shall include coverage for any injury or loss caused by explosion or collapse, shall be in the sum of at least one million dollars (\$1,000,000.00).

If the owner takes possession of the keys, and has care, custody and control of a vehicle, then the owner shall also provide garagekeepers legal liability insurance in the sum of at least three thousand five hundred dollars (\$3,500.00) per stall, or two hundred fifty thousand dollars (\$250,000.00) as minimum policy limits. The required certificates of insurance shall be kept current and valid at the corporate headquarters and copies shall be maintained at each parking ramp office. Such certificates shall be produced immediately upon demand of the director of inspections building official or the director's building official's designee, or any member of the public. Self-insured government entities shall be exempt from the requirements of this section.

Section 6. That Section 108.100 of the above-entitled ordinance be amended to read as follows:

108.100. Operating certificate to be posted. Every owner or operator of a parking ramp required to obtain an operating certificate shall post said certificate in a conspicuous location in the office or main collection booth of the parking ramp. In the event such notice is not posted, the <u>director building official</u> or the <u>director's building official</u> or the <u>director's building official</u> designee may require that all motor vehicles be removed from the parking ramp and that no further parking of vehicles be allowed until the required operating certificate has been obtained and posted.

Section 7. That Section 108.110 of the above-entitled ordinance be amended to read as follows:

108.110. Penalty for failure to obtain or renew operating certificate. Should any person, firm, corporation, governmental entity or other entity operate a parking ramp without first having a valid operating certificate as required by this chapter, the owner or operator shall, when subsequently securing such certificate, be required to pay double the fee provided in section 108.30. The <u>director of inspections building official</u> or the <u>director's building official's</u> designee may also issue or cause to be issued an administrative citation to the owner or operator for violation of any of the provisions of this chapter.

AN ORDINANCE of the CITY OF MINNEAPOLIS

By: Lilligren

Amending Title 5, Chapter 111 of the Minneapolis Code of Ordinances relating to Building Code: Swimming Pools.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 111.20 of the above-entitled ordinance be amended to read as follows:

111.20. Permit required. No person shall construct or erect a private residential swimming pool or reconstruct any such pool or do any alteration, addition, remodeling or repair to such swimming pool in excess of the value of one hundred dollars (\$100.00) without first obtaining a permit from the <u>director of inspections building official</u>. A permit shall be required for the reerection of any such swimming pool which was once erected with permit or which was in existence at the date of the enactment of this chapter, and then disassembled, and which is not reerected in the same location.

Section 2. That Section 111.60 of the above-entitled ordinance be amended to read as follows:

- **111.60. Design and construction requirements.** The design and construction of all private residential swimming pools shall comply with the following:
 - (a) Structural design. The pool structure shall be engineered and designed to withstand the expected forces to which it will be subjected.
 - (b) Overflow and surface drainage. The pool and surrounding area shall be constructed and arranged in such a manner that no splash or overflow water shall return to the pool. No surface or roof drainage shall be permitted to enter the pool.
 - (c) Finish. Pool floor and walls shall have a cleanable, white or similar light-colored and impermeable surface.

- (d) *Handholds*. Handholds shall be provided and shall not be more than nine (9) inches above the normal water line and shall extend around the entire periphery of the pool.
- (e) Pool deck. Unobstructed deck areas not less than forty-eight (48) inches wide shall be provided to extend entirely around the pool. The deck surface shall be such as to be smooth and easily cleaned and of nonslip construction. The deck shall have a pitch of at least one-fourth inch to the foot, designed so as to prevent back drainage into the pool. If deck drains are provided, drain pipe lines shall be at least two (2) inches in diameter and drain openings shall have an open area of at least four (4) times the cross-sectional area of the drain pipe. The deck drain system shall have indirect connection to the sanitary sewer. The deck drains shall not be connected to the recirculation system piping. No deck, other than the ground surface, shall be required for any pool that is totally above ground and which is less than four (4) feet in height.
- (f) Steps or ladders. One or more means of egress in the form of steps or ladders shall be provided from any pool having a water depth of thirty-six (36) inches or more. Treads of steps and ladders shall be equipped with nonslip material.
- (g) *Plumbing.* All supply and waste piping connected to such swimming pool shall be installed in accordance with the Minnesota State Plumbing Code.
- (h) Water supply. The water supply serving the swimming pool shall be potable water or of a quality otherwise acceptable to the commissioner of health. All portions of the water distribution system serving the swimming pool and auxiliary facilities shall be protected against backflow. Water introduced into the pool, either directly or to the recirculation system, shall be supplied through an air gap in accordance with the Minnesota Plumbing Code. When such connections are not possible, the supply shall be protected by a suitable backflow preventer in accordance with the Minnesota Plumbing Code, installed on the discharge side of the last control to the fixture, device or appurtenance.
- (i) Drainage. Pools shall be equipped with facilities for completely emptying the pool to the sanitary sewer, or other suitable disposal unit acceptable to the director of inspections <u>building official</u>.

There shall be no direct physical connection between the sewer system and any drain from the swimming pool or recirculation system. Any swimming pool or gutter drain or overflow from the recirculation system when discharged to the sewer system, storm drain, or other approved natural drainage course shall connect through a suitable air gap or air break so as to preclude the

possibility of backup of sewage or waste into the swimming pool piping system.

The water from the pool shall not be drained onto the streets or sidewalk or any other public property or private property not owned by the pool owner.

(j) *Heaters.* All gas-fired or oil burning swimming pool heaters and boilers shall comply with the plumbing code and heating code of the city.

Section 3. That Section 111.100 of the above-entitled ordinance be amended to read as follows:

111.100. Approval of other design and equipment. Any swimming pool, the design and equipment of which incorporates features other than those set forth herein, shall be subject to review and approval by the <u>director of inspections building official</u> and the commissioner of health in accordance with acceptable standards and in conformance with current public health and safety practices.

Section 4. That Section 111.140 of the above-entitled ordinance be amended to read as follows:

111.140. Enforcement officers specified. The director of inspections <u>building</u> official and the commissioner of health are authorized and directed to administer and enforce the provisions of this chapter.

AN ORDINANCE of the CITY OF MINNEAPOLIS

By: Lilligren

Amending Title 5, Chapter 113 of the Minneapolis Code of Ordinances relating to Building Code: Retaining Walls.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 113.10 of the above-entitled ordinance be amended to read as follows:

113.10. Permit required. No person shall erect or construct a retaining wall which is not a part of a building and which is four (4) feet or more in height, without first obtaining a permit to do so from the department of inspections building official. No permit shall be required for any such retaining wall less than four (4) feet in height. An applicant for the issuance of a permit may be required to furnish a plan or drawing showing the construction of the wall and containing such data as reasonably deemed necessary by the director of inspections building official.

AN ORDINANCE of the CITY OF MINNEAPOLIS

By: Lilligren

Amending Title 5, Chapter 115 of the Minneapolis Code of Ordinances relating to Building Code: Building Moving.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 115.20 of the above-entitled ordinance be amended to read as follows:

115.20. Report of violations to State of Minnesota. The director of inspections building official shall report all violations of this chapter to the Minnesota Commissioner of transportation for possible revocation or suspension of the building mover's state license.

Section 2. That Section 115.30 of the above-entitled ordinance be amended to read as follows:

115.30. Permit required. Every licensed building mover shall, in each and every instance, before raising, holding up or moving any building from and/or to a location within the city limits, obtain a permit therefor from the director of inspections building official. Said permit shall contain an approval of the new site to which the building is to be moved. Said moving permit shall state specifically the route to be taken and all movement requirements designated by the city engineer and shall limit the time for the removal of said building. No building permit for the foundation, construction, alteration, or repair of such building shall be issued until such moving permit has been filed. Additionally, no building permit will be issued until a site plan is provided indicating building orientation and the locations of all building entrances in compliance with applicable zoning requirements. In no case shall a building be moved that is not worth sixty (60) percent of the cost of a similar new building.

Section 3. That Section 115.50 of the above-entitled ordinance be amended to read as follows:

115.50. Prerequisites to permit. (a) No permit shall be issued as herein provided for the removal of any building until satisfactory evidence is furnished by the city engineer that all sewer charges and water bills chargeable against the property

sought to be moved have been paid, and that all sewer and water connections have been plugged or discontinued at the curbline or at the main, as shall be determined by the city engineer, and that satisfactory evidence is presented of the payment of all taxes chargeable against such property. No permit shall be issued until satisfactory evidence is furnished that all public utility companies furnishing services to the premises have been notified in writing by the building mover not less than two (2) business days prior to the raising, holding or moving of the building. The public utility company shall remove its equipment and service within the time set forth in such written notice or promptly notify the building mover and the director of inspections building official if a longer time period is necessary to remove their equipment and service so as not to constitute a hazard. The director of inspections building official then may withhold the issuance of the moving permit when in the director's opinion a longer time period is necessary for the removal of utility equipment and service so as to protect the public health, safety and welfare.

- (b) However, in lieu of evidence of payment of taxes, the director of inspections building official may accept a certificate from the State of Minnesota, any of its agencies or political subdivisions, or a body public and corporate, that it is the owner of such property, and that such removal is being done by it, its contractor or agent.
- (c) Further, no permit shall be issued as herein provided for the removal of any building until satisfactory evidence is furnished by a certificate from the commissioner of health that a licensed pest control company has satisfactorily exterminated all nuisance pests from the structure and premises.
- (d) Further, no permit shall be issued as herein provided for the moving or removal of any building until satisfactory evidence is furnished in writing that said move or removal has approval of the heritage preservation commission as established in Chapter 34 of this Code.
- (e) Further, no moving permit shall be issued as herein provided for the moving or removal of any building until satisfactory evidence is furnished in writing from the owner that all remaining foundation walls, footings, columns, floor slabs, piping, heating equipment, fuel storage tanks, and other debris shall be removed from the premises. The excavation remaining after the removal of a building or structure shall be filled to the level of the surrounding grade, with clean, granular-type fill material. Further, this shall be properly compacted and graded to provide drainage to prevent ponding of water. There shall be a topping of a sufficient depth and quality so as to enable groundcover to grow. Suitable groundcover shall be provided no later than ninety (90) days after permit issuance to comply with section 244.1570. Fencing not less than four (4) feet high shall be placed entirely around the perimeter of the excavation if it is more than thirty (30) inches deep at any point.
- (f) Further, no permit shall be issued as herein provided for the moving of any building to a site within the city unless application has also been made by the owner of such building for a certificate of code compliance, as set out in Chapter 87 of this Code,

to be performed when the building has been placed on its new site. New construction standards of the state building code shall apply to the construction, alteration, repair or rehabilitation necessitated by such inspection for any building moved to a site within the city. No such building shall be used for human occupancy until the certificate of code compliance relating to that building has been issued.

As a condition of the issuance of any permits, including the permit for moving required by this chapter, the applicant must deposit with the director of inspections building official two thousand dollars (\$2,000.00) in cash or negotiable instrument. Such monies shall be deposited with the city treasurer to be held without interest until such time as said monies are refunded to the applicant or forfeited to the city in the event that the work required by this subsection and a certificate of code compliance is not issued within six (6) months from the date of the code compliance inspection. One three-month extension beyond the initial six-month time limitation may be requested by the owner if it can be shown that the code compliance work is proceeding expeditiously and is more than fifty (50) percent complete, or if unforeseen conditions have had a significant schedule impact on the completion of the work. In the event the building is restored to habitable condition and a certificate of code compliance is obtained within the time limits set out herein, the two thousand dollar (\$2,000.00) cash deposit shall be refunded to the payee by the Minneapolis city finance officer.

Rehabilitation undertaken by the Minneapolis Community Development Agency Community Planning Economic Development (CPED) Department or under its sponsorship shall be exempt from the requirement of a cash deposit.

Section 4. That Section 115.70 of the above-entitled ordinance be amended to read as follows:

- **115.70. Moving from outside city.** Any person desiring to move any building to within the limits of the city from outside of such limits shall, in addition to all other provisions herein contained, comply with the following requirements:
- (a) Notify the <u>director of inspections</u> <u>building official</u> of the city in sufficient time so that the <u>director building official</u> may make all necessary inspections in order to determine whether such building complies with the applicable ordinances of the city.
- (\$0.25) per mile to be traveled by the inspectors in making the inspection, computed from the city hall in the city to the site where the building is being constructed or is located, together with a fee of twenty-five dollars (\$25.00) per hour per inspector for each inspection, with a minimum of two (2) hours.
- (c) The director of inspections <u>building official</u> is hereby authorized to make the inspections provided for herein upon compliance with the foregoing requirements.

Section 5. That Section 115.80 of the above-entitled ordinance be amended to read as follows:

- **115.80. Additional regulations.** In addition to all other requirements herein, building movers shall observe the following rules:
- (a) All building moving shall be done in a manner and during those hours and on the dates designated by the city engineer.
- (b) All movements of buildings once started shall continue until completed, and no building shall be parked along the route unless deemed an emergency and approved by the city engineer. The building mover shall promptly notify the department of licenses and consumer services licensing official of such approval.
- (c) Movers shall provide a front and rear escort for all movements and the outline of the building shall be readily defined by lights. Said escort and lighting shall be as specified by the city engineer. Not more than one building shall be moved over a bridge or a street at any one time. Every building mover shall notify the affected utilities and the department of licenses and consumer services licensing official at least two (2) business days, but not more than ten (10) business days, prior to the date of movement.

The city engineer shall have the right and authority to deny or change the requested movement depending upon the number of buildings to be moved in a particular area on a given day and to regulate such movements.

- (d) The traffic engineering division of the city engineer's department shall issue for a fee "No Parking" signs to be posted by the mover along affected streets. The mover shall notify the city engineer of the streets or areas to be so posted by the mover. All such signs shall be posted not less than twenty-four (24) hours nor more than thirty (30) hours before the move is to be made and the date and day of such move shall be legibly imprinted thereon, together with the name, address and telephone number of the building mover. All such signs shall be removed by the mover immediately after the building has passed a posted location.
- (e) All laws pertaining to tampering with private property and vehicles on the streets shall be obeyed by the building mover during all moves.
- (f) It shall be unlawful for any mover to use any other route than the one approved by the park and recreation board, the city engineer's office and/or the Minnesota State Highway Department.
- (g) The moving permit must be posted on each building being moved during the entire move. The permit must be posted at a point not to exceed eight (8) feet above grade level when the building is loaded.

In to the moving permit card, two (2) signs must be attached to the building. Each of these signs must be not smaller than twenty-four (24) inches by eighteen (18) inches

in size and of a permanent material (not paper or cardboard). One sign must be attached to each side of the building so that it is visible from the curb while the building is being moved, and must remain in place until the building has reached its final destination. Each sign must show, in letters not smaller than one and one-half (1½) inches in height, the licensee's name and telephone number

AN ORDINANCE of the CITY OF MINNEAPOLIS

By: Lilligren

Amending Title 5, Chapter 117 of the Minneapolis Code of Ordinances relating to Building Code: Wrecking.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 117.10 of the above-entitled ordinance be amended to read as follows:

117.10. Permit required. No person shall commence or proceed to wreck, demolish or tear down any building or structure within the city, except as hereinafter provided, without first having obtained a permit from the director of inspections building official. Further, no person shall remove or salvage any building fixture or real property from the building or structure to be wrecked until the permit required by this chapter has been obtained.

Section 2. That Section 117.30 of the above-entitled ordinance be amended to read as follows:

117.30. Prerequisites to permit. (a) Taxes, charges paid. No permit shall be issued as herein provided until satisfactory evidence is furnished by a certificate of the city engineer that all sewer charges and water bills chargeable against the property sought to be wrecked have been paid and that all water and sewer connections have been plugged or discontinued at the curbline or at the main, as shall be determined by the city engineer, and that satisfactory evidence is presented of the payment of all taxes chargeable against such property. A fee of forty dollars (\$40.00) for the sewer plug inspection by the city engineer shall be paid to the city finance department prior to the issuance of the permit. Nor shall any such permit be issued until satisfactory evidence is furnished that all public utility companies furnishing services to the premises have been notified in writing by the person applying for the wrecking permit not less than two (2) business days prior to proceeding with the wrecking or demolishing of the building. The public utility company shall remove its equipment and service within the time set forth in such written notice or promptly notify the building wrecker and the director of inspections building official if a longer time period is necessary to remove their equipment and service so as not to constitute a hazard. The director of inspections building official may then withhold the issuance of the wrecking permit when in the

director's <u>building official's</u> opinion a longer time period is necessary for the removal of utility equipment and service so as to protect the public health, safety and welfare.

- (b) [State certificate in lieu of evidence of payment of taxes.] However, in lieu of evidence of payment of taxes, the director of inspections building official may accept a certificate from the State of Minnesota, any of its agencies or political subdivisions, or a body public and corporate, that it is the owner of such property, and that such wrecking is being done by it, its contractor or agent.
- (c) [Extermination of pests.] Further, no permit shall be issued as herein provided for the wrecking, demolition or tearing down of any building or structure in the city until satisfactory evidence is furnished by a certificate from the commissioner of health that a licensed pest control company has exterminated all nuisance pests from the structure and premises.
- (d) [Heritage preservation commission approval.] Further, no permit shall be issued as herein provided for the wrecking, demolition or tearing down of any building or structure in the city until satisfactory evidence is furnished in writing that said wrecking, demolition or tearing down has the approval of the heritage preservation commission as established in Chapter 34 of this Code.
- Section 3. That Section 117.60 of the above-entitled ordinance be amended to read as follows:
- 117.60. Supervision by director building official. All wrecking or tearing down of buildings or structures within the city shall be subject to the supervision of the director of inspections building official and to such reasonable restrictions as he may impose to avoid all preventable hazards to life, property or health.
- Section 4. That Section 117.70 of the above-entitled ordinance be amended to read as follows:
- 117.70. Required wrecking procedures. The wrecking of any building or structure shall be complete and include the wrecking and removal of all foundations, footings, and floor slabs. All piping, heating plants, fuel storage tanks, appliances, and other such debris shall be removed from the premises. The excavation remaining after the removal of a building or structure shall be filled to the level of the surrounding grade with clean granular-type fill material. Said fill shall be compacted at an optimum moisture content to obtain proper compaction. The person doing the wrecking shall remove all steps, stoops, private sidewalks, accessory buildings, and hard-surface driveways unless such removal is specifically exempted by the director of inspections building official. Further, the person doing the wrecking and filling shall provide a topping of soil of a sufficient depth and quality so as to enable ground cover to grow. Suitable groundcover shall be provided no later than ninety (90) days after permit issuance to comply with section 244.1570.

- Section 5. That Section 117.90 of the above-entitled ordinance be amended to read as follows:
- **117.90. Notice of completion.** Each person upon completing the wrecking or tearing down of any building or structure shall immediately notify the director of inspections building official in writing that such work has been completed.
- Section 6. That Section 117.110 of the above-entitled ordinance be amended to read as follows:
- 117.110. Stop orders. The director of inspections building official may stop the wrecking or tearing down of any building or structure, whenever, in the director's building official's judgment, the same is being done in a reckless, careless, unsafe or improper manner, or in violation of any ordinance of the city, and may order, in writing or by parole, all persons in any way or manner whatsoever engaged in wrecking or tearing down any such building or structure to stop and desist therefrom. Said persons, so notified, shall promptly comply with such orders of the director of inspections building official and shall not resume such work, except with the consent of the director of inspections building official, and when the work will be prosecuted in a safe manner and in conformity with the ordinances of the city.