

Minneapolis Construction Management Agreement

This agreement is required pursuant to Minneapolis Code of Ordinances Section 89.20 and shall apply to new construction or wrecking projects for buildings of from 1- 4 dwelling units and for major remodeling of un-occupied buildings of from 1- 4 dwelling units. The requirements herein may also apply to other construction projects due to potential nuisance impacts to the area around the project as determined by the city.

The undersigned hereby acknowledge that they are responsible for complying with the conditions contained herein and all other applicable requirements.

Project address:			
Permit #	Date issued:	Proposed start date:	Proposed completion date:
Applicant name:		Applicant contact name:	
Applicant address:			
Applicant office phone:		Applicant cell phone:	
Applicant signature:			Date:
Contractor name:		Contractor contact name:	
Contractor address:			
Contractor office phone:		Contractor cell phone:	
Contractor signature:			Date:

This agreement must be attached to approved plans and be present on-site during active construction. Failure to post and abide by this agreement and other applicable laws and ordinances may result in investigation/penalty fees and/or STOP WORK orders.

- Hours of operation:** Operation of construction equipment is allowed only between the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday and shall not be allowed to take place during federal holidays. Operation of construction equipment outside of these hours and days without an after-hours permit from the Minneapolis Health Department is prohibited. Each day of failure to obtain a permit or maintain compliance with an issued permit constitutes a separate violation of the Minneapolis Code of Ordinances (MCO). (MCO Section 59.30)
- Noise reduction:** All contractors shall plan for and effectively implement measures that minimize adverse effects upon private or public property including the public right-of-way. The Contractor shall implement reasonable measures to mitigate nuisance noise by limiting use of noise generating equipment or vehicles, and avoid using such equipment in immediate proximity to an adjacent residential use to the extent reasonable. (MCO Section 389.60)
- Approved plans:** An approved set of plans shall be present and available on site whenever activity is occurring on the site. (Minnesota State Building Code (MSBC) Part 1300.0130)
- Contact information:** Prior to any work being done on the permit site, a sign must be posted identifying the nature of the construction activity, the permit holder, a contact name and phone number, the site address, and a contact phone number at the city to report problems (311/911 unless directed by City of Minneapolis Staff). The sign shall be 24" x 36" in size with readable lettering as viewed from the street. All information must remain current and the sign must be posted, without obstruction, in the front yard until completion of the work. (MCO Section 89.30 (1))

5. **Neighbor notification:** At least fifteen (15) calendar days before any construction begins on the permit site, the permit holder shall provide mailed notice to all property owners within three hundred fifty (350) feet of the permit site inviting them to a neighborhood informational meeting. Mailing labels are available through Hennepin County Property Division. The meeting shall be held at least five (5) days before any construction commences and shall be held within three (3) miles of the permit site. Topics discussed must include the construction plans, hours of operation, work schedule, estimated completion date, erosion and sediment control, dumpster location, noise mitigation, dust control, portable bathroom location, debris removal schedule, and site placement for building materials and equipment. The permit holder shall maintain a copy of the written meeting notice, the agenda, and a confirmed attendance list, which shall be available for review by the city. (MCO 89.30 (2))
6. **Work site and surrounding property maintenance:** The permit site must be maintained in a neat and orderly condition. Prior to leaving the construction site at the end of each day, the Contractor must remove empty cans, paper, plastic and other material that is not needed for construction from the site or deposit them in a dumpster. The Contractor must keep streets, sidewalks, boulevard areas and adjacent properties clean from waste, materials or refuse resulting from operations on the site. Inoperable equipment and equipment not being used on the site must be removed within 24 hours after it becomes inoperable or is no longer in use. Where work on any project lies within areas of pedestrian traffic or vehicular traffic, the project area must be cleaned and swept and all materials related to the project must be stockpiled in appropriate areas. Debris must be contained on the project site. No material may be deposited or stockpiled on the public streets, boulevards, sidewalks or adjacent property. (MCO Section 89.30 (3))
7. **Dumpster placement, maintenance, and street use:** Dumpsters shall be located entirely on the permit site and not on a sidewalk. Minnesota State law requires a five (5) foot parking setback from driveways and a thirty (30) foot setback from intersections. Dumpsters must be covered during all non-work hours, and the area around the dumpster shall be kept neat and orderly. If street use is required, permits will be issued in 30 day increments only and may be renewed up to a total of 120 days. Street use permits may be obtained on-line. A copy of the permit must be placed with building permit on-site, and a readable copy of the permit must be attached to the dumpster with active dates visible. (MCO Section 89.30 (4))
8. **Portable restroom placement:** Portable toilets shall be located to the rear of the project site and not within fifteen (15) feet of an adjacent property. No portable toilets shall be placed on a public street, sidewalk, or boulevard area without obtaining the proper permit from the city. The permit holder is responsible for the security and maintenance of the portable toilet. (MCO Section 89.30 (5))
9. **Dust control:** Dust control is the responsibility of the permit holder. The permit holder must address dust problems immediately upon receiving notice from the city. When feasible, the Contractor shall keep all such debris thoroughly dampened with water so as to prevent the dust and particles there from flying around the neighborhood where any such building is located. Alternative dust control measures may be required during below-freezing temperatures. (MCO Section 89.30 (6))
10. **Drive entrance:** A drive entrance pad or its equivalent shall consist of an all-weather, large aggregate material capable of minimizing the tracking of dirt from the permit site. The location of the construction drive entrance shall be approved by the city and noted in the on-site construction plans. (MCO Section 89.30 (7))
11. **Tree protection:** The city may order the installation of protective fencing around boulevard trees and trees that will not be removed during construction. The city may also require the submission of a tree preservation plan. (MCO Section 89.30 (8))
12. **Damage to public property:** The permit holder must repair any damage to public property, including streets and sidewalks. Upon request of the city, the permit holder shall furnish photographs of the existing condition of the property, curbs, sidewalks, streets, boulevard, and trees adjacent to the permit site prior to commencing any work. If damage occurs to the foregoing, it must be repaired within three (3) working days after the damage occurs, unless the permit holder has received written permission from the city to delay repairs to a later specified date. The city may require the submission of a soils investigation report and/or shoring plan. (MCO Section 89.30 (9))

13. **Protection of adjoining property:** Adjoining property shall be protected from damage during any construction work on the permit site. Excavations for any purpose shall not remove lateral support from any footing or foundation without first protecting the footing or foundation against settlement or lateral translation. The city may require the submission of a soils investigation report and/or shoring plan. (MCO Section 89.30 (10))
14. **Surface drainage, erosion and sediment control:** The Contractor shall protect all storm drain inlets with sediment capture devices prior to soil disruption during the project when soil disturbing activities may result in sediment- laden storm water runoff entering the inlet. The Contractor shall provide effective storm drain inlet protection during the duration of the project until all surfaces with the potential for discharging sediment to an inlet have been stabilized. The Contractor shall conduct all activity in a manner designed to minimize surface runoff, erosion and sedimentation. Proper erosion and sediment control measures shall be provided to prevent soils from being deposited onto adjacent properties, rights-of-way, public storm drainage systems, wetlands or watercourses. At a minimum, all graded surfaces, ground cover, erosion and sediment control measures, and drainage structures or means shall be daily inspected, maintained and repaired during construction and until all disturbed areas have been permanently stabilized. Erosion Control Permits must be obtained, when necessary, prior to construction, and Erosion Control Plans, when necessary, must be submitted prior to plan approval. (MCO Section 89.30 (11), Title 3, and Title 19)
15. **Survey requirement:** Prior to any construction activity, an as-built survey and topographic survey must be submitted as part of the site plan review and is required to note the front and side yard setbacks on directly contiguous properties on the sides of the home. For properties on corner lots, contiguous properties must be included in the survey. As-built surveys are required to be submitted during the course of construction as follows:
- An as-built survey indicating the floor level of the existing home at the main entry must be submitted with an application for a demolition permit.
 - An as-built survey indicating the top of foundation and structure setbacks must be submitted prior to foundation inspection.
 - An as-built survey indicating actual site conditions, including all structures and contours must be submitted prior to issuance of a certificate of occupancy.
- (MCO Section 89.30 (12))
16. **Written notification of excavation or wrecking:** Adjoining public and private property shall be protected from damage during excavation and wrecking activities. Protection must be provided for all parts of adjoining structures and landscaping. Provisions shall be made to control water runoff and erosion during excavation or wrecking activities. The person making or causing an excavation or wrecking to be made shall provide written notice to the owners of property adjacent to the permit site advising them that the excavation or wrecking is to be made and that the adjoining property should be protected. Said notification shall be delivered not less than 10 days prior to the scheduled starting date of the excavation or wrecking. (MCO 89.30 (13) and Title 3)
17. **Building materials:** Construction equipment and materials shall be stored and placed so as not to endanger the public, the workers or adjoining property for the duration of the construction project. (MSBC Part 3301.2)
18. **Idling of vehicles, generators, and other equipment:** No equipment, construction vehicles, or construction crew vehicles shall be in operation outside of approved hours of operations. All vehicles, generators, and equipment must comply with Minneapolis noise ordinance. (MCO Chapter 389)
19. **Work crew parking:** Contractor/employee parking shall comply with all applicable parking regulations, including but not limited to compliance with no parking zones or other on-street parking restrictions as well as snow emergencies and winter parking restrictions. (MCO Chapter 478)
20. **Right-of-way/street/sidewalk maintenance:** The Contractor shall comply with all right-of-way, street, and sidewalk regulations, including snow removal. (MCO Title 17)

21. **Ground water:** When appropriate, discharges of groundwater from a construction site occurring during construction will require a Temporary Water Discharge Permit. A Temporary Water Discharge Permit does not permit discharge of groundwater to the City sewer system or right-of-way upon completion of the project. Projects shall be suitably designed and undertaken in a manner that does not rely on permanent groundwater discharge. It is the owner's and applicant's responsibility to thoroughly evaluate the groundwater conditions of the site and select designs/practices accordingly. When appropriate, groundwater elevations and analysis may need to be provided prior to approval of plans. (MCO Titles 3 and 19)
22. **Changes to site plan:** The proposed project shall be built to the final plans approved by the City of Minneapolis. The Zoning Administrator may authorize minor changes in the placement and size of improvements and the type of exterior materials for an approved site plan, if the changes are required because of conditions that were unknown at the time the permit was approved, and/or the Zoning Administrator determines that the changes are consistent with the intent of this chapter and the findings made by the City Planning Commission or Zoning Administrator in connection with the approval of the site plan. Changes to the site plan affecting bulk regulations, parking and loading, or components of the site plan other than minor changes in the placement and size of improvements and the type of exterior materials (including windows and doors) shall require an amendment to the site plan. The requirements for application and approval of a site plan amendment shall be the same as the requirements for original application and approval. (MCO Section 530.100)
23. **Stop work order:** If the building official or designee finds any work regulated by the code being performed in a manner contrary to the provisions of the code or in a dangerous or unsafe manner, the building official or designee may issue a stop work order. The stop work order shall be in writing and issued to the owner of the property involved, to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall cease as stipulated in the order. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume. (MSBC Part 1300.0170)
24. **Alternative measures:** Alternative measures to the requirements of this agreement may be required during winter or other adverse weather or other conditions.