

ORDINANCE NO. 58 - 1978

On a motion of May, seconded by Landherr,
the following ordinance was passed and adopted by the City Council of
Rose Creek at a meeting held Monday, November 6 78 at the
City Hall in Rose Creek.

AN ORDINANCE ADOPTING THE MINNESOTA BUILDING CODE; PROVIDING FOR ITS ADMINISTRATION AND ENFORCEMENT; REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE HEIGHT, AREA AND MAINTENANCE OF ALL BUILDINGS AND/OR STRUCTURES IN THE CITY OF Rose Creek; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; DECLARING AND ESTABLISHING FIRE ZONES; REPEALING OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH.

The City Council of Rose Creek does ordain as follows:

Section 1. Building Code. The Minnesota State Building Code, one copy of which is on file in the office of Austin-Mower County Planning Department has been adopted by Laws 1977, Chapter 381 as a uniform building code applicable throughout the state. Such code is hereby confirmed as the building code of the city of Rose Creek and incorporated in this ordinance as completely as if set out in full.

A. The 1978 Edition of the State Building Code adopts by reference the following codes:

(1) 1976 Edition of the Uniform Building Code, identified as "UBC";

(2) 1978 Edition of the National Electric Code, identified as "NEC";

(3) 1971 American National Standard Safety Code for Elevators, Dumbwaiters, Escalators and Moving Walks, identified as ANSI A17.1 - 1971 and Supplements, ANSI A17.1a - 1972, ANSI A17.1b - 1973, ANSI A17.1c - 1974, ANSI A17.1d - 1975, ANSI A17.1e - 1975, ANSI A17.1f - 1975 and ANSI A17.1g - 1976.

(4) 1976 Minnesota Plumbing Code, identified as MHD 120 through MHD 135.

(5) "Flood Proofing Regulations", June 1972, Office of the Chief Engineers, U. S. Army.

(6) Minnesota Heating, Ventilating, Air Conditioning and Refrigeration Code, identified as SBC 7101 through SBC 8505.

(7) "Design and Evaluation Criteria for Energy Conservation in New Building, Additions and Remodeled Elements of Buildings and Standards for Certain Existing Public Buildings", identified as 2MCAR Section 1.1.16001 through 2MCAE Section 1.16006. (SBC 6001 - 6006)

(8) State of Minnesota Mobile Home Installation Standards 1977, identified as 2MCAR 1.90450 installations and related definitions in 2MCAR 1.90103.

(9) Standards of Performance for Solar Energy Systems and Sub-systems Applied to Energy Need of Buildings, 1977 Edition, identified as 2MCAR 1.16101 through 2MCAR 1.16107.

B. In addition to those items listed above, certain Appendices, Standards and Supplemental Materials referenced in the Code are hereby adopted and incorporated into this ordinance as completely as if set out in full, included but are not limited to the following:

(1) Technical Requirements for Fallout Shelters, identified as SBC appendix "A".

(2) Variations in Snow Loads, identified as SBC Appendix "B"/

(3) 1976 Uniform Building Code Appendix Chapters 23, 35.

(4) Minnesota Plumbing Code Appendix "B".

C. The following Appendices, Standards and Supplemental Materials are adopted by reference for the city of Rose Creek and are incorporated into this ordinance as completely as if set out in full.

(1) Flood Proofing Regulations, Sections 201.2 through 208.2.

Section 2. Organization and Enforcement. The organization of the Building Department and enforcement of the Code shall be conducted within the provisions established in Chapter 2 of the Uniform Building Code 1976. The Code shall be enforced within the incorporated limits of the city of Rose Creek under a Joint Powers Agreement entered into by the county of Mower and the city of Rose Creek.

The Austin-Mower County Planning Department shall be the Building Code Department of the city of Rose Creek. The Administrative Authority shall be a State Certified "Building Official" so designated by the Appointing Authority.

The Appointing Authority shall be the Mower County Board of Commissioners.

Section 3. Permits, Inspections and Fees. The issuance of permits, conduction of inspections and collection of fees shall be as provided for in Chapter 3A of the 1978 Uniform Building Code.

A. Surcharge. In addition to the permit fees required by Section 2 above, the applicant shall pay a surcharge in the amount fixed by law. The amount required by law shall be remitted quarterly to the Minnesota Department of Administration.

Section 4. Fire Zone Districts. The total area of the city of Rose
Creek shall be Fire Zone #3.

Section 5. Violations and Penalties. The penalty described in the Uniform Building Code, 1976 Edition, Chapter Two, Section 205 shall be in keeping with Minnesota Statutes 609.031 which provides for a maximum fine of \$500 or imprisonment for 90 days, or both.

Section 6. Effective Date of Ordinance. The effective date of this Ordinance shall be January 1, 1979.

BY:

B. N. Schommel

ATTEST:

Aileen Schnorenberg