

CHAPTER 12. BUILDING CODE

Section 1200 - PLUMBING LICENSE

1200.01 Permit Requirement. No plumbing shall be done in the City except in the case of repairing faucets and the removal of locks and stoppages, without a permit first being issued therefor by the Building Inspector (the Inspector) upon such terms and conditions as the Council shall prescribe. The applicant for a plumbing permit shall file with the Inspector an application showing in detail the work to be done.

1200.02 Application. Any such person desiring to secure such a license shall make application in writing therefor to the Council; and the Council may, upon being satisfied that the applicant is a person regularly trained and sufficiently skilled in the business and qualified to receive a license, direct that such license shall be issued to him/her by the City Clerk upon payment of the annual fee as stated in Section 350 of this Code. Any persons having a license from the State of Minnesota shall be deemed qualified for the City license.

1200.03 Expiration. Every license so issued shall expire on December 31st after the date of issuance. A license may be suspended or revoked by the Council on satisfactory proof of any failure or neglect of the licensee to observe the rules and regulations prescribed by the building code of the City or of any ordinance or resolution passed by the Council relating to streets, sewers and drains, or to obey any reasonable direction given by the Inspector inspecting the performance of any service undertaken by such licensee in connection with said sewers and drains.

1200.04 Changes in Licenses. No person who has obtained any such license shall allow his/her name to be used by any other person for the doing of any work under the license; and every person licensed shall have recorded in the City Clerk's office his/her place of business, and shall immediately notify the Clerk of any change.

1200.05 Permit for Excavation. No person shall make any excavation in any street or lane without first securing a permit therefor from the City Clerk.

1200.06 Enforcement. It shall be the duty of the Inspector to enforce the provisions of this Section. All plumbing work hereafter constructed shall be inspected, and if found not to be in accordance with the said code, shall be corrected. If after

written notice to the person installing work requiring correction, such person neglects or refuses to conform to such order, the City or any duly appointed inspector may remove such work and charge the costs thereof to the person installing the work. Any person covering work without its being duly inspected or refusing to correct work when so ordered by the Inspector shall be guilty of violating this Section.

SECTION 1205 - REGULATING AND CONTROLLING THE LICENSING OF CONTRACTORS

1205.01 Competent Construction. That it is deemed in the interest of the public and the residents of the City that the work involved in building, alteration, and construction, and the installation of various appliances and service facilities in and for said buildings, be done only by individuals, firms and corporations that have demonstrated, or submitted evidence of their competency to perform such work in accordance with the applicable Sections.

1205.02 Licenses Required. Before any person, shall engage in the business of doing or performing any of the various types of work herein listed in this Section within the City, the person shall first obtain, either from the City or from the State, a license to do so:

- a. General contractors' including those involved in erection, alteration or repair of buildings.
- b. Masonry, cement work, cement block work, block laying or brick work.
- c. Roofing.
- d. Plastering, stucco work, and sheet rock taping.
- e. Heating, ventilation and refrigeration.
- f. Excavations, including excavation for footings, basements, grading of lots and, sewer and water line installation.
- g. Moving and wrecking of buildings.
- h. Sign erection, construction, and repair, including billboards and electrical signs.
- i. Sewer and water connections between street connection and property line; plumbing construction and installation.
- j. Blacktopping and asphalt work.

- k. Electrical construction and installation.
- l. Insulation of buildings and/or houses.
- m. Removal and treatment of tree.
- n. Any work for which a building permit is required by this Code.

A license granted to a general contractor shall include the right to perform all of the work included in the general contract. Such license shall include any or all persons performing the work which is classified and listed in this Section, provided that each person performing such work is in the regular employ of such general contractor and qualified under state law and the provisions of this Section to perform such work. In those cases, the general contractor shall be responsible for all of the work so performed. Sub-contractors on any work shall be required to comply with the sections of this Code pertaining to license, bond, and other pertinent qualifications for that particular type of work.

1205.03 Application. Application for all City licenses required by this Section shall be filed with the City Clerk on forms furnished by the City, and all the information requested in such forms must be supplied.

1205.04 Issuance of Licenses. All licenses to be issued hereunder by the City shall be granted upon a majority vote of the Council upon proof of the applicant's qualifications, and upon compliance with the provisions of Subsections 1205.12 and 1205.13 of this Section.

1205.05 Qualifications. Each applicant shall satisfy the Council that he/she is competent by reason of education, special training, and experience and that the applicants are equipped to perform the work for which a license is requested, in accordance with all State laws. Where a State license is required, no license shall be issued hereunder unless the applicant has the required State license.

1205.06 Fee and Expiration Date. The annual license fee and expiration date shall be as provided in Section 370 of this Code. If a license granted here is not renewed previous to its expiration, then all rights granted by such license shall cease, and any work performed after the expiration of the license shall be in violation of this Section.

1205.07 License Limited. A license issued pursuant to this Section shall not authorize the licensee to perform any type of work or conduct a business for which a license is otherwise required under any other Section of this code or state law; nor

shall any license or authority, other than as is issued or permitted pursuant to this Section authorize a person to engage in any of the businesses listed in subsection 1205.02. A license issued pursuant to this Section shall not authorize the licensee to perform any type of work for which a permit is required without having obtained such permit.

1205.08 Display of License. Each license issued pursuant to this Section shall be posted in some conspicuous place in the licensee's establishment if the licensee operates a regular place of business.

1205.09 Prohibited Acts. No licensee shall commit any of the following acts:

a. Abandonment or willful failure to perform, and the failure is not due to circumstances beyond the control of the licensee, any contract or project engaged in or undertaken by the licensee involving any of the types of work listed in subsection 1205.02, or willful deviation from or disregard of plans or specifications involving such work, in any material respect without the consent of the owner.

b. Making any misrepresentation in the procurement of a contract involving any of the types of work listed in subsection 1205.02, or making any false promise likely to influence, persuade or induce an individual to enter into such a contract.

c. Any fraud in the execution of or in the material alteration of any contract, mortgage, promissory note or other document incident to any transaction involving any of the types of work listed in subsection 1205.02.

d. Preparing or accepting any mortgage, promissory note or other evidence of indebtedness upon the obligations of a contract involving any of the types of work listed in subsection 1205.02, with knowledge that it recites a greater principal obligation than the agreed consideration for the work.

e. Directly or indirectly publishing any advertisement which contains an assertion, representation or statement of fact which is false, deceptive or misleading or by any means of advertising or purporting to offer the general public any work with the intent not to accept contracts for the particular work or the price which is advertised or offered to the public.

f. Willful or deliberate disregard and violation of the building, housing, sanitary, health and fire laws of the State, county or City.

g. Willful failure to notify the City Clerk of any change in control in ownership, management or business name or location within thirty (30) days of such change.

h. Display of a false or forged license.

1205.10 Exceptions. The license referred to in Subsection 1205.02 shall not be required of any person when acting in the particular capacity, or involved in the particular type of transaction, set forth in this Section:

a. The owner of any property who is performing work on the property, which he/she owns and occupies.

b. An individual who performs labor or services for a contractor for wages or salary.

c. Any person who is required by the state or local law to attain standards of competency or experience as a prerequisite to engaging in such craft or profession and who is acting within the scope of the craft or profession for which he is currently licensed pursuant to such other law.

d. Any retail clerk, clerical, administrative or other employee of a licensee as to a transaction on the premises of the licensee.

e. A public service corporation for work upon or in connection with its own property.

f. Manufacturers for work incorporated within equipment as a part of manufacturing.

1205.11 Liability Insurance. Every license applicant shall provide and maintain in full force and effect Commercial General Liability insurance in the sum of one million dollars (\$1,000,000.00) per occurrence and an aggregate annual limit of two million dollars (\$2,000,000.00) and shall contain a provision that no cancellation thereof shall become effective without thirty (30) days prior notice, in writing, to the City. In addition, each license applicant shall also supply a certificate of worker's compensation insurance as required by law.

1205.12 Bond Required. Every application for a license shall be accompanied by a bond, approved as to form by the City Attorney, executed by a bonding or surety company authorized to do business in the State of Minnesota, in the amount of two

thousand (\$2,000.00) dollars annual aggregate conditioned upon the assurance that during the term of such license the licensee will continue to comply with the provisions of this Section and all laws of the City and to assure that upon default in the performance of any contract involving any of the types of work listed in Subsection 1205.02, the advance payments made thereon, less the reasonable value of services actually rendered to the date of such default or the reasonable costs of completion of the contract in the event of the noncompletion thereof, will be refunded to the owner with whom such contract was made. The City shall have a cause of action against the bond for reimbursement for any damages suffered as a result of noncompliance with the laws of the City. The bond shall contain a provision, that no bond may be cancelled except upon thirty (30) days, written notice to the City, which notice shall be served upon the City Clerk.

1205.13 Assumption of Liability. This Section shall not be construed to affect the responsibility of any party involved with any of the types of work listed in subsection 1205.02, for damages to persons or property, or shall the City be held as assuming any such liability by reason of the licensing of persons engaged in such work.

SECTION 1210 - BUILDING CODE

1210.01 Application, Administration and Enforcement. The application, administration, and enforcement of the code shall be in accordance with Minnesota Rule Chapter 1300. The code shall be enforced within the extraterritorial limits permitted by Minnesota Statutes, 16B.62, subdivision 1, when so established by this ordinance.

This code shall be enforced by the Minnesota Certified Building Official designated by the City of Circle Pines to administer the code as permitted by Minnesota Statute 16B.65 subdivision 1.

1210.02 Permits and Fees. The issuance of permits and the collection of fees shall be as authorized in Minnesota Statutes, 16B.62, subdivision 1.

Permit fees shall be assessed for work governed by this code in accordance with the fee schedule adopted by the City of Circle Pines. In addition, a surcharge fee shall be collected on all permits issued for work governed by this code in accordance with Minnesota Statute 16B.70.

1210.03 Violations and Penalties. A violation of the code is a misdemeanor (Minnesota Statute 16B.69) and Minnesota Rules, Chapter 1300.

1210.04 Building Code. The Minnesota State Building Code, established pursuant to Minnesota Statutes 16B.59 to 16B.75 is hereby adopted as the building code for the City of Circle Pines. The code is incorporated by reference in this ordinance as if fully set out herein.

A. The Minnesota State Building Code includes the following chapters of Minnesota Rules:

1. 1300, Minnesota State Building Code Administration;
2. 1301, Building Official Certification;
3. 1302, State Building Code Construction Approvals;
4. 1303, Special Provisions;
5. 1305, Adoption of the International Building Code;
6. 1306, Special Fire Protection Systems, adopting and incorporating option 1306.0020, subpart 2, and option 1306.0030, E-1;
7. 1307, Elevators and Related Devices;
8. 1309, Adoption of the International Residential Code;
9. 1311, Minnesota Conservation Code for Existing Buildings;
10. 1315, Adoption of the National Electrical Code;
11. 1325, Solar Energy Systems;
12. 1330, Fallout Shelters;
13. 1335, Floodproofing Regulations;
14. 1341, Minnesota Accessibility Code;
15. 1346, Minnesota State Mechanical Code;
16. 1350, Manufactured Homes;
17. 1360, Prefabricated Structures;
18. 1361, Industrialized/Modular Buildings;
19. 1370, Storm Shelters (Manufactured Home Parks);
20. 4715, Minnesota Plumbing Code;
21. 7670, Optional Minnesota Code for Dwellings;
22. 7672, Optional Minnesota Code for Dwellings;
23. 7674, Minnesota Energy Code for Multi-Family - Three Stories;
24. 7676, Minnesota Energy Code for Commercial Buildings; and
25. 7678, Minnesota Energy Code for Thermal Transmittance.

1. B. Appendix Chapter K (Grading), of the 2002 Supplement to the International Building Code is hereby adopted and incorporated as part of the building code for the City of Circle Pines.

SECTION 1215 - REGULATING ELECTRICAL SYSTEMS

1215.01 Electrical Inspector.

Subd. 1 City Inspector. The Council shall appoint an electrical inspector certified by the State of Minnesota to conduct the inspections required pursuant to this section.

Subd. 2 Requirements. The City electrical inspector shall be possessed of such executive ability as is requisite for the performance of his/her duties; shall have a thorough knowledge of the standard materials and methods used in the installation of electrical equipment; shall be well versed in approved methods of construction for safety to persons and property; shall be well versed in the statutes, orders, rules and regulations of the State relating to electrical work and any electrical codes applicable in the State; and shall have two (2) years experience as an electrical inspector or five (5) years experience in the installation of electrical equipment or be a graduate mechanical or electrical engineer with two (2) years of practical electrical experience.

Subd. 3 Outside Activity of Inspector. It shall be unlawful for the City electrical inspector or any of his/her assistants to engage or be employed in the sale or installation of electrical wiring, devices, appliances or equipment; and they shall have no financial interest in any concern engaged in such business.

Subd. 4 Bond Required. Before entering upon the discharge of his/her duties, the inspector shall be bonded in the amount of One Thousand and no/100 (\$1,000.00) Dollars to the City.

Subd. 5 Duties. It shall be the duty of the inspector to enforce the provisions of this Section. He/she shall, upon application, grant permits for the installation or alteration of electrical equipment; and shall make inspections of electrical installations, all as provided in this section. He/she shall keep complete records of all permits issued, inspections and reinspections made and other official work performed in accordance with this Section. He/she shall also keep on file a list of inspected electrical equipment issued by or for Underwriters Laboratories, Inc., which list shall be accessible for public reference during regular office hours.

Subd. 6 Inspector's Assistants. The inspector is empowered to employ such assistant inspectors and clerical assistants as are necessary for the proper conduct of his/her office. Any assistant inspector shall hold a

license as a master or journeyman electrician pursuant to Minn. Stat. S 326.242, Subd. 1 (1) or Subd. 2 (1) .

1215.02 Safety Standards. All electrical wiring, apparatus and equipment for heat and power shall comply with Section 1210 of this Code. Compliance with the methods of electrical construction of said Section 1210 shall constitute compliance with this Section.

1215.03 Electrical Inspection.

Subd. 1 Inspection Required. Every new electrical installation in any construction, remodeling, replacement or repair, except minor repair work as the same is defined by the Minnesota Board of Electricity, shall be inspected by the City electrical inspector for compliance with accepted standards of construction for safety to life and property.

Subd. 2 Exemptions From Inspection. Installations, materials or equipment shall not be subject to inspection under this Section in the following instances:

(a) When owned or leased and operated and maintained by any employer whose maintenance electricians are exempt from licensing, except any electrical installations in any new construction or major remodeling; or

(b) When owned or leased and operated and maintained by any electric, communications or railway utility in the exercise of its utility function; and

(1) Used in connection with the generation, transformation, distribution, transmission or metering of electric current, or the operation of railway signals, or the transmission of intelligence, and do not have as a principal function the consumption or use of electric current by or for the benefit of any person other than such utility; and

(2) Are generally accessible only to employees of such utility or persons acting under its control or direction.

(c) When used in the street lighting operations of an electric utility; or

(d) When used as outdoor area lights which are owned and operated by any electric utility and which are connected directly to its distribution system and located upon the utility's distribution poles, and

which are generally accessible only to employees of such utility or under its control or direction.

Subd. 3 Inspection Fees. Electrical inspection fees shall be set by resolution of the Council.

Subd. 4 License on File With the City. Each person doing electrical work within the City shall have on file with the City Administrator a certified copy of the current license issued by the Minnesota Board of Electricity or such other evidence of the license as may be provided by the Board of Electricity.

Subd. 5 Access to Premises to be Inspected. Any building or premises having an electrical installation to be inspected shall be open to the City electrical inspector during normal business hours.

1215.04 Inspection Procedure.

Subd. 1 Application; Payment of Fee. At or before commencement of any installation required to be inspected by the terms of this Section, the electrical contractor, installer, special electrician or owner making the installation shall submit to the City a request for inspection, in a form prescribed by the City, together with the fees required for the installation.

Subd. 2 Rough-In Inspection of Wiring to be Concealed. Where wiring is to be concealed, the City must be notified in reasonable time to allow the inspector to complete a rough-in inspection prior to concealment. In the event wiring is concealed before rough-in inspection without adequate notice having been given to the City, the person responsible for having enclosed the wiring shall be responsible for all costs resulting from uncovering and replacing the cover material.

Subd. 3 Condemnation of Hazardous Installations. When the electrical inspector finds that a new installation or part of a new installation that is not energized is not in compliance with accepted standards of construction as required by 1215.02, the inspector shall, if the installation or the non-complying part thereof is such as to seriously and proximately endanger human life and property if it was to be energized, order immediate condemnation of the installation or non-complying part. When the person responsible for making the installation condemned is notified he/she shall promptly proceed to make the corrections cited in the condemnation order.

Subd. 4 Disconnection of Hazardous Installations. When the electrical inspector finds that a new installation that is energized is not in compliance with accepted standards of

construction as required by subsection 1215.02, the inspector shall, if the installation or non-complying part thereof is such as to seriously and proximately endanger human life and property, order immediate disconnection of the installation or non-complying part. When the person responsible for the installation to be disconnected is notified, he/she shall promptly proceed to make the corrections cited in the disconnection order.

Subd. 5 Correction of Non-complying Installations. When a non-complying installation, whether energized or not, is not proximately dangerous to human life and property, the inspector shall issue a correction order requiring the owner or contractor to bring the installation in compliance with accepted standards of construction for safety to life and property, noting specifically what changes are required. The order of the inspector shall specify a date not less than ten (10) nor more than seventeen (17) calendar days from the date of the order when a final inspection shall be made. If at the time of the final inspection the installation has not been brought into compliance, a condemnation or disconnection order may be issued by the inspector. If the installation was installed by any person licensed by the Minnesota Board of Electricity and said licensee has not corrected the deficiencies noted in the correction order by the date of the final inspection, the City may notify the Board of Electricity of such default. When the installation is brought into compliance with this Section to the satisfaction of the inspector, the correction order shall be immediately countermanded. Any interested party may demand that an outstanding correction order be countermanded or extended. If the demand to countermand or extend a correction order is rejected, it shall be done so in writing within ten (10) days after receipt of the demand.

Subd. 6 Service of Orders. All condemnation or disconnection orders shall be served personally or by mail upon the property owner and upon the electrical contractor, installer or special electrician making the installation. A correction order shall be served personally or by mail only upon the contractor, installer, special electrician or owner. The power supplier shall be served any time an order requires immediate disconnection or prohibits energizing an installation.

Subd. 7 Duty of Electrical Utility.

(a) No electrical installation subject to inspection by the inspector shall be newly connected or reconnected for use until there is filed with the electrical utility supplying power a certificate of the property owner or licensed electrician, directing the work that inspection has been

requested and that the conditions of the installation are safe for energization.

(b) In all cases where an order of condemnation or disconnection has been issued against the installation or any part thereof, the inspector shall, prior to connection or reconnection, file with the electrical utility supplying power a copy of the inspector's order dismissing such prior order of condemnation or disconnection or approving the installation as being in compliance with accepted standards of construction for safety to life and property.

(c) With respect to transient projects, the certificate shall also contain a statement that the request for inspection has been or will be filed with the City so as to be received by it at least five (5) days prior to the date and time of energization of the installation by the utility, that the request for inspection states such date and time, and that it shall be the responsibility of the City to inspect the transient project prior to the stated date and time of energization.

1215.05 Appeals.

Subd. 1 Notice of Appeal. Any person aggrieved-by a condemnation or disconnect order issued by the City electrical officer may file a notice of appeal with the Council within ten (10) days after service of the order. He/she shall notify all persons served with the order that a notice of appeal has been filed.

Subd. 2 Order Stayed

(a) Where the installation is seriously or proximately dangerous to human life and property, the order shall not be stayed pending final decision of the Council, unless the Council rules otherwise.

(b) Where the installation is not seriously or proximately dangerous to human life and property, the order shall be stayed pending final decision of the Council, and the Council shall notify all persons or entities served with the order that the order has been stayed.

Subd. 3 Hearing; Decision. The Council shall set the hearing for a date not more than fourteen (14) days after receipt of the notice of appeal, unless a later date is agreed to by the Council and by all parties served with the order.

1215.06 Liability for Damages. The City shall not be held to have assumed liability for damages to persons or property arising out of any electrical installation inspected pursuant to this Section by reason of said inspection, by reason of the issuance of a permit for the installation, or by reason of the approval of any equipment used in the installation.

SECTION 1220 - REQUIRING THE NUMBERING OF BUILDINGS

1220.01 Numbers Assigned. The City shall assign distinctive street numbers to all principal buildings presently located within the City. Principal buildings hereafter constructed shall be assigned a street number when the building permit is issued.

1220.02 Numbering Required. It shall be the duty of the owner, agent, lessor or occupant of every house, mobile home or other building except barns, garages and other residential, commercial or industrial buildings which are part of the same property with a numbered house or building, to place on every such mobile home or building its proper street number in conformity with the following:

a. Arabic Numbers shall be posted above, on or beside the principal entrance to the building.

b. Numbers shall be posted in a manner as to be visible from the street on which the property is located.

c. Premises which are located so that they are not visible from the abutting street shall have an additional set of numbers located on a post, sign or other device, which is clearly visible from such street and which clearly designates the premises numbered.

d. Numbers must have a minimum height of 4 inches and a minimum width of 1-1/2 inches. Numbers must contrast with the color of background to which they are attached or must be made of a reflective material.

e. In cases where a principal building is occupied by more than one business or family dwelling unit each separate front entrance of such building shall bear a number, as assigned by the City.

1220.03 Time to Comply. All houses or other buildings with existing non-conforming numbering, which numbering existed on June 19, 1986, shall comply with this Section no later than July 1, 1993. All persons replacing existing numbers shall comply with the terms of this Section. Buildings hereafter constructed

in the City shall comply with this ordinance within thirty (30) days of substantial completion of construction and/or occupancy. Buildings existing on June 19, 1986, which do not have numbers shall comply with this Section no later than September 18, 1986.

1220.04 Variations. Variations from the strict application of provisions of this Section may be granted where there are practical difficulties or unnecessary hardships in effecting strict compliance. Such hardships or difficulties must have to do with the characteristics of the property and not of the property owner. Any variations shall be granted in writing by the Council.

**SECTION 1225 - CONSTRUCTION, ALTERATION, REPLACEMENT OF EQUIPMENT
IN & MAINTENANCE OF ALL BUILDINGS & STRUCTURES IN
THE CITY; PERMIT FEES; INSPECTIONS**

1225.01 Permits Required. No person may install in any building or structure within the City and inside water or sewer plumbing fixture, heating system, air conditioning system, hot-water heater, stove or oven, clothes dryer or solid-fuel stove or fireplace, or may connect any building or structure to the municipal water or sewer system without having first obtained from the City Building Official a permit therefor. The Building Official shall issue a permit required by this Section upon satisfactory application therefor and upon payment by the applicant of the permit fee set forth in Subsection 1225.02.

1225.02 Permit Fees. The fees for the issuance of the permits required by this Section shall be as follows:

<u>Type of Permit</u>	<u>Permit Fee</u>
Inside water and sewer plumbing	\$ 25.00 flat charge + \$5.00 per fixture after the 5th
Heating/Air Conditioning residential	\$ 25.00
Heating system/Air Conditioning Commercial/Industrial	\$ 25.00
Hot-water heater	\$ 25.00

Stove, oven or range (new installation only)	\$ 25.00
Clothes dryer	\$ 25.00

*** Each permit also requires a 50¢ state surcharge -**