

FRIDLEY CITY CODE
CHAPTER 206. BUILDING CODE

(Ref. repealed old Chapter 206: 206, 287, 292, 296, 297, 308, 320, 361, 367, 408, 437, 448, 479, 614, 664, 680, 734, 794, 901, 929, 947, 961, 986, 1012, 1052, 1123, 1159, 1190; 1245, 1261)

206.01. BUILDING CODE

1. Building Code. The Minnesota State Building Code, established pursuant to Minnesota Statutes 16B.59 through 16B.75, one copy of which is on file in the office of the City Clerk of Fridley, Minnesota, is hereby adopted by reference as the Building Code of the City of Fridley and incorporated in this Chapter as completely as if set out here in full. (Ref 1190)
2. The following chapters of the Minnesota State Building Code including the following chapters of Minnesota Rules are adopted by the City: (Ref 1190)
 - A. Chapter 1300 – Administration of the Minnesota Building Code.
 - B. Chapter 1301 - Building Official Certification.
 - C. Chapter 1302 - State Building Construction Approvals.
 - D. Chapter 1303 – Minnesota Provisions of the State Building Code
 - E. Chapter 1305 - Adoption of the 2006 International Building Code:
 - F. Chapter 1306 - Special Fire Protection Systems (Ord 1159)
Section 1306.0020. Municipal Option, Subp. 3; and E.1
 - G. Chapter 1307 - Elevators and Related Devices
 - H. Chapter 1309 – Adoption of the 2006 International Residential Code;
 - I. Chapter 1311 – Adoption of the Guidelines for the Rehabilitation of Existing Buildings;
 - J. Chapter 1315 – Adoption of the 2005 National Electrical Code
 - K. Chapter 1325 - Solar Energy Systems
 - L. Chapter 1330 - Fallout Shelters
 - M. Chapter 1335 - Floodproofing Regulations
 - N. Chapter 1341 – Minnesota Accessibility Code
 - O. Chapter 1346 –Adoption of the Minnesota State Mechanical Code
 - P. Chapter 1350 - Manufactured Homes
 - Q. Chapter 1360 - Prefabricated Buildings
 - R. Chapter 1361 - Industrialized/Modular Building
 - S. Chapter 1370 - Storm Shelters
 - T. Chapter 4715 - Minnesota Plumbing Code
 - U. Chapters 1322 and 1323 Minnesota Energy Code

3. Organization and Enforcement.

- A. 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, Subd. 1, when so established by this ordinance. (Ref 1190)
- B. The Building Inspection Division shall be the Building Code Department of the City of Fridley. The Administrative authority shall be a State Certified Building Official. (Minnesota Statute 16B.65)
- C. The City Manager shall be the Appointing Authority and designate the Building Official for the jurisdiction of Fridley. (Ref. 961)

206.02. CONFLICTS

In the event of any conflict between the provisions of this Code adopted by the provisions of this Chapter and applicable provisions of State law, rules or regulations, the latter shall prevail.

206.03. PERMITS AND FEES

- 1. The issuance of permits, and collection of fees shall be as authorized in Minnesota Statute 16B.62 subdivision 1.
- 2. Violations and Penalties. A violation of the code is a misdemeanor (Minnesota Statute 16B.69) and Minnesota Rules Chapter 1300.
- 3. The fee schedules shall be as follows:
 - A. Plan Review Fees.**
 - (1) When a plan or other data are submitted for review, the plan review fee shall be 65% of the building permit fee. (Ref 1190)
 - (2) Where plans are incorporated or changed so as to require additional plan review an additional plan review fee shall be charged.
 - (3) Applications for which no permit is issued within 180 days following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned or destroyed. The building official may extend the time for action by the applicant once for a period not exceeding 180 days upon request by the applicant.
 - (4) Permit and Plan Review Refund Policy. The Building Official may authorize refunding of any fee hereunder which was erroneously paid or collected. The Building Official may authorize refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code. The Building Official may authorize refunding of not more than 80% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done. The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of the fee payment. (Ref 1190)

B. Building Permit Fees. (Ref. 901)

TOTAL VALUATION	FEE
\$1.00 TO \$500	\$23.50
\$501 TO \$2000	\$23.50 for the first \$500 plus \$3.05 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$69.25 for the first \$2000 plus \$14 for each additional \$100 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$391.25 for the first \$25,000 plus \$10.10 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$643.75 for the first \$50,000 plus \$7 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000 or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000 or fraction thereof, to and including \$1,000,000
\$1,000,001 and up	\$5,608.75 for the first \$1,000,000 plus \$3.15 for each additional \$1,000 or fraction thereof.

Other Inspections and Fees: (Ref 1190)

Inspections outside of normal business hours (minimum charge – two hours)	\$50 per hour
Re-inspection fees assessed under provisions of Section 108	\$50 per hour
Inspections for which no fee is specifically indicated (minimum charge – one half hour)	\$50 per hour
Additional plan review required by changes, additions or revisions to approved plans (minimum charge – one half hour) *Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employee involved.	\$50 per hour
For use of outside consultants for plan checking and inspections, or both	Actual Costs which include administrative and overhead costs
Residential Mobile Home Installation	\$100
Surcharge on Residential Building Permits.	A surcharge of \$5 shall be added to the permit fee charged for each residential building permit that requires a state licensed residential contract.

C. Plumbing Permit Fees. (Ref. 1190)

Fixture	FEE
Minimum Fee per MN Statute 16B.60, Subd. 3	\$15 or 5% of cost of improvement, whichever is greater
Each fixture	\$10
Old opening, new fixture	\$10
Beer Dispenser	\$10
Blow Off Basin	\$10
Catch Basin	\$10
Rain Water Leader	\$10
Sump or Receiving Tank	\$10
Water Treating Appliance	\$35
Water Heater Electric	\$35
Water Heater Gas	\$35
Backflow Preventer	\$15
OTHER	Commercial 1.25% of value of fixture or

	appliance
Other Inspections and Fees: (Ref 1190)	
Inspections outside of normal business hours (minimum charge – two hours)	\$50 per hour
Re-inspection fees assessed under provisions of Section 108	\$50 per hour
Inspections for which no fee is specifically indicated (minimum charge – one half hour)	\$50 per hour
Additional plan review required by changes, additions or revisions to approved plans (minimum charge – one half hour)	\$50 per hour
*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.	
For use of outside consultants for plan checking and inspections, or both	Actual Cost including administrative and overhead costs

D. Mechanical Permit Fees. (Ref. 1190)

FEE

(1) Residential minimum fee per MN Statute 16B.60, Subd. 3	\$15 or 5% of cost of improvement, whichever is greater
Furnace	\$35
Gas Range	\$10
Gas Piping	\$10
Air Conditioning	\$25
OTHER	1% of value of appliance
(2) Commercial minimum fee	\$35
All work	1.25% of value of appliance

Other Inspections and Fees: (Ref 1190)

Inspections outside of normal business hours (minimum charge – two hours)	\$50 per hour
Re-inspection fees assessed under provisions of Section 108	\$50 per hour
Inspections for which no fee is specifically indicated (minimum charge – one half hour)	\$50 per hour
Additional plan review required by changes, additions or revisions to approved plans (minimum charge – one half hour)	\$50 per hour
*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.	
For use of outside consultants for plan checking and inspections, or both	Actual Cost including administrative and overhead costs

E. Electrical Permit Fees.

(1) Property Owner Electrical Inspection Fees

New Home or Associated Structure	
New Dwelling Service/Power Supply	0-400 ampere \$35 401-800 ampere \$60
New Dwelling Feeders/Circuits	Up to 30 Feeders/Circuits \$100 More than 30 Feeders/Circuits or up to 200(in addition to the above) \$6 each
Detached Garage or Other Associated Structure	
New Service/Power Supply	0-400 ampere \$35
New Feeders/Circuits	\$6 each Total (the fee calculated above or \$35 multiplied by the number of required inspection trips, whichever is greater)
Existing Home/Structure Remodel or Addition	
New Service/Power Supply	0-400 ampere \$35 401-800 ampere \$60
New Feeders/Circuits	Up to 15 Feeders/Circuits \$6 Each 16-30 Feeders/Circuits \$100 More than 30 Feeders/Circuits up to 200 \$6 Each
Reconnected Feeders/Circuits	Feeders/Circuits \$2 Each
Existing Detached Garage or other Associate Structure	
New Service/Power Supply	0-400 ampere \$35
New Feeders/Circuits	\$6 Each
Reconnected Feeders/Circuits	\$2 Each Total (the fee calculated above or \$35 multiplied by the number of required inspection trips, whichever is greater)

(2) Contractor Electrical Inspection Fee for Single Family Dwelling/Associated Structure

New Home or Associated Structure	
New Dwelling Service/Power Supply	0-400 ampere \$35 401-800 ampere \$60
New Dwelling Feeders/Circuits	Up to 30 Feeders/Circuits \$100 More than 30 up to 200 (in addition to the above) \$6 each
Detached Garage or Other Associated Structure	
New Service/Power Supply	0-400 ampere \$35
New Feeders/Circuits	\$6 each Total (the fee calculated above or \$35 multiplied by the number of required inspection trips, whichever is greater)
Existing Home/Structure Remodel or Addition	
New Service/Power Supply	0-400 ampere \$35 401-800 ampere \$60
New Feeders/Circuits	Up to 15 Feeders/Circuits \$6 Each 16-30 Feeders/Circuits \$100 More than 30 Feeders/Circuits up to 200 \$6 Each
Reconnected Feeders/Circuits	Feeders/Circuits \$2 Each

Existing Detached Garage or other Associate Structure	
New Service/Power Supply	0-400 ampere \$35
New Feeders/Circuits	\$6 Each
Reconnected Feeders/Circuits	\$2 Each
	Total (the fee calculated above or \$35 multiplied by the number of required inspection trips, whichever is greater)

(3) Contractor Electrical Inspection Fee for Multi-Family Dwelling/Commercial Structure

Service/Power Supply	0-400 ampere \$35 401-800 ampere \$60 Above 800 ampere \$100
Feeders/Circuits	Up to 200 A \$6 Each Above 200 A \$15 Each
Reconnected Feeders/Circuits	\$2 Each
Manufactured Home Park Lot Supply	\$35 Each
Recreational Vehicle Site Supply Equipment	\$6 Each (for circuits originating in the Equipment)
Street, Parking Lot, Lighting Standard	\$5 Each
Transformers	Up to 10 kva \$15 Each Over 10 kva \$30 Each
Electric Signs and Outline Lighting Transformer/power supply	\$5 Each
Technology System Devices	75¢ Each
Separate Bonding Inspections for Swimming Pools and Equipotential Planes	\$35 Each
Center Pivot Irrigation Booms	\$35 Each
Electrical Drive Unit	\$5 Each
Luminaire Retrofit Modifications	25¢ Each
Concrete-Encased Electrode Inspection	\$35 Each
Investigative Fee	\$70 OR Total inspection fee, whichever is greater up to \$1,000
Special Inspection fee	\$80 Per Hour Plus the number of miles at the current IRS mileage rate
Over 600 Volts	Add the combined service/power supply and feeder/circuit fee to result in double the regular fee (does not apply to electric sign and outline lighting)
New Multi-Family Dwellings - Feeders/Circuits	Up to 20 \$70 Each Above 20 allowed per unit \$6 Each
Total	The fee calculated above or \$35 multiplied by the number of required inspection trips, whichever is greater)

F. Moving of Dwelling or Building Fee.

The permit fee for the moving of a dwelling or building shall be in accordance with the following schedule:

For Principle Building into City	\$300
For Accessory Building into City	\$42
For moving any building out of City	\$20
For moving through or within the City	\$20

G. Wrecking Permit Fee.

- (1) For any permit for the wrecking of any building or portion thereof, the fee charged for each such building included in such permit shall be based on the cubical contents thereof and shall be at the rate of one dollar and twenty-five cents (\$1.25) for each one thousand (1000) cubic feet or fraction thereof.
- (2) For structures which would be impractical to cube, the wrecking permit fee shall be based on the total cost of wrecking such structure at the rate of six dollars (\$6.00) for each five hundred dollars (\$500.00) or fraction thereof.
- (3) In no case shall the fee charged for any wrecking permit be less than twenty dollars (\$20.00).

H. Water and Sewer Fees. (Ref. 1190)

Hydrant Rental Agreement – Service Charge (for use of hydrant only – City does not supply hose)	\$50
Water Usage – Metered Minimum	\$1.30/1000 gallons used \$20
Tanker	\$20 per fill
Water Taps	See Engineering
Permanent Street Patch First 5 sq. yds. Over 5 sq. yds.	\$300 \$30 per sq. yd.
Temporary Street Patch (Nov 1 through May1) First 5 sq. yd. Over 5 sq. yds.	\$400 \$40 per sq. yd. plus cost of permanent street patch
Water Meter Repair – Weekend & Holidays	\$125
Water Connections Permit	\$50
Sewer Connections Permit	\$50
Inspection Fee for Water/Sewer Line Repair	\$40

I. Land Alterations, Excavating, or Grading Fees including Conservation Plan Implementation Fees. (Ref. 901, 1012)

50 cubic yards or less	\$40
51 to 100 cubic yards	\$47.50
101 to 1,000 cubic yards	\$47.50 for the first 100 cubic yards plus \$10.50 for each additional 100 cubic yards or fraction thereof.
1,001 to 10,000 cubic yards	\$167 for the first 1,000 cubic yards plus \$9 for each additional 1,000 cubic yards or fraction thereof
10,001 to 100,000 cubic yards	\$273 for the first 10,000 cubic yards plus \$40.50 for each additional 10,000 cubic yards or fraction thereof
100,001 cubic yards or more	\$662.50 for the first 100,000 cubic yards plus \$22.50 for each additional 100,000 cubic yards or fraction thereof

Land Alteration Plan-Checking Fees:

50 cubic yards or less	No Fee
51 to 100 cubic yards	\$23.50
101 to 1,000 cubic yards	\$37
1,001 to 10,000 cubic yards	\$49.25
10,001 to 100,000 cubic yards	\$49.25 for the first 10,000 cubic yards plus \$24.50 for each additional 10,000 cubic yards or fraction thereof
100,001 to 200,000 cubic yards	\$269.75 for the first 100,000 cubic yards plus \$13.25 for each additional 10,000 cubic yards or fraction thereof
200,001 cubic yards or more	\$402.25 for the first 200,000 cubic yards plus \$7.25 for each additional 10,000 cubic yards or fraction thereof

J. Pollution Monitoring Registration Fee. (Ref. 929, 947)

- (1) Each pollution monitoring location shall require a site map, description and length of monitoring time requested. (For matter of definition pollution monitoring location shall mean each individual tax parcel.) There shall be an initial application and plan check fee of Twenty-Five Dollars (\$25).
- (2) The applicant for a Pollution Control Registration shall provide the City with a hold harmless statement for any damages or claims made to the City regarding location, construction, or contaminates.
- (3) An initial registration fee of Fifty Dollars (\$50) is due and payable to the City of Fridley at or before commencement of the installation.
- (4) An annual renewal registration fee of Fifty Dollars (\$50) and annual monitoring activity reports for all individual locations must be made on or before September first of each year. If renewal is not filed on or before October first of each year the applicant must pay double the fee.
- (5) A final pollution monitoring activity report must be submitted to the City within (30) days of termination of monitoring activity. (Ref. 961)

206.04. INVESTIGATION FEES

Should any person begin work of any kind such as hereinbefore set forth, or for which a permit from the Building Code Department is required by this Chapter without having secured the necessary permit therefore from the Building Code Department either previous to or during the day where such work is commenced, or on the next succeeding business day when work is commenced on a Saturday, Sunday or a holiday, they shall, when subsequently securing such permit, be required to pay an investigation fee equal to the permit fee and shall be subject to all the penal provisions of said Code. (Ref. 901)

206.05. REINSPECTION FEE

1. A re-inspection fee of fifty dollars (\$50.00) per hour shall be assessed for each inspection or re-inspection when such portion of work for which the inspection is called for is not complete or when corrections called for are not made. (Ref. 1190)

2. This Section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this Code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.
3. Re-inspection fees may be assessed when the permit card is not properly posted on the work site, or the approved plans are not readily available for the inspection, or for failure to provide access on the date and time for which inspection is requested, or for deviating from plans requiring the approval of the Building Official.
4. Where re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid. (Ref. 961)

206.06. CERTIFICATE OF OCCUPANCY

1. Except for single family residential structures, a Certificate of Occupancy stating that all provisions of this Chapter have been fully complied with, shall be obtained from the City:
 - A. Before any structure for which a building permit is required is used or occupied. A temporary Certificate of Occupancy may be issued when the building is approved for occupancy but the outside development is partially uncompleted. (Ref. 901)
 - B. Or before any nonconforming use is improved or enlarged.
2. Application for a Certificate of Occupancy shall be made to the City when the structure or use is ready for occupancy and within ten (10) days thereafter the City shall inspect such structure or use and if found to be in conformity with all provisions of this Chapter, shall sign and issue a Certificate of Occupancy.
3. A Certificate of Compliance shall be issued to all existing legal nonconforming and conforming uses which do not have a Certificate of Occupancy after all public health, safety, convenience and general welfare conditions of the City Code are in compliance.
4. No permit or license required by the City of Fridley or other governmental agency shall be issued by any department official or employee of the City of such governmental agency, unless the application for such permit or license is accompanied by proof of the issuance of a Certificate of Occupancy or Certificate of Compliance.
5. Change in Occupancy:
 - A. The City will be notified of any change in ownership or occupancy at the time this change occurs for all industrial and commercial structures within the City.
 - B. A new Certificate of Occupancy or Compliance will be issued after notification. A thirty-five dollar (\$35.00) fee will be assessed for this certificate.
6. Existing Structure or Use:
 - A. In the case of a structure or use established, altered, enlarged or moved, upon the issuance and receipt of a Special Use Permit, a Certificate of Occupancy shall be issued only if all the conditions thereof shall have been satisfied.

- B. Whenever an inspection of an existing structure or use is required for issuance of a new Certificate of Occupancy, a thirty-five dollar (\$35.00) fee will be charged. If it is found that such structure or use does not conform to the applicable requirements, the structure or use shall not be occupied until such time as the structure or use is again brought into compliance with such requirements.

206.07. CONTRACTOR'S LICENSES

1. It is deemed in the interest of the public and the residents of the City of Fridley 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 codes of the City of Fridley.
2. The permits which the Building Inspector is authorized to issue under this Code shall be issued only to individuals, firms or corporations holding a license issued by the City for work to be performed under the permit, except as hereinafter noted.
3. Requirements.
Application for license shall be made to the Building Code Department and such license shall be granted by a majority vote of the Council upon proof of the applicant's qualifications thereof, willingness to comply with the provisions of the City Code, filing of certificates evidencing the holding of public liability insurance in the limits of \$50,000 per person, \$100,000 per accident for bodily injury, and \$25,000 for property damages and certificates of Worker's Compensation insurance as required by State law and if applicable, list a Minnesota State Tax Identification number. (Ref. 901)
4. Fee.
The fee for each license required by the provision of this Section shall be thirty-five dollars (\$35.00) per year.
5. Expiration.
All licenses issued under the provisions of this Section shall expire on April 30th, following the date of issuance unless sooner revoked or forfeited. If a license granted hereunder 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 Code.
6. Renewal.
Persons renewing their license issued under this Section after the expiration date shall be charged the full annual license fee. No prorated license fee shall be allowed.
7. Specific Trades Licensed.
Licenses shall be obtained by every person engaging in the following businesses or work in accordance with the applicable Chapters of the City of Fridley.
 - A. General contractors in the business of nonresidential building construction and residential contractors with an exempt card from the State.

- B. Masonry and brick work.
- C. Roofing.
- D. Plastering, stucco work, sheetrock taping.
- E. Heating, ventilation and refrigeration.
- F. Gas piping, gas services, gas equipment installation.
- G. Oil heating and piping work.
- H. Excavations, including excavation for footings, basements, sewer and water line installations.
- I. Wrecking of buildings.
- J. Sign erection, construction and repair, including billboards and electrical signs.
- K. Blacktopping and asphalt work.
- L. Chimney sweeps.
- M. Sanitary Sewer Service Cleaners. (Ref Ord No 1286/Effective January 1, 2012)

8. Employees and Subcontractors.

A license granted to a general contractor under this Section shall include the right to perform all of the work included in the general contract. Such license shall include any or all of the persons performing the work which is classified and listed in this Code providing that each person performing such work is in the regular employ and qualified under State law and the provisions of this Building Code to perform such work. In these cases, the general contractor shall be responsible for all of the work so performed. Subcontractors on any work shall be required to comply with the Sections of this Code pertaining to license, insurance, permit, etc., for their particular type of work. (Ref. 901)

9. Suspension and Revocation Generally.

The City Council shall have the power to suspend or revoke the license of any person licensed under the regulations of this Section, whose work is found to be improper or defective or so unsafe as to jeopardize life or property providing the person holding such license is given twenty (20) days notice and granted the opportunity to be heard before such action is taken. If and when such notice is sent to the legal address of the licensee and they fail or refuse to appear at the said hearing, their license will be automatically suspended or revoked five (5) days after date of hearing.

10. Time of Suspension.

When a license issued under this Section is suspended, the period of suspension shall be not less than thirty (30) days nor more than one (1) year, such period being determined by the City Council.

11. Revocation, Reinstatement.

When any person holding a license as provided herein has been convicted for the second time by a court of law for violation of any of the provisions of this Code, the City Council shall revoke the license of the person so convicted. Such person may not make application for a new license for a period of one (1) year.

12. Permit to Homeowner.

The owner of any single family property may perform work on property which the owner occupies so long as the work when performed is in accordance with the Codes of the City and for such purpose a permit may be granted to such owner without a license obtained.

All rental property permits shall be obtained by licensed contractors.

13. State Licensed Contractor's Excepted.
Those persons who possess valid State licenses issued by the State of Minnesota shall not be required to obtain a license from the City; they shall, however be required to file proof of the existence of a valid State license together with proof of satisfactory Worker's Compensation and Public Liability insurance coverage. (Ref. 901)
14. Public Service Corporations Excepted.
Public service corporations shall not be required to obtain licenses for work upon or in connection with their own property except as may be provided by other Chapters.
15. Manufacturers Excepted.
Manufacturers shall not be required to obtain licenses for work incorporated within equipment as part of manufacturing except as may be provided by other Sections of this Code.
16. Assumption of Liability.
This Section shall not be construed to affect the responsibility or liability of any party owning, operating, controlling or installing the above described work for damages to persons or property caused by any defect therein; nor shall the City of Fridley be held as assuming any such liability by reason of the licensing of persons, firms or corporations engaged in such work.

206.08. UTILITY EXCAVATIONS (SEWER & WATER)

1. Permit Required.
Before any work is performed which includes cutting a curb or excavation on or under any street or curbing a permit shall be applied for from the City and shall pay a permit fee as provided in Chapter 11. The Public Works Department shall verify the location of the watermain and sanitary sewer connections before any excavation or grading shall be permitted on the premises. The permit shall specify the location, width, length and depth of the necessary excavation. It shall further state the specifications and condition of public facility restoration. Such specifications shall require the public facilities to be restored to at least as good a condition as they were prior to commencement of work. Concrete curb and gutter or any street patching shall be constructed and inspected by the City, unless specified otherwise. (Ord 1190)
2. Deposit - Required.
 - A. Where plans and specifications indicate that proposed work includes connection to sanitary sewer, watermain, a curb cut or any other disruption that may cause damage to the facilities of the City, the application for permit shall be accompanied by a two hundred dollar (\$200.00) cash deposit as a guarantee that all restoration work will be completed and City facilities left in an undamaged condition.
 - B. The requirement of a cash deposit shall not apply to any public utility corporation franchised to do business within the City.
3. Maximum Deposit.
No person shall be required to have more than four hundred dollars (\$400.00) on deposit with the City at any one time by reason of this Section; provided that such deposit shall be subjected to compliance with all the requirements of this Section as to all building permits issued to such person prior to the deposit being refunded.

4. Inspections.
 - A. Before any backfilling is done in an excavation approved under this division the City shall be notified for a review of the conditions of construction.
 - B. During and after restoration the City Engineer or a designated agent shall inspect the work to assure compliance. (Ref. 901)
5. Return of Deposit.

The Public Works Director shall authorize refundment of the deposit when restoration has been completed to satisfactory compliance with this Section.
6. Forfeiture of Deposit.

Any person who fails to complete any of the requirements shall forfeit to the City such portion of the deposit as is necessary to pay for having such work done.

206.09. BUILDING SITE REQUIREMENTS

1. General.

In addition to the provisions of this Section, all building site requirements of the City's Zoning Code Chapter 205 and additions shall be followed before a building permit may be issued.
2. Utilities and Street Required.

No building permit shall be issued for any new construction unless and until all utilities are installed in the public street adjacent to the parcel of land to be improved and the rough grading of the adjacent street has been completed to the extent that adequate street access to the parcel is available.
3. Manufactured Home Prohibitions.

Except in a manufactured home or manufactured home park, the removal of wheels from any manufactured home or the remodeling of a manufactured home through the construction of a foundation or the enclosure of the space between the base of the manufactured home and the ground, or through the construction of additions to provide extra floor space will not be considered as conforming with the City's Building Code in any respect and will therefore be prohibited. (Ord 1190)
4. Equipment and Material Storage.

No construction equipment and/or material pertaining to construction shall be stored on any property within the City without a valid building permit. When construction is completed and a Certificate of Occupancy has been issued, any construction equipment or materials must be removed within thirty (30) days from the issuance date on the Certificate of Occupancy.
5. Construction Work Hours.

It shall be unlawful for any person or company acting as a contractor for payment, to engage in the construction of any building, structure or utility including but not limited to the making of any excavation, clearing of surface land and loading or unloading materials, equipment or supplies, anywhere in the City except between the hours of 7:00 a.m. and 9:00 p.m., Monday through Friday and between the hours of 9:00 a.m. and 9:00 p.m. on Saturdays. However, such activity shall be lawful if an alternate hour's work permit therefore has been issued by the City upon application in accordance with requirements of the paragraph below. It shall be unlawful to engage in such work or activity on Sunday or any legal holiday unless an alternate hour's work permit for such work has first been issued. Nothing in this Chapter shall be construed to prevent any work necessary to prevent injury to persons or property at any time.

6. **Alternate Hours Work Permit.**
Applications for an alternate hours work permit shall be made in writing to the Public Works Director and shall state the name of the applicant and the business address, the location of the proposed work and the reason for seeking a permit to do such work, as well as the estimated time of the proposed operations. No such permit shall be issued excepting where the public welfare will be harmed by failure to perform the work at the times indicated.
7. **Safeguards.**
Warning barricades and lights shall be maintained whenever necessary for the protection of pedestrians and traffic; and temporary roofs over sidewalks shall be constructed whenever there is danger from falling articles or materials to pedestrians.

206.10. DRAINAGE AND GRADING

1. **Investigation.**
After a building permit has been applied for and prior to the issuance of said permit, the City shall thoroughly investigate the existing drainage features of the property to be used.
2. **Obstruction of Natural Drainage Prohibited.**
No building permit shall be issued for the construction of any building on which construction or necessary grading thereto shall obstruct any natural drainage waterway.
3. **Undrainable Lands.**
No building permit shall be issued for the construction of any building upon ground which cannot be properly drained.
4. **Protection of Existing Drainage Installations.**
 - A. Where application is made for a building permit and subsequent investigation shows that the property to be occupied by said building is adjacent to a portion of a public road or street containing a drainage culvert, catch basin, sewer, special ditch or any other artificial drainage structures used for the purpose of draining said property and/or neighboring property, the applicant shall specifically agree in writing to protect these waterways in such a way that they shall not be affected by the proposed building construction or grading work incidental thereto.
 - B. No land shall be altered and no use shall be permitted that results in water run-off causing flooding, erosion or deposits of minerals on adjacent properties. Stormwater run-off from a developed site will leave at no greater rate or lesser quality than the stormwater run-off from the site in an undeveloped condition. Stormwater run-off shall not exceed the rate of run-off of the undeveloped land for a 24-hour storm with a 1-year return frequency. Detention facilities shall be designed for a 24-hour storm with a 100-year return frequency. All run-off shall be properly channeled into a storm drain water course, ponding area or other public facility designed for that purpose. A land alteration permit shall be obtained prior to any changes in grade affecting water run-off onto an adjacent property.
5. **Order to Regrade.**
The City may order the applicant to regrade property if existing grade does not conform to any provision of this Section, if the grade indicated in the preliminary plan has not been followed, or if the grade poses a drainage problem to neighboring properties.

206.11. WATERS, WATERWAYS

1. Definition.

As used in this Section, the term waters and/or waterways shall include all public waterways as defined by Minnesota Statutes, Section 105.38 and shall also include all bodies of water, natural or artificial, including ponds, streams, lakes, swamps and ditches which are a part of or contribute to the collection, runoff or storage waters within the City or directly or indirectly affect the collection, transportation, storage or disposal of the storm and surface waters system in the City.

2. Permit Required.

No person shall cause or permit any waters or waterways to be created, dammed, altered, filled, dredged or eliminated, or cause the water level elevation thereof to be artificially altered without first securing a permit from the City, State or watershed management organization as appropriate.

3. Application for Permit.

Applications for permits required by the provisions of this Section shall be made in writing upon printed forms furnished by the City Clerk.

4. Scope of Proposed Work.

Applications for permits required by this Section shall be accompanied with a complete and detailed description of the proposed work together with complete plans and topographical survey map clearly illustrating the proposed work and its effect upon existing waters and water handling facilities.

5. Fees.

A fee of twenty-five dollars (\$25.00) shall be paid to the City and upon the filing of an application for a permit required by the provisions of this Section to defray the costs of investigating and considering such application.

206.12. PENALTIES

Any violation of this Chapter is a misdemeanor and is subject to all penalties provided for such violations under the provisions of Chapter 901 of this Code.