

CHAPTER 13
BUILDING CODE

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CHAPTER 13
BUILDING CODE

ARTICLE I
ADOPTION

SECTION 13-100. CODES ADOPTED BY REFERENCE. The Minnesota State Building Code, as adopted by the Commissioner of Administration pursuant to Minnesota Statutes Chapter 326B, as amended, including all of the amendments, rules and regulations established, adopted and published from time to time by the Minnesota Commission of Administration, through the Building Codes and Standards Division is hereby adopted by reference with the exception of the optional chapters, unless specifically adopted in this Ordinance. The Minnesota State Building Code is hereby incorporated in this Ordinance as if fully set out herein.

[Clerk's note: in 1989, a number of model or uniform laws were included by reference in the state regulations, as follows: MINN. RULES, Ch. 1335 adopts "Flood Proofing Regulations" as promulgated by the Office of the Chief Engineers, U.S. Army, Washington, D.C., 1972.]

See Section 13-104.

[CHAPTER 13, ARTICLE I, amended by Ord. 83-4, April 27, 1983, amended by Ord. No. 89-17, effective December 8, 1989 and amended by Ord. No. 98-10, effective January 21, 1999, amended by Ord. No. 04-02, effective January 22, 2004, and amended by Ord. No. 05-02, effective December 1, 2005, amended by Ord. No. 09-02, effective March 5, 2009.]

SECTION 13-101. *[§ 13-101 deleted by Ord. No. 89-17, effective December 8, 1989.]*

SECTION 13-102. EXISTING BUILDINGS. The most current edition of the Minnesota State Building Code is modified to include the following language as Section 101.4 thereof:

101.4 Existing Installations. Buildings in existence at the time of the adoption of this Code may have their existing use or occupancy continued, if such use or occupancy was legal at the time of adoption of this Code, provided:

- (1) such continued use is not dangerous to life; or,
- (2) such continued use is not found unsafe or substandard as defined by the Housing Code (Chapter 16A of the Columbus City Code); or,
- (3) such continued use is not found to be hazardous or dangerous as defined by the Dangerous Buildings Code (Chapter 16B of the Columbus City Code); or,
- (4) such continued use is not found to be in a violation of the Minnesota Uniform Fire Code (Chapter 11 of the Columbus City Code); or,
- (5) such continued use is not found to be a violation of the Life Safety Code (Chapter 12 of the Columbus City Code); or,
- (6) such continued use is not found to be a violation of the Public Health Ordinance (Chapter 14 of the Columbus City Code).

[§13-102 added by Ord. No. 86-4, effective June 27, 1986. and amended by Ord. No. 89-17, effective December 8, 1989, and amended by Ord. 98-10, effective January 21, 1999, and amended by Ord. 05-02, effective December 1, 2005, amended by Ord. No. 07-02, effective date of March 1, 2007.]

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SECTION 13-103. STORM WATER MANAGEMENT PLAN AS A PREREQUISITE. No building permit shall be issued until the Zoning Administrator has determined that the proposed development is exempt from the provisions of Chapter 7D or that a proper Storm Water Management Plan has been submitted to the City.

[§13-103 added by Ord. No. 94-5, effective January 12, 1996, amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 13-104. BUILDING CODE AND OPTIONAL CHAPTERS. The Minnesota State Building Code, established pursuant to Minnesota Statutes Chapter 326B, as amended, allows the City of Columbus to adopt by reference and enforce certain optional chapters of the most current addition of the Minnesota State Building Code.

The following optional provisions identified in the most current addition of the State Building Code are hereby adopted and incorporated as part of the building code for the City of Columbus:

1. Chapter 1305 Appendix Chapter K of the 2002 supplement of the 2000 International Building Code.
2. Chapter 1335 Floodproofing Regulations Parts 1335.0600 to 1335.1200.

[§ 13-104 added by Ord. No. 04-02, effective January 22, 2004, amended by Ord. No. 05-02, effective December 1, 2005, amended by Ord. No. 07-02, effective March 1, 2007, amended by Ord. No. 09-02, effective March 5, 2009.]

ARTICLE II PERMITS, FEES, INSPECTIONS

SECTION 13-200. PERMITS REQUIRED. The issuance of permits shall be as authorized in Minnesota Statute § 326B.121, as amended, and as required in Section 13-201 of the Minnesota State Building Code.

[§ 13-200, amended by Ord. No. 89-17, effective December 8, 1989 and amended by Ord. No. 98-10, effective January 21, 1999, amended by Ord. No. 05-02, effective December 1, 2005, amended by Ord. No. 09-02, effective March 5, 2009.]

SECTION 13-201. FEES.

A. The building permit fees contained in Table No. 1-A of the 1997 edition of the Uniform Building Code are hereby adopted and are incorporated in the City Code as completely as if set out here in full.

B. All fees for permits issued by the Building Inspector shall be computed on the basis of the fees contained in said Table No. 1 with the following modifications:

Private Sewer System Construction: See City Code Section 14-646 for the fee amount.

Pumping Permit (Scavenging) for Private Sewer System: See City Code Section 14-646 for the fee amount.

C. Columbus Fee Chart (See Uncodified Ordinance Section – Appendix A to the Table of Contents).

[§ 13-201, amended by Ord. No. 89-17, effective December 8, 1989 and amended by Ord. No. 98-10, effective January 21, 1999, amended by Ord. No. 05-02, effective December 1, 2005, amended by Ord. No. 07-02, effective March 1, 2007, amended by Ord. No. 10-03, effective April 1, 2010.]

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SECTION 13-202. PLAN-CHECKING FEE. Plan Checking fees shall be calculated and paid in accordance with the currently adopted City of Columbus fee schedule based on section 107 of the 1997 Uniform Building Code.

[§ 13-202, amended by Ord. No. 89-17, effective December 8, 1989 and amended by Ord. No. 98-10, effective January 21, 1999, amended by Ord. No. 05-02, effective December 1, 2005, amended by Ord. No. 14-08, effective August 21, 2014.]

SECTION 13-203. INSPECTIONS. The Building Inspector is hereby granted the authority to enter upon any premises between sunrise and sunset to determine compliance with this Code. The Building Inspector shall make such inspection as is necessary to determine compliance with this Code. No part of any construction shall be covered or concealed until it has been inspected and accepted by the Building Inspector. It shall be the responsibility of the permittee to notify the Building Inspector that the job is ready for inspection or re-inspection. It shall be the duty of the owner or occupant of the property to give the Building Inspector free access to the property at reasonable times for the purpose of making such inspections. Upon satisfactory completion and final inspection of the system, the Building Inspector shall indicate approval on the application.

SECTION 13-204. RE-INSPECTION. If upon inspection the Building Inspector discovers that any construction or installation is not constructed in accordance with the minimum standards provided in this Code, he shall give the permittee written notification describing the defects. The permittee shall pay an additional fee in accordance with the currently adopted City of Columbus fee schedule for each re-inspection that is necessary. The permittee shall be responsible for the correction or elimination of all defects and no system shall be placed or replaced in service until all defects have been corrected or eliminated.

[§ 13-204, amended by Ord. No. 89-17, effective December 8, 1989, amended by Ord. No. 14-08, effective August 21, 2014.]

SECTION 13-205. MINNESOTA ELECTRICAL ACT

1. Authority to inspect. The City hereby provides for the inspection of all electrical installations, pursuant to Minnesota Statutes § 326B.36, subdivision 6.

2. Adopted by references. The Minnesota Electrical Act, as adopted by the Commissioner of Labor and Industry pursuant to Minnesota Statutes Chapter 326B, Sections 326B.31 to 326B.399. The Minnesota Electrical Act is hereby incorporated into this Ordinance as if fully set out herein. The Minnesota State Building Code incorporates by reference the National Electrical Code pursuant to Minnesota Rule 1315.0020. All such codes incorporated herein by reference constitute the Electrical Code of the City.

3. Compliance. All electrical installations shall comply with the requirements of the electrical code of the City and this Ordinance.

4. Permits and fees. The issuance of permits and the collection of fees shall be as authorized in Minnesota Statutes 326B.37. Any inspection and handling fees will be payable to the City.

5. Notice and appeal. All notices of violations and orders issued under this Ordinance shall be in conformance with Minnesota Statutes Section 326B.36, subdivision 4.

6. Violations and penalties. A violation of the Minnesota Electrical Act is a misdemeanor under Minnesota Statutes Section 326B.082, subdivision 16.

7. Sunset. This Ordinance shall be revoked without further action of the City Council once the Department of Labor and Industry is funded for the 2011 fiscal year by legislative enactment of a state budget.

[§ Added by Ord. No. 11-07, effective July 21, 2011.]

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**ARTICLE III
VIOLATIONS AND PENALTIES**

SECTION 13-300. VIOLATIONS. Pursuant to Minnesota Statute 16B.69 (2003), a violation of the code is a misdemeanor, and may be prosecuted in accordance with state law and in accordance with the provisions of Chapter 1, Article I, Section 109 of the City Code.

[§ 13-300, amended by Ord. No. 89-17, effective December 8, 1989 and amended by Ord. No 98-10, effective January 21, 1999, amended by Ord. No. 05-02, effective December 1, 2005, amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 13-310. PENALTIES.

A. The payment of any investigation fee shall not exempt any person from payment of the regular permit fee required by this Code.

B. It is the specific intention of this Section that any person who commences construction without first obtaining the permit or permits required by this Code shall be penalized by the payment of double the regular permit fee (investigation fee plus regular permit fee).

C. No investigation fee shall be charged for an investigation of construction which the Building Inspector determines to be construction which does not require a permit pursuant to this Code.

[§ 13-310, amended by Ord. No. 89-17, effective December 8, 1989, and amended by Ord. No. 14-08, effective August 21, 2014.]

**ARTICLE IV
LICENSES, FEES AND REQUIREMENTS**

SECTION 13-400. COMMERCIAL CONTRACTOR'S LICENSE. The City of Columbus requires that all commercial contractors be licensed within the City. The City may issue licenses to commercial contractors upon application to the City and approval of the Building Inspector.

[§ 13-400 added by Ord. No. 04-02, effective January 22, 2004, amended by Ord. No. 07-02, effective March 1, 2007.]

SECTION 13-401. FEES AND REQUIREMENTS. The application for a commercial contractor's license requires a fee payable to the City (see Columbus Fee Chart in Uncodified Ordinance Section). In order to be approved by the City, commercial contractors must meet the following requirements:

1. Insurance - commercial contractors must carry a minimum of \$1,000,000.00 in liability insurance; and

2. Grading Bond - commercial contractors must obtain a bond for any grading to be done on a particular project in the amount of \$1,000.00 per acre of excavation.

[§ 13-401 added by Ord. No. 04-02, effective January 22, 2004, amended by Ord. No. 07-02, effective March 1, 2007, amended by Ord. No. 10-03, effective April 1, 2010.]



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CHAPTER 13, added to the Town Code, by Ord. No. 82-1, effective June 11, 1982. History of ordinances affecting the text of Chapter 13 (since adoption of Ord. No. 82-1):

Ord. 83-4, April 27, 1983.

Ord. No. 86-4, effective June 27, 1986.

Ord. No. 89-17, effective December 8, 1989.

Ord. No. 98-10, effective January 21, 1999.

Ord. No. 04-02, effective January 22, 2004.

Ord. No. 05-02, effective December 1, 2005.

Ord. No. 07-02, effective March 1, 2007.

Ord. No. 09-02, effective March 5, 2009.

Ord. No. 10-03, effective April 1, 2010.

Ord. No. 11-07, effective July 21, 2011.

Ord. No. 14-08, effective August 21, 2014.

This Chapter has been updated through the date of the latest ordinance listed above.
