

## CHAPTER 153: GENERAL PROVISIONS

### Section

#### *Codes Adopted by Reference*

153.01 Minnesota State Building Code

#### *Assessment Policy for Local Improvement Projects*

- 153.15 Petition for improvements
- 153.16 Classification of projects
- 153.17 Financing Class B and Class C improvements
- 153.18 Assessment regulations for Class B improvements
- 153.19 Assessment rules for Class C improvements
- 153.20 Special rules
- 153.21 Federal, state, and county aid use
- 153.22 Effective date

### ***CODES ADOPTED BY REFERENCE***

#### **§ 153.01 MINNESOTA STATE BUILDING CODE.**

(A) *Codes adopted by reference.* The Minnesota State Building Code, as adopted by the Commissioner of Administration pursuant to M.S. Chapters 16B.59 through 16B.75, as they may be amended from time to time, including all of the amendments, rules, and regulations established, adopted, and published from time to time by the Minnesota Commissioner 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 section. The Minnesota State Building Code is hereby incorporated in this section as if fully set out herein.

(B) *Application, administration, and enforcement.*

(1) The application, administration, and enforcement of the code shall be in accordance with the Minnesota State Building Code. The code shall be enforced within the extraterritorial limits permitted by M.S. § 16B.62, Subdivision 1, as it may be amended from time to time, when so established by this section.

(2) This code shall be enforced by the Minnesota Certified Building Official designated by this municipality to administer the code (M.S. § 16B.65, Subdivision 1, as it may be amended from time to time).

(3) The code enforcement agency of this municipality is called the Building Official for the

City of Mantorville. The Building Official shall be construction management services or the other building official as shall be appointed from time to time by the City Council.

(C) *Permits and fees.* The issuance of permits and the collection of fees shall be as authorized in M.S. § 16B.62, Subdivision 1, as it may be amended from time to time. Permit fees shall be assessed for work governed by this code. All fees shall be set by resolution of the City Council. In addition, a surcharge fee shall be collected on all permits issued for work governed by this code in accordance with M.S. § 16B.70, as it may be amended from time to time.

(D) *Violations.* A violation of the code is a misdemeanor (M.S. § 16B.69, as it may be amended from time to time).

(E) *Building Code optional chapters.* The Minnesota State Building Code, established pursuant to M.S. §§ 16B.59 through 16B.75, as they may be amended from time to time, allows the municipality to adopt by reference and enforce certain optional chapters of the most current edition of the Minnesota State Building Code. This municipality has elected not to adopt any such optional chapters.

(F) *Effective date.* This section becomes effective from and after its passage and publication.

(ORD 154 – PASSED 05/06/2003) PENALTY, SEE § 10.99

## ***ASSESSMENT POLICY FOR LOCAL IMPROVEMENT PROJECTS***

### **§ 153.15 PETITION FOR IMPROVEMENTS.**

A project may be initiated by the City Council or by a petition of 35% of affected property owners.

(ORD 116 – PASSED 05/14/1985)

### **§ 153.16 CLASSIFICATION OF PROJECTS.**

(A) *Generally.* Public improvements are divided into 3 classes specified in the following subdivisions according to their respective benefit to the whole city and to property specially served by the improvement and taking into account past city practice.

(B) *Class A.* Class A improvements are those which are of general benefit to the city at large, including public buildings, except a building which is part of an improvement described in one of the following subdivisions; any public park, playground, or recreational facility; the installation and maintenance of street lighting systems; and any improvement not described in M.S. § 429.021, Subdivision 1, as it may be amended from time to time. Any such improvement shall be financed from general city funds and not from special assessments.

(C) *Class B.* Class B improvements are those which are of both general benefit and special benefit to abutting or nearby property. Class B improvements include: