

Chapter 2
BUILDING CODE

SECTION:

XX-2-1: Adoption of Code

XX-2-2: Optional Provisions

XX-2-3: Application, Administration and Enforcement

XX-2-4: Days and Hours of Construction

XX-2-1: ADOPTION OF CODE: The Minnesota State Building Code, established pursuant to Minnesota Statutes sections 326B.101 to 326B.16, including all of the amendments, rules and regulations established, adopted, and published from time to time by the Minnesota Commissioner of Labor and Industry, through the Building Codes and Standards Division, is hereby adopted by reference as to the Building Code for the City, excepting the optional chapters unless specifically adopted in section XX-2-2 of this chapter. The Code is hereby incorporated into this section as if fully set out herein. (Ord. 920, 18 Apr 22)

XX-2-2: OPTIONAL PROVISIONS: The Minnesota state building code, established pursuant to Minnesota statutes sections 326B.101 to 326B.16, allows the town to adopt by reference and enforce certain optional chapters of the most current edition of the Minnesota state building code. The following optional provisions identified in the most current edition of the state building code are hereby adopted and incorporated as part of the Building Code for the town:

A. 1335 Floodproofing Regulations parts 1335.0600 to 1335.1200. (Ord. 920, 18 Apr 22)

XX-2-3: APPLICATION, ADMINISTRATION, AND ENFORCEMENT:

A. The application, administration, and enforcement of the code shall be in accordance with the Minnesota state building code.

B. A Minnesota certified building official must be appointed by the town to administer the code.

C. Plan Approval Required:

1. Site and construction plans will be required and shall be submitted to and approved by the building official prior to the issuance of any building permit.

2. Prior to installation of a system of plumbing other than for a single-family dwelling, complete plumbing plans and specifications, together with any additional information that the building official may require, shall be submitted and approved by the building official; Any alteration or extension of an existing plumbing system shall be subject to these same requirements.
 3. No construction shall proceed except in accordance with the approved plans.
- D. Term: Permits issued must be pursued in good faith and at no time exceed 180 days of inactivity. For this subdivision, activity is defined as site inspections and/or permit extensions. Extension requests shall be received by the Designated Building Official in writing and may be granted with or without additional fees and must be received prior to the permit expiration.
- E. Expired Permits: Permits determined to be inactive for 180 days or more may be deemed expired. It is the responsibility of the permit applicant to maintain an active status. Applicants may or may not be contacted at or before expiration.
- F. Certificate of Occupancy: Except for agricultural buildings and structures, no building or structure hereafter erected or moved, or that portion of an existing structure or building erected or moved, shall be occupied or used in whole or in part for any purpose whatsoever until a certificate of occupancy shall have been issued by the building official. (Ord. 920, 18 Apr 22)

XX-2-4: FEES:

- A. Authority:
1. The issuance of permits and the collection of fees shall be as authorized in Minnesota statutes 326B and Minnesota rules 1300.0160 for work governed by this ordinance in accordance with the town fee schedule ordinance.
 2. In addition to the permit fees provided for in section XX-1-4.A.1 of this chapter, a surcharge fee shall be collected for all building, mechanical, and plumbing permits issued for work governed by this ordinance in accordance with Minnesota statutes section 326B.148.

B. Project Valuation Determination. The building official has the authority and responsibility to determine project valuation of the purposes of determining applicable plan review and permit fees. Valuation data may be referenced from the State of Minnesota and/or the International Code Council.

C. Refunds:

1. The town may refund fees for permits in which no work has been done and no inspections have been made.
2. Requests for refunds must be in writing and signed by the permit holder. T
3. The building official will review the request for refund and decide to approve the request.
4. No refunds will be approved or granted after 180 days from the date the permit was issued.
5. No refunds will be approved or granted for the following:
 - a. Plan review fees.
 - b. State surcharge fees.
 - c. Re-inspection fees.
 - d. Any other services that have previously been rendered.
6. The jurisdiction shall retain the following as described in this table:

Jurisdiction Retains	Timeframe
\$50.00	For requests made within 90 days
\$50.00 or 25% of the permit fee whichever is greater	For requests made between 90 and 180 days

D. Work Without a Permit: Work commenced without a permit may result in additional fees as specified in Minnesota rules 1300.010, Subpart 8; Fees may be up to, but not to exceed, the permit fee. (Ord. 920, 18 Apr 22)

XX-2-5: DAYS AND HOURS OF CONSTRUCTION:

A. The erection (including excavation) and build-out of any new building shall occur only between the following hours:

BALDWIN TOWNSHIP BUILDING ORDINANCE

1. Monday through Friday: Seven o'clock (7:00) A.M. to seven o'clock (7:00) P.M.
 2. Saturday: Eight o'clock (8:00) A.M. to five o'clock (5:00) P.M.
 3. No work allowed on Sundays or official Federal holidays.
- B. The expansion, demolition, alteration, or repair of any existing building shall occur only between the following hours:
1. Monday through Saturday: Seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.
 2. Sunday: Eight o'clock (8:00) A.M. to ten o'clock (10:00) P.M.
- C. The building official may, in cases of emergency, grant permission to repair at any time when they find that such repair work will not affect the health and safety of the persons in the vicinity. (Ord. 920, 18 Apr 22)