AN ORDINANCE REGULATING THE CONSTRUCTION, ERECTION, ALTERATION, OR RELOCATION OF BUILDINGS REQUIRING PERMITS THEREFOR AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

ORDINANCE #3

The Town Board of Credit River, County of Scott, State of Minnesota, does ordain as follows:

SECTION 1. The construction, erection, alteration, or relocation, of any building or structure within the Town of Credit River, is prohibited, unless a permit therefor shall first be obtained from the Town Clerk as provided in this Ordinance.

SECTION 2. Foundations: Foundation walls shall be required under every dwelling or commercial building hereafter constructed or rebuilt. Foundation walls shall be at least twelve inches thick and constructed of either stone, concrete, concrete blocks, brick or other hard durable material approved by the town building inspector. All foundation walls shall be carried up at least eight inches above the finished grade, and the wall footings down at least three feet and six inches below the finished grade, or deeper if necessary to reach suitable bearing soil. All sheds having an area of over one hundred and twenty square feet, and all private garages, built hereafter shall rest on foundation walls of approved fireproof material, which walls including footing shall be at least eight inches wide and at least ten inches deep.

SECTION 3. Chimneys: In every building hereafter erected, altered or repaired within the Town of Credit River all chimneys shall be constructed of brick or other incombustible material approved by the town building inspector. Further, chimneys must be so constructed as to meet the requirements of the Minnesota State Fire Marshal's office and must consist, if of the prefabricated type, of Van Packer quality or equal.

SECTION 4. Studdings, Joists and Rafters: All studdings, joists and rafters shall be of such size and quality as to safely sustain the loads to be carried and in dwellings or commercial structures shall be spaced not greater than 16 inches on center, except where, in the opinion of the building inspector, special framing around openings justify slight variations from same. All floor openings shall have double headers and all carrying partitions and outside walls shall have double top plates. Window and door openings shall have double headers.

SECTION 5. Electric Wiring: In every building, all electric wiring apparatus or appliances for furnishing light, heat or power shall be in strict conformity with the statutes of the State of Minnesota, the rules and regulations issued by the State of Minnesota, the rules and regulations issued by the Railroad and Warehouse Commission, the State Fire Marshal and the Industrial Commission of Minnesota and in conformity with approved methods of construction for safety to life and property.

SECTION 6. Correction of Unsafe Conditions: Whenever any building or structure is found to be in a condition dangerous to its occupants, or any other persons, or to adjacent property, or to be unsafe for its intended use in the opinion of the town building inspector, he shall report to the Town Board who shall have authority to notify, in writing, the owner, agent, or person in charge thereof, requiring such changes or removal to be made as may be necessary to correct the condition described and shall fix a time limit for its correction, and may also place at the entrance of such structure a notice stating the building is in a dangerous condition and has been condemned, and it shall be unlawful for any person to remove such notice without written permission from the Town Board.

SECTION 7. Minimum Lot Size: No permits will be issued for the construction of a dwelling unless the plot of ground on which it is to be constructed contains not less than 15,000 square feet and the minimum frontage or width of the lot must be at least 100 feet.

SECTION 8. Minimum Size of Dwelling: No permit shall be issued for the construction of any two bedroom home without a ground floor area of the structure of at least 750 square feet, or if a three bedroom home, without a ground floor area of at least 1000 square feet.

SECTION 9. Building Permits: A permit shall be issued only upon application of a form to be provided by the Town and obtained in the office of the Town Clerk, and said application must be filed with the Town Clerk and accompanied by the permit fee, as required by this Ordinance.

Such application shall be accompanied by a scale drawing of the proposed structure or structures and the location and description of the property, as well as the nature and extent of the construction, with a brief description thereof, together with the name or names of the owners of the property on which the structure shall be placed. The application shall contain the dimensions and estimated costs of the proposed structure, the purpose for which the same is to be constructed and the proposed time when the work will be completed. Such application shall show affirmatively that all work will comply with the provisions of the Ordinances of the Town.

SECTION 10. Duration of Permit: Upon obtaining a permit pursuant to this Ordinance, the work on the structure must be commenced within six months of the issue date of the permit, or a new permit shall be required.

SECTION 11. Fee for Permit: The fee for building permit shall be $10.00, if the cost of the work is not to exceed $1000.00; and if the cost of the work is to exceed $1000.00, the fee shall be $10.00, plus $1.00 for each additional $1000.00 or fraction thereof, but not to exceed $500.00.

If the application for permit is for a basement home, as provided in the following Section, an additional $10.00 fee shall accompany the permit fee as hereinbefore provided, which additional fee will cover the costs of the hearing.

SECTION 12. Basements: No basement under any unfinished building shall hereafter be constructed, altered, or occupied for residential living purposes unless a permit is issued by the Town Board, which may only be issued after a public hearing by the Board and the payment of the additional fees provided for in the previous paragraph. A notice of hearing shall be caused to be published by the Clerk at least a week prior to the date of hearing, which hearing must be within thirty days of the publication of the said notice. Such permit, if issued, shall be limited for a period of time not to exceed twelve months.

SECTION 13. Farm Buildings: This Ordinance shall not apply to any buildings used for, or in conjunction with, farming operations, except that it shall apply to farm dwellings.

SECTION 14. Completion and Appearance of Structure: All structures built pursuant to the provisions of this Ordinance must have their exterior completed within six months of the commencement of construction. There shall be no structures finished with tar paper or like substances but they must be finished with wood siding, shakes, stucco, aluminum siding, brick, or siding of comparable grade or appearance.

SECTION 15. Building Inspector: The Town Board shall appoint a Building Inspector, or some other person, or one of the members of the Board, to exercise the functions of the said Building Inspector.

SECTION 16. Special Permits: In hardship cases, or other cases where a variance from the terms of this Ordinance is requested, upon application to the Clerk and payment of a Ten ($10.00) Dollar fee to cover the costs incurred, and upon a publication of notice as provided for in Section 12, a hearing may be had on such application. After such public hearing, the Town Board may, at its discretion, issue permits in such special instances.

SECTION 17. Penalty: Any building altered or erected in violation of this Ordinance shall be removed or made to conform hereto. The erection, alteration, or relocation of any building in violation hereof, shall be a misdemeanor and any person convicted thereof shall be fined by a fine of not less than Ten ($10.00) Dollars, nor more than One Hundred ($100.00) Dollars and costs of prosecution, and shall be confined in the County Jail until such payment is made, for a period of not to exceed ninety (90) days in any case. Each day the violation of this Ordinance continues to exist shall be deemed a separate offense and may be prosecuted as such.

SECTION 18. General Provisions: The provisions of this Ordinance and each part thereof are independent and severable, and if any provision or any part thereof be held invalid, no other provision or part thereof shall thereby be impaired or rendered invalid.

This Ordinance shall take effect and be in force from and after its adoption and publication.

Passed by the Town Board this 7 day of July, 1959.

Chairman

Attest:

Clerk

Approved by:

Attorney for Town of Credit River
Prior Lake, Minnesota