

**CHAPTER 10. BUILDING, HOUSING AND MOBILE HOMES****Section 1000 – Building Code**

**1000.01 Codes Adopted by Reference.** The Minnesota State Building Code, as adopted by the Commissioner of Labor and Industry pursuant to Minnesota Statutes Chapter 16B.59 to 16B.75, 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 Unit, is hereby adopted by reference with the exception of the optional chapter, unless specifically adopted in this ordinance. The Minnesota State Building Code is hereby incorporated in this ordinance as if fully set out herein. *(Amended by Ord. 196, 7/23/07)*

**1000.02 Application, Administration, and Enforcement.** The application, administration, and enforcement of the code shall be in accordance with Minnesota State Building Code. The code shall be enforced within the extraterritorial limits permitted by Minnesota States, 16B.62, Subdivision 1, when so established by this ordinance. *(Amended by Ord. 196, 7/23/07)*

The code enforcement agency of the City of Norwood Young America is called the contracted Building Officials Department of Paul A. Waldron and Associates. *(Amended by Ord. 196, 7/23/07)*

This code shall be enforced by the Minnesota Certified Building Official designated by the City of Norwood/Young America to administer the code (Minnesota Statute 16B.65) Subdivision 1. *(Amended by Ord. 155, 8/11/03)*

**1000.03 Permits and Fees.** The issuance of permits and the collection of fees shall be as authorized in Minnesota Statutes, 16B.62, Subdivision 1. Permit fees shall be assessed for work governed by this code in accordance with the fee schedule adopted by the City in Chapter 20 of the Norwood Young America City Code. In addition, a surcharge fee shall be collected on all permits issued for work governed by this code in accordance with Minnesota Statute 16B.70. *(Amended by Ord. 196, 7/23/07)*

An investigation fee, in addition to the permit fee, shall be collected whenever any work for which a permit is required by this code has been commenced without first obtaining said permit. The investigation fee shall be set in the Fee Schedule by the City Council. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law. *(Amended by Ord. 188, 2/12/2007)*

A reinspection fee may be assessed for each reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. Reinspection fees may be assessed when the inspection record card is not readily available, approved plans are not readily available, failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the building official. The fee shall be in accordance with the fee schedule adopted by the jurisdiction. *(Amended by Ord. 155, 8/11/03)*

In order to renew a building permit, the applicant must pay a fee equal to one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work. *(Amended by Ord. 160, 9/13/04)*

Fee refunds may be authorized by the Building Official of any fee paid hereunder which was erroneously paid or collected. The Building Official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. 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 fee payment. All plan review fees shall be paid by the applicant whether the project is to be completed or not. *(Amended by Ord. 155, 8/11/03)*

**1000.04 Violations and Penalties.** A violation of the code is a misdemeanor (Minnesota Statute 16B.69). *(Amended by Ord. 196, 7/23/07)*

**1000.05 Completion Time.** Any residence for which a building permit has been issued shall be completed and ready for occupancy according to the approved plans and specifications within one year following issuance of the permit or as required in the State Building Code for expiration of permits under Uniform Building Code, Section 106.4.4. *(Amended by Ord. 155, 8/11/03)*

**1000.06 Pole Construction Buildings.** Pole construction buildings shall not be permitted in a residential district. Pole construction buildings may be erected in other districts upon the application for and issuance of a special use permit for the pole building construction by the Council. *(Amended by Ord. 155, 8/11/03)*

**1000.07 Incompatible Structures.**

**Subd. 1 Referral by Inspector and Administrator.** Whenever an application is filed with the City for a building permit for any structure to be built, enlarged, or altered within, or moved in or into the City, and the building inspector finds that the application, plans, and specifications, and the plot plan submitted (the application papers) comply with the Code of the City except that the application papers provide for a structure, the exterior design, appearance, and functional plan which the building inspector and the Administrator feel may be so at variance or so similar with the exterior design, appearance, and functional plan of structures in the neighborhood and same zoning district of the proposed structure as to cause a material depreciation generally to property in the neighborhood, then the building inspector shall within 10 days after the receipt of the application papers, file the papers and the opinion in writing, signed by the building inspector and the Administrator, with the planning commission. *(Amended by Ord. 155, 8/11/03)*

**Subd. 2 Call of Hearing.** Within seven days after the receipt of the application papers and opinions, the Administrator shall give notice to each member of the planning commission and to the public by publication in the official paper, and to any other persons the Administrator deems advisable, of a hearing to be held by the planning commission with respect to the application. The notice shall state the purpose of the hearing and the location of the structure. Notice to the applicant shall be by registered mail at least three days in advance of the hearing, provided appearance at the hearing shall constitute a waiver of any defect in the notice of the hearing. The hearing on the application shall be held not less than one week nor more than two weeks after receipt of the application by the City. *(Amended by Ord. 155, 8/11/03)*

**Subd. 3 Hearing and Findings.** Before or during the hearing, each member of the planning commission may view the premises upon which the structure is located or to be located, and at

the hearing the commission shall examine the application papers and hear the applicant. It may also hear any citizens of the neighborhood and other individuals who request to be heard. Within 48 hours of the close of the hearing, the commission shall, pursuant to a majority vote of all the members of the commission, file written findings of the fact. It shall determine whether the exterior design, appearance and functional plan of the structure is or is not at a variance or so similar with the exterior design, appearance and functional plan of structures constructed or in the course of construction in the neighborhood of the proposed structures, (in the same zoning district) as to cause material depreciation generally to property in the neighborhood. The commission shall further make a recommendation that the application be accordingly granted or denied. The finding, determination and recommendation shall be in writing, signed on behalf of the planning commission by its chairman. The Administrator shall file a certified copy of the finding, determination and recommendation with the building official and shall mail a copy to the applicant. The application papers, the written opinions, and the findings, determinations, and recommendations of the planning commission shall immediately be presented by the Administrator to the Council at its next regular meeting. Further action with respect to the application shall be held in abeyance pending order and direction of the Council. In such case, no permit with respect to the application shall be issued except upon order and direction of the Council. *(Amended by Ord. 155, 8/11/03)*

**1000.08 Protection of Adjoining Property.** Any person making or causing an excavation to be made a depth of twelve feet (12') or less, below grade, shall protect the excavation so that the soil of adjoining property will not cave in or settle, or shall be liable for the expense of underpinning or extending the foundation on adjoining property where the excavation necessitates such work. *(Amended by Ord. 155, 8/11/03)*

**1000.09 Commercial Plumbing Permits.** Prior to installation of a system of plumbing other than for a single-family dwelling, with independent plumbing service, complete plumbing plans and specifications, together with any additional information that the Building Official may require, shall be submitted in triplicate and approved by the Building Official. No construction shall proceed except in accordance with the approved plans. Any alteration or extension of any existing plumbing system shall be subject to these same requirements. *(Amended by Ord. 188, 2/12/2007)*

### Section 1005 – Moved-In Buildings

**1005.01 Purpose.** The purpose of this Section shall be to regulate the moving of permanent structures within the City in order to protect the health, safety and welfare of the general public, to protect the City's infrastructure, to require minimum standards for structures that may be moved and to fix penalties for violations of the provisions in this Section.

**1005.02 Compliance with Other Laws.** A permittee under this Section shall comply with the building code, the zoning ordinance and all other applicable ordinances and laws upon relocating a building in the City.

**1005.03 Definitions.** The following terms have the meaning given them in this Section.

**Building.** A building shall mean a structure designed, built or occupied as a shelter or roofed enclosure for persons, animals or property and use for residential, business, mercantile, storage, commercial, industrial, institutional assembly, educational or recreational purposes.

**Placement Location.** Placement location shall mean the location in the City to which a building may properly be moved and on which such building may be properly located after the move.

**Removal Location.** Removal location shall mean the location from which a building may properly be moved.

**1005.04 Permits.**

**Subd. 1 Permit Required.** No person shall move any building over, along or across any highway, street or alley in the City without first obtaining a permit from the City.

**Subd. 2 Permit Application.** Any person seeking issuance of a permit under this section shall first file an application upon forms provided by the City. The application shall set forth the following:

- A. A description of the building proposed to be moved, including construction materials, dimensions, number of rooms, conditions of exterior and interior and photos showing ground and street elevations;
- B. A legal description of the removal location;
- C. A legal description of the placement location;
- D. A survey of the placement location property, showing the proposed location of the building and setbacks to property lines;
- E. Plans indicating the footing size, spacing and depth for the building on the placement location;
- F. The highways, street and alleys over, along or across which the building is proposed to be moved;
- G. The proposed moving date and hours;
- H. Any additional information, which the City will find necessary to make a fair determination of whether a permit should be issued.

**Subd. 3 Standards for Issuance.**

- A. The City may refuse to issue a permit under this Section if it finds:
  - 1. That there has not been compliance with any application requirement or any fee or deposit requirement;
  - 2. That the building is too large to move without endangering persons or property in the City;

3. That the building is in such a state of deterioration or disrepair or is otherwise so structurally unsafe that it could not be moved without endangering persons and property in the City;
  4. That the building is structurally unsafe or unfit for the purpose for which moved, if the placement location is in the City;
  5. That the applicant's equipment is unsafe and that persons and property would be endangered by its use;
  6. That the building in its placement location would fail to comply in any respect with any provision of the zoning ordinance or other ordinance of the City or, that proper assurance of such compliance has not been given;
  7. That for any reason persons or property in the City would be endangered by the moving of the building;
  8. That the building is in variance with either the established or the expected pattern of building development with the neighborhood to which the building is to be moved. Comparative age, bulk, architectural style and quality of construction between the building to be moved and the buildings either existing or expected in the neighborhood would be used in determining the degree of variance.
- B. No permit will be issued to any person who is not licensed as a building mover by the State of Minnesota.
- C. Prior to moving from the removal location, the building inspector shall inspect the building wherever located, and the applicant's equipment to determine whether the standards for issuance of a permit are met.

**Subd. 4 Fees, Deposits.**

- A. Pre-Move Inspection Fee. The application for the permit required by this Section shall be accompanied by a pre-move inspection fee as established by ordinance in the City's Fee Schedule.
- B. Travel and Mileage. If the property from which the building is being moved is located outside of City limits, the applicant shall pay, in addition to all other required fees, for travel by the building inspector in making an inspection under this Section.
- C. Building Permit Fee. The applicant shall apply and pay for a permit for the footings, foundation and any other work regulated by the Minnesota State Building Code, as well as a final move-in inspection of the building at the time the permit is issued.
- D. Utility Deposit. The applicant shall pay a utility deposit, as established by ordinance in the City's Fee Schedule, at the time the permit is issued. Upon completion of the move and removal of all moving equipment the City shall refund the utility deposit in full, unless there is damage to the City's infrastructure as a result of the move, as regulated in D. below.
- E. Liability for Damage. The applicant shall be liable for any expense associated with damage to the City's infrastructure in excess of the utility deposit.

**1005.05 Additional Regulations.**

**Subd. 1 Notice to City of Revised Moving Time.** A permittee under this Section shall notify the City in writing of a desired change in moving date and hours as proposed in the permit application.

**Subd. 2 Designation of Streets for Removal.** The City shall have final determination along or across which highways, streets and alleys the building may be moved. In making the determination, the City will act to assure maximum safety to persons and property and minimum congestion and traffic hazards on public streets in the City.

**Subd. 3 Display of Safety Mechanisms.** A permittee under this Section shall cause red lights to be displayed on every side of the building during the night time and red flags during the daytime while the building is being moved or standing on the street, in such manner as to warn the public of the obstruction and will, where necessary, erect and maintain barricades across the streets in such manner as to protect the public from damage or injury.

**Subd. 4 Maximum Period of Street Occupancy.** A permittee under this Section shall remove the building from the City streets after two days of such occupancy, unless an extension is granted by the City.

**Subd. 5 Clearing Old Premises.** A permittee under this Section shall remove all rubbish and materials, properly abandon all utility connections and fill all excavations to existing grade at the removal location, when located within the City, so that the premises are left in a safe and sanitary condition. If the permittee fails to do so, the City may proceed to do the work necessary to establish the original premises in a safe and sanitary condition at the expense of the permittee.

**Subd. 6 Occupancy of Building Moved.** The building to be located upon the placement location shall be brought up to Building Code standards and/or completed for occupancy within six (6) months after the date of permit to move the building.

**Subd. 7 Notice to City of Damages to City Property.** A permittee under this Section shall notify the City of any and all damage done to property belonging to the City within 24 hours of the damage or injury occurring.

**1005.06 Penalty and Violation.** Violation of any provision of the Section shall constitute a misdemeanor. All subsequent offenses shall constitute a separate violation of this Section.

*(Amended by Ord. 198, 9/10/2007)*

**Section 1010 – Mobile Home Parks**

**1010.01 Purpose.** The purpose of this Section shall be to maintain property values and otherwise promote the health, safety, order, convenience and general welfare by defining a certain class of manufactured housing as mobile homes, by regulating the location and use of mobile homes; and by establishing minimum standards for the design, construction, alteration and enlargement of mobile home parks; providing for the inspection of mobile home parks, the licensing of operators of the mobile home parks, and fixing penalties for violations of the provisions in this Section.

**1010.02 Definitions.** Unless the context clearly indicates otherwise, the following terms have the meaning given them in this Section.

**Subd. 1 Driveway.** A driveway means a minor private way used by vehicles on a mobile home lot.

**Subd. 2 Mobile Home.** A mobile home is a manufactured home that is less than 20 feet wide over at least 30 feet of its length in the erected mode, suitable for a year-round occupancy, and containing the same water supply, waste disposal and electrical conveniences as immobile housing and subject to tax or registration under state law, and having no foundation other than wheels, jacks or skirting. Width measurement shall not take account of overhangs and other projections beyond the principal exterior walls.

**Subd. 3 Mobile Home Lot.** Means a plot of ground within a mobile home park designed and designated for the accommodation of one mobile home.

**Subd. 4 Mobile Home Court.** Any site, lot, field, or tract of land upon which two or more occupied mobile homes are harbored, either free of charge or for revenue purposes, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as an accessory building or part of the equipment of the mobile home court. The term mobile home court shall include the terms trailer park, trailer court and mobile home park.

**Subd. 5 Mobile Home Pad.** A mobile home pad means that part of an individual lot which has been reserved for the placement of one mobile home unit.

**Subd. 6 Park Manager.** A park manager means the person who owns or has charge, care or control of the mobile home park.

**Subd. 7 Park Street.** A park street means a private way which affords principal means of access to individual mobile home lots or auxiliary buildings.

**Subd. 8 Permit.** A permit means a written permit or certification issued by the building inspector permitting the construction, alteration and extension of any permanent structure within the mobile home park under provisions of this Section and regulations issued under this Section.

**Subd. 9 Person.** A person means any individual, firm, trust, partnership, public or private association, corporation, or any other legal entity.

**Subd. 10 Service Building.** A service building means a structure housing toilet, lavatory, laundry and other facilities as may be required by this Section.

**Subd. 11 Inspector.** An inspector means the City building inspector.

**1010.03 General Provisions.**

**Subd. 1 Mobile Homes Regulated.** Unless meeting the requirements of the applicable district zoning regulation, no mobile home shall be permitted on any lot or parcel within the City which is not located within an approved mobile home park as established in this Section.

**Subd. 2 Mobile Homes Prohibited.** Mobile homes shall be prohibited that:

- A. Do not conform to the requirements of state law;
- B. Are in any unsanitary condition or have an exterior in bad repair;
- C. Are structurally unsound and do not protect the inhabitants against the elements.

**Subd. 3 Outdoor Camping Prohibited.** There shall be no outdoor camping anywhere in a mobile home park.

**Subd. 4 Sales Lot Prohibited.** No sales lot for new or used mobile homes shall be permitted within a mobile home park.

**Subd. 5 Purchase as a Condition of Rent.** No person shall be required to purchase a mobile home from any particular person or place as a condition of rental of a lot.

**Subd. 6 Advertising.** Advertising shall be limited to one sign not to exceed 25 square feet with lighting, height and location as approved by the governing body. Signs shall be set back at least 15 feet from the front lot line.

**Subd. 7 Registry Required.** The operator of every mobile home park shall maintain a registry of the mobile home park showing:

- A. The name and address of each guest or permanent resident;
- B. The make, type, and license number of each mobile home;
- C. The date each unit entered and departed the park

**Subd. 8 Building Permits Required.** All buildings shall require a building permit.

**Subd. 9 Skirting.** The area beneath a mobile home in a mobile home park shall be skirted or enclosed, provided that such enclosures must be designed to provide an opening for maintenance and inspection purposes.

**Subd. 10 Clothes Lines.** Laundry and clothes shall be hung out to dry only on lines located in approved areas established and maintained exclusively for that purpose in mobile home parks.

**Subd. 11 Sewer and Water.** A mobile home park shall be provided with an approved centralized sewage disposal system and water supply system, both of which must meet the

minimum requirements of applicable and State regulations and the provisions of Chapter 9 of this Code.

**Subd. 12 Screening.** All mobile home parks shall be screened in an aesthetic manner to protect the privacy of adjacent lot owners.

**Subd. 13 Appearance.** All mobile home parks and campgrounds shall be constructed and maintained in a manner compatible with the appearance and use of the surrounding area.

#### **1010.04 Permits.**

**Subd. 1 Permit Required.** It shall be unlawful for any person to operate any mobile home park within the limits of the City without first obtaining a permit issued by the Council. The permit shall contain the name of the person under whose ownership or control the operation is proposed.

**Subd. 2 Application for Permits.** Each application for a mobile home permit shall contain the following information:

- A. The name and address of the applicant;
- B. The location, legal description and size in acres of the property proposed for a mobile home park;
- C. A sketch of the existing topography of the property;
- D. The number, location and size of all mobile home lots;
- E. The location and width of roadways and walkways;
- F. The location of all water and sewer lines, including the location of riser pipes;
- G. Plans and specifications of the water supply sewage disposal, and refuse disposal facilities;
- H. Plans and specifications of all existing and proposed buildings constructed or to be constructed within the mobile home park;
- I. The location and details of lighting and electrical systems, including street lighting facilities;
- J. A landscaping plan approved by the Council;
- K. A plan of the park ground area and recreational facilities;
- L. A survey by a registered surveyor of the boundaries of the proposed park;

M. A plan showing existing and proposed streets designed to accommodate the traffic generated by the proposed park.

**Subd. 3 Permit Fee.** The applicant shall pay to the City a fee in an amount as set in the fee schedule as adopted from time to time by the Council.

**Subd. 4 Review of Applications.** The planning commission shall review all applications for permits issued under this Section. The planning commission shall hold hearings as they may deem proper with respect to the application. The findings and recommendation of the planning commission shall be forwarded to the Council for appropriate action.

**Subd. 5 Denial.** Any person whose application for permit under this Section has been denied may request, and if requested, shall be granted a hearing on this matter before the Council.

**Subd. 6 Transfer of Permit.** Every person holding a permit shall give notice in writing to the inspector within 72 hours after having sold, transferred, given away or otherwise disposed of interest in or control of any mobile home park. The notice shall be made to the inspector to include the name and address of the person succeeding to the ownership or control of the mobile home park. Upon application in writing for transfer of the permit, the permit shall be transferred.

**Subd. 7 Suspension and Revocation.** Any permit for a mobile home park issued under this Section shall be conditioned upon compliance with the terms of this Section and any conditions attached to the permit. Any substantial and continued violation of these terms after issuance of the permit shall be grounds for the suspension or revocation of the license. Whenever upon inspection of any mobile home park, the inspector finds that conditions or practices exist which are in violation of this Code, the inspector shall give notice in writing to the person to whom the permit was issued. The notice shall state the nature of the conditions or practices shall be corrected within a period of 30 days following the delivery of the notice by the inspector. Mailing the notice by certified mail shall constitute delivery. Upon expiration of the 30-day period, the inspector shall reinspect the mobile home park in violation and, if the conditions or practices have not been corrected, shall notify the Council and the Council will give notice in writing to the person to whom the permit was issued of the intent to suspend or revoke the permit and the process by which such suspension or revocation may be appealed.

If the work necessary to correct the conditions or practices which are the subject of a notice cannot be completed in the 30-day period, written extensions may be granted by the Council if reasons for hardship prevail and can be verified.

Any person affected by any notice which has been issued in connection with the enforcement of any provisions of these regulations may request and shall be granted a hearing of the same before the Council.

#### **1010.05 Inspection.**

**Subd. 1 Compliance with Ordinance.** The inspector shall be authorized and directed to make inspections as are necessary to determine satisfactory compliance with the regulations of this

Section, including the power to enter at reasonable times upon any private or public property for inspections.

**Subd. 2 Registration Record.** The inspector, chief of police, or their duly authorized representatives of the City, shall have the power to inspect the register containing a record of all residents of the mobile home park.

**Subd. 3 Access.** It shall be the duty of the park management to give the inspector free access to all lots at reasonable times for the purpose of inspection.

**Subd. 4 Repairs.** It shall be the duty of every occupant of a mobile home park to give the owner of the mobile home park or the owner's agent or employee access to any part of the mobile home park at reasonable times for the purpose of making the repairs or alterations necessary to effect compliance with this Section.

**1010.06 Emergency.** Whenever the inspector finds that an emergency exists which requires immediate action to protect the public health, the inspector may, without notice or hearing, issue an order reciting the existence of an emergency and requiring that action be taken as the inspector may deem necessary to meet the emergency. Notwithstanding any other provision of these regulations, the order shall be effective immediately. Any person to whom an order is directed shall comply with it immediately. Upon petition to the inspector, the person shall be afforded a hearing before the planning commission as soon as possible. Pending the hearing, the emergency orders shall be in full force and effect until and unless later removed, modified or changed by the inspector, planning commission or the Council.

#### **1010.07 Environmental, Open Space and Access Requirements.**

**Subd. 1 General Requirements.** The condition of all soil, groundwater level, drainage, and topography shall not create hazards to the property or the health and safety of the occupants. The site should not be exposed to objectionable smoke, noise, odors, or other adverse influences and no portion subject to unpredictable or sudden flooding.

**Subd. 2 Soil and Ground Cover Requirements.** Exposed ground surfaces in all parts of the mobile home park shall be paved or covered with stone, screening, or other solid materials or projected with a vegetable growth that is capable of preventing soil erosion and of eliminating objectionable dust.

**Subd. 3 Site Drainage Requirements.** The ground surface in all parts of the mobile home park shall be graded and equipped to drain all surface water in a safe, efficient manner.

**Subd. 4 Use Requirements.** No part of any park shall be used for non-residential purposes, except uses that are required for the direct servicing and well-being of park residents and for the management and maintenance of the park or other uses that are permitted in single-family dwellings and approved by the park management.

**Subd. 5 Required Separations between Mobile Homes.** Unless separated by fireproof structures approved by the fire marshal and the Council, mobile homes shall be separated from each other and from other buildings and structures by at least 20 feet or the sum of the heights of both trailer units, whichever is greater. Unless separated by fireproof structures approved by fire

marshal and the Council, mobile homes placed end-to-end must have minimum clearance of 15 feet; an accessory structure such as an awning, cabana, storage cabinet, carport, windbreak, or porch which has a floor area exceeding 25 feet, and has an opaque top or roof, shall for purposes of all separation requirements, be considered to be a part of the mobile home; and minimum lot sizes shall not be less than 5,000 square feet.

**Subd. 6 Open Space.** A minimum of 500 square feet per mobile home shall be provided for definable play areas and open space within the mobile home park. Areas of open space and play area shall not be areas included within any setback nor shall they include any areas of less than 20 feet in length or width.

**Subd. 7 Required Setbacks, Buffer Strips and Screening.** All mobile homes shall be located at least 30 feet from any property line abutting upon a public street or highway and at least 20 feet from other property boundary lines; there shall be a minimum distance of 15 feet between the mobile home stand and abutting park street; and all mobile home parks located adjacent to residential, recreational, commercial or industrial land uses shall provide screening such as fences, shrubs, trees, along the property boundary line separating the park and such uses, and shall be maintained in a neat and orderly fashion.

**Subd. 8 Average Density.** Notwithstanding the type of development concept used, the maximum density shall be seven mobile homes per acre.

**Subd. 9 Accessory Buildings.** One accessory building for storage of equipment and refuse is required and the accessory building shall be a minimum of 48 square feet and designed of water resistant material that will enhance the general appearance of the lot.

**Subd. 10 Park Street System and Car Parking.**

- A. General Requirements. All mobile home parks shall be provided with safe and convenient vehicular access from abutting public streets or roads to each mobile home lot. The access shall be provided by streets, driveways or other means.
- B. Park Entrance. Entrances to mobile home parks shall be designed to minimize congestion and hazards and allow free movement of traffic on adjacent streets. No parking shall be permitted on the park entrance street for a distance of 30 feet from its point of beginning.
- C. Internal Streets. Surfaced roadways shall be of adequate width to accommodate anticipated traffic and, in any case, shall meet the following minimum requirements.
  - 1. All park streets except minor streets shall be a minimum of 30 feet in width from face of curb to face of curb. Park streets without curb shall be considered minor streets.
  - 2. Dead-end park streets shall be limited in length to 500 feet and shall be provided at the closed end with a cul-de-sac having an outside roadway diameter of at least 100 feet. All dead-end park streets shall be marked with approved signs at the entrance to the dead-end park streets.

**D. Street Construction and Design Standards.**

1. Pavements. All park streets shall be provided with a paved concrete or bituminous surface. Pavement edges shall be protected to prevent raveling of the wearing surface and shifting of the pavement base. Park street surfaces shall be maintained reasonably free of cracks, holes, and other hazards.
2. Grades. Longitudinal grades of all park streets shall range between 0.4 percent and 8.00 percent. Transverse grades (crown) of all park streets shall be sufficient to insure adequate transverse drainage.
3. Storm Sewers. If conditions warrant, an adequate storm sewer system shall be provided to dispose of all runoff water. The storm sewer system shall be connected to existing City storm sewer systems upon City approval.
4. Intersections. Within 50 feet of an intersection, park streets shall be at right angles. Intersections of more than two park streets at one point shall be avoided.
5. Car Parking. For all new mobile home parks, or additions to present parks, off-street parking areas for the use of park occupants and guests are required. The areas shall be furnished at a rate of at least two car spaces for each mobile home lot, of which at least one-half of the spaces may be in compounds. All off-street parking areas shall be paved concrete or bituminous surface.

**Subd. 11 Walks.**

- A. General Requirements. All mobile home parks shall be provided with safe, convenient, all-season pedestrian access of adequate width for intended use, durable and convenient to maintain, between individual mobile homes, the park's streets and all community facilities provided for park residents. Sudden changes in alignment and gradient shall be avoided.
- B. Common Walk System. A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. The common walks shall have a minimum width of four and one-half feet.
- C. Individual Walks. All mobile homes shall be connected to common walks to paved streets or to paved driveways or parking spaces connecting to a paved street. The individual walks shall have a minimum width of two feet.

**Subd. 12 Patio.** Each mobile home lot shall have a patio of 4" concrete with minimum dimensions of nine feet by twenty feet.

**Subd. 13 Trees.** A minimum of one tree per lot is required. In open area and park area, a minimum of 20 trees per acre is required.

**1010.08 Service Building and Other Community Service Facilities.**

**Subd. 1 General.** The requirements of this Section shall apply to service buildings, recreation buildings and other community service facilities such as management offices, repair shops,

storage areas, sanitary facilities, laundry facilities, indoor recreational areas, and commercial uses supplying essential goods or services for the exclusive use of park occupants.

**Subd. 2 Structural Requirements for Buildings.** All portions of the structure shall be properly protected from damage by ordinary uses and by decay, corrosion, termites and other destructive elements. Exterior portions shall be of such materials and be so constructed and protected as to prevent entrance or penetration of moisture and weather.

**Subd. 3 Barbecue Pits, Fireplaces, Stoves and Incinerators.** Cooking shelters, barbecue pits, fireplaces, woodburning stoves and incinerators shall be so located, constructed, and maintained and used as to minimize fire hazards and smoke nuisances both on the property on which used and on neighboring property and shall comply with all appropriate ordinances, laws or other regulations.

**1010.09 Refuse Handling.** The storage, collection and disposal of refuse in the mobile home parks shall be so constructed as to satisfy the requirements of Section 320 of this Code.

#### **1010.10 Insect and Rodent Control.**

**Subd. 1 Buildings.** The grounds, buildings and structures shall be maintained free of insects and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirements of the state and county health code.

**Subd. 2 Parks.** Parks shall be maintained free of accumulation of debris which may provide rodent harborage or breeding places of flies, mosquitoes and other pests.

**Subd. 3 Storage Areas.** Storage areas shall be so maintained as to prevent rodent harborage.

**Subd. 4 Screens.** Where the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable materials.

**Subd. 5 Brush, Weeds and Grass.** The growth of brush, weeds and grass shall be regulated by Section 600 of this Code.

#### **1010.11 Fire Protection.**

**Subd. 1 Litter, Rubbish, etc.** Mobile home parks shall be kept free of litter, rubbish and other flammable material.

**Subd. 2 Fire Extinguishers.** Portable fire extinguishers rated for classes A, B, and C fires shall be kept visible and in service buildings and at other locations conveniently maintained in good operating condition. Their capacity shall not be less than 10 pounds.

**Subd. 3 Fires.** Fires shall be made only in stoves, indoor incinerators and other equipment intended for such purposes.

**Subd. 4 Fire Hydrants.** Fire hydrants shall be installed if the park water supply system is capable to serve them in accordance with the following requirements:

- A. The water supply system shall permit the operation of standard City fire hydrants; and
- B. Fire hydrants, if provided, shall be located within 300 feet of any mobile home, service building or other structure in the park.

#### **1010.12 Responsibilities of the Park Management.**

**Subd. 1 General Requirements.** The person to whom a permit for a mobile park is issued shall operate the park in compliance with this Section and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.

**Subd. 2 Inspection of Register.** The park manager shall keep the required register available for inspection at all times by law enforcement officers, public health officers and other officials whose duty necessitates acquisition of the information contained in the register. The register record for the occupant registration shall not be destroyed for a period of three years following the date of departure of the registrant from the park.

### **Section 1020 – Numbering of Homes and Business Places**

**1020.01 Display.** The current address of all homes and other buildings occupied for living purposes and business buildings as assigned pursuant to Section 810 of this Code shall be displayed on the exterior of the home or business facing the street adjacent to the home or business building in compliance with this Section.

**1020.02 Size of Numbers.** Each number of the address attached to the home or business shall be three inches or greater in size. The number shall be of a color that contrasts to the color of the building to which it is attached. The number of the address shall be in Arabic numbers. Roman numerals, numbers in writing or in other forms are insufficient and if used, Arabic numerals shall also be displayed in accordance with this Section.

**1020.03 Location.** All numbers attached to a home or business place shall display the address of the home or business place and shall be located in a position near the front door of the building so it may be seen from the street or road clearly at night with a spotlight or a porch light attached to the building.

### **Section 1030 – Fire Code**

#### **1030.01 Fire Code.**

- A. The 2003 Minnesota State Fire Code, as adopted pursuant to the authority of Minnesota Statutes Section 299F.011, including appendix Chapter D, is hereby adopted by reference as the fire code for the City of Norwood Young America. Such code, except as hereinafter amended or modified, is incorporated in this ordinance as completely as if set out in full and includes Minnesota Rules Chapter 7510, and all amendments and changes adopted thereto. One copy of this code shall be on file in the office of the City Clerk-Treasurer.

- B. The 2003 Minnesota State Fire Code incorporates the 2000 edition of the *International Fire Code* as promulgated by the International Code Council, Inc. (Falls Church, Virginia, December 1999) and made part of Minnesota Rules.
- C. This ordinance is adopted for the purpose of regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Norwood Young America and providing for the issuance of permits for hazardous uses or operations.
- D. If there is a conflict between or among any of the provisions or policies of the stated codes, standards or policies, the following orders of precedence shall apply:
  - 1. City of Norwood Young America Fire Prevention Code.
  - 2. Minnesota State Fire Code.
  - 3. Standards of the National Fire Protection Association or other nationally recognized fire-safety standards as are approved by the Fire Chief.

**1030.02 Definitions.**

**Subd. 1 City.** City of Norwood Young America

**Subd. 2 Code Official.** The fire chief, fire marshal, code enforcement officer, or other designated authority charged by the Norwood Young America City Council or the Minnesota State Building Code with the duties of administration and enforcement of this code, or a duly authorized representative. For purposes of enforcing this code it also includes the state fire marshal and the state fire marshal’s representatives.

**Subd. 3 This Code.** The code adopted pursuant to this ordinance.

**Subd. 4 Chief.** The fire chief of the City of Norwood Young America Fire Department.

**Subd. 5 Board of Appeals.** The Norwood Young America City Council.

**Subd. 6 Jurisdiction.** Municipal limits of the City of Norwood Young America.

**1030.03 Penalties.**

- A. Any person who shall violate any of the provisions of this code or standards hereby adopted or fails to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall fail to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction, within the time fixed herein or therein, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder and from which no appeal has been taken, shall be guilty of an offense punishable as a misdemeanor for each and every such violation and non-compliance respectively.

- B. Notice of violations shall be given in writing and shall contain a reasonable time to comply as well as a statement explaining the right to appeal.
- C. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.
- D. The application of the above penalties shall not be held to prevent the enforced removal of prohibited conditions.

**1030.04 Enforcement.** The fire chief or the code official or their representatives or other authority designated by the city is authorized to administer and enforce the provisions of this code.

**1030.05 Negligent Fires.** Section 104.10 of the 2003 Minnesota State Fire Code is hereby amended by adding a new Section 104.10.2 to read as follows:

It shall be an offense punishable as a misdemeanor to negligently or carelessly start or cause to be started a fire which endangers the property of another or to negligently or carelessly allow a fire to extend beyond the limits of one's property or property within one's control. The term "property" shall include real and personal property.

**1030.06 Permits.** Section 105 of the 2003 Minnesota State Fire Code pertaining to permits is hereby amended by adding the following provisions:

- A. Permit required. No person shall engage in any activity, operation, practice or function listed below without first having obtained a permit from the fire chief or his representative:
  - 1. Installation, modification, changing and/or removal of all fire protection systems.
  - 2. Installation and removal of underground or aboveground tanks for the storage or use of flammable or combustible liquids, or gas or any hazardous material.
  - 3. Spray booths or spray areas involving spraying or dipping operations utilizing flammable or combustible liquids. Spray booths involving the application of powders by powder spray guns, electrostatic powder spray guns, fluidized beds, or electrostatic fluidized beds.
  - 4. Refinishing and resurfacing operations utilizing flammable and combustible liquids.
  - 5. Tents, canopies, and temporary membrane structures. A permit is required for the public use or the use in public areas of tents and membrane structures having an area over 400 square feet, and canopies in excess of 600 square feet, or when heat sources, cooking equipment, spark/ember producing processes or open flame are contained within or near the tent, canopy, or structure.
  - 6. Carnivals, fairs, and other special events open to the public.
  - 7. Smoke removal systems as required by the fire code.
  - 8. Storage of explosives, black powder, and blasting agents.
  - 9. An application for the use explosives shall require a permit initially made at the city's designated police services. **Exception:** Police and Fire Departments are not required to apply for a permit.

10. Sale of fireworks, fireworks displays and pyrotechnic special effects material. The use of pyrotechnics, flares or signals of any kind are prohibited within any premises.

- B. The fees for such permits shall be in an amount established by the city council by resolution or ordinance.

**1030.07 Appeals.** Section 108 of the 2003 Minnesota State Fire Code is hereby deleted in its entirety and is replaced to read as follows:

- A. Whenever the code official shall disapprove or refuse to grant a permit, or issue an order or notice as provided in the Minnesota State Fire Code, or when it is claimed that the Minnesota State Fire Code has been wrongly applied or interpreted, the aggrieved person may appeal the decision of the code official as provided in this section.
- B. The aggrieved person must first request the code official to reconsider his decision. The request to reconsider must be made within ten (10) days from the date of the code official's initial decision and must submit in writing the reasons for the request for reconsideration.
- C. A person aggrieved by the final decision of the code official may appeal the decision to the Board of Appeals. The appeal must be in writing and made within ten (10) days of the date of the final decision of the code official.
- D. A person aggrieved by the decision of the Board of Appeals may appeal to the state fire marshal in accordance with Minnesota Statutes Section 299F.011, Subdivision 5.
- E. All requests and appeals specified in this section shall be made in writing. An aggrieved party who does not appeal within the time limits specified shall be deemed to have waived his right to appeal and shall be bound by the latest decision in the appeal process.

**1030.08 Fire or Barbecues on Balconies or Patios.** Section 307.5 of the 2003 Minnesota Fire Code is hereby deleted in its entirety and is replaced to read as follows:

- A. In any structure containing three (3) or more residential units, no person shall kindle, maintain, cause, or use any fire, open flame or electric heating element on any balcony or deck above the ground; nor shall such activity occur under a deck or overhang nor on any patio set in and level with the ground unless such activity occurs at least 15 feet from all portions of all such units in such a structure.
- B. Except as otherwise provided in this section, no person shall keep or use any charcoal, nor any lighter fluid, natural gas, fuel, torch, barbecue grill or other similar heating or lighting chemical or device in any place, structure, property, lot, or premises that is any part of a location where fire, open flame or electric heating element is prohibited in subsection A above. Charcoal barbecue grills devoid of all flammable materials may be kept in a garage.
- C. Barbecue grills that burn natural gas are prohibited in any place where prohibited in subsections A and B above unless such a grill is permanently mounted, plumbed to the structure's natural gas supply, and set at least six (6) feet at all points from all combustibles and all portions of all such residential units.

- D. It shall be a violation of this section for a person to conduct or allow any of the activities prohibited therein. The term “person” shall include, but not be limited to, the owner of real property described in subsections A through B above, the owner’s agent, and any tenant of such real property.
- E. Vehicles, vehicles containing any type of fuel, flammable or combustible liquids, or hazardous materials or liquids, regardless if stored in an approved container, shall not be located on any balcony or patio regardless if the balcony or patio is constructed of non-combustible materials or is protected by an automatic fire sprinkler system.

**1030.09 Premises Identification.** Section 505.1 of the 2003 Minnesota State Fire Code is amended to read as follows:

**Subd. 1 Address Numbers.**

- A. New and existing buildings shall have approved address numbers, building numbers, or approved building identification placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches high with a minimum stroke width of ½ inch.
- B. Buildings which have a range of addresses for one building shall display the range of numbers or addresses from the lowest to the highest.
- C. Buildings with multiple tenants/addresses shall place approved numbers or addresses on front and rear doors identifying each address in the manner required in this section.
- D. Dwellings that are remote/auxiliary from the main dwelling shall display approved numbers or addresses on each dwelling in the manner required in this section and in such a manner as to be visible from either direction of travel on the road or street fronting the property.
- E. If any dwelling, business or building as required, is too remote from the fronting road or street to make it unreasonable to be seen from the fronting road or street, a sign or post with visible and legible approved numbers or addresses, or range of numbers or addresses from lowest to highest, shall be placed at the driveway entrance in such a manner that the numbers or addresses are visible from either direction of travel on said road or street.
- F. Addressing of residential and commercial properties that do not fall under the provisions of subsection E above, and as such, are visible from the roadway they are fronting shall conform to the following:

Building Setback  
0 – 40 feet

Minimum Address Size  
4 inches minimum height

41 – 60 feet  
61 feet or greater

6 inches minimum height  
8 inches minimum height

- G. Approved numbers of addresses shall be placed on all construction sites in such a position as to be plainly visible and legible from the street or road fronting the property.

**Subd. 2 Street or Road Signs.**

- A. Streets and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs.

**1030.10 Fire Hydrants.** Section 508.5.1 of the 2003 Minnesota State Fire Code is hereby amended to read as follows:

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet from a hydrant on a fire apparatus road, as measured by an approved route around the exterior of the facility or building, on site fire hydrants and mains shall be provided where required by the code official.

- A. For buildings equipped throughout with an approved fire sprinkler system installed in accordance with NFPA 13 or NFPA 13R, the distance requirement shall be one fire hydrant within 100 feet of the fire department connection and 600 feet for all other fire hydrants.
- B. In buildings with high piled combustible storage or buildings that are inherently hazardous in nature because of hazardous processes or which store, use, or handle flammable, combustible or hazardous materials, additional fire hydrants may be required by the code official. **Exceptions:** 1. For Group R-3 and Group U occupancies, the distance requirements shall be 300 feet. 2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet.

**1030.11 Hydrants.** Section 508.5.5 of the 2003 Minnesota State Fire Code is hereby amended to read as follows:

**Subd. 1 Clear Space around Hydrants.** A six (6) foot clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved. An approved accessible route to the hydrant from a public access shall be provided and maintained

**Subd. 2 Dangerous Structures.** Any building or structure is a public nuisance which is dangerous to public safety or health or to other property by reason of the existence of any of the conditions set forth as follows:

- A. Damage by fire;

- B. Defective chimney or decay;
- C. Dilapidated condition or decay;
- D. Defective electric wiring;
- E. Defective gas installation;
- F. Defective heating apparatus;
- G. Defective sewage disposal system or plumbing.  
*(Amended by Ord. 176, 4/24/2006)*