

## CHAPTER XIII. BUILDING CODE ADOPTION

An ordinance adopting the Minnesota state building code. This ordinance provides for the application, administration, and enforcement of the Minnesota state building code by regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, and maintenance of all buildings, and/or structures in this municipality; provides for the issuance of permits and collection of fees thereof; provides penalties for violation thereof; repeals all ordinances that conflict therewith. This ordinance shall perpetually include the most current edition of the Minnesota State building code with the exception of the optional appendix chapters. Optional appendix chapters shall not apply unless specifically adopted.

1. **CODES ADOPTED BY REFERENCE:** The Minnesota State Building Code, as adopted by the Commissioner of Administration pursuant to Minnesota Statutes chapter 16B.59 to 16B75, including all of the amendments, rules and regulation 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 ordinance. The Minnesota State building Code is hereby incorporated in this ordinance as if fully set out herein.
2. **APPLICATION, ADMINISTRATION, AND ENFORCEMENT:** The application, administration, and enforcement of the code shall be in accordance with Minnesota Building Code. The code shall be enforced within the extraterritorial limits permitted by Minnesota Statutes, 16B62, subdivision 1, when so established by this ordinance.

The code enforcement agency of this municipality is called the Henderson Building Department.

This code shall be enforced by the Minnesota Certified Building Official designated by the City of Henderson to administer the code (Minnesota Statute 16B.65), subdivision 1.
3. **PERMITS AND FEES:** The issuance of permits and 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 municipality in City of Henderson Resolution 2004-1 and all subsequent related fee adoption resolutions. In addition, a surcharge fee shall be collected on all permits issued by this code in accordance with Minnesota Statute 16B.70.
4. **VIOLATIONS AND PENALTIES:** A violation of the code is a misdemeanor (Minnesota Statutes 16B.69).
5. **BUILDING CODE OPTIONAL CHAPTERS:** The Minnesota State Building Code, established pursuant to Minnesota Statutes 16B.59 to 16B.75 allows the Municipality to adopt by reference and enforce certain optional chapters of the most current edition of the Minnesota State Building Code.

No 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 this municipality.