

**CITY OF LAKELAND  
WASHINGTON COUNTY, MINNESOTA**

**ORDINANCE 7555  
AMENDING LAKELAND CITY CODE  
CHAPTERS 150, 155, 159 PERTAINING TO BUILDING CODE REGULATIONS.**

**THE CITY COUNCIL FOR THE CITY OF LAKELAND DOES ORDAIN:**

**SECTION 1: AMENDMENT.** CHAPTER 150 OF THE CODE OF ORDINANCES IS HEREBY AMENDED AS FOLLOWS:

**Section 150.01 STATE BUILDING CODE.**

~~(E) *Building Code optional chapters.* The Minnesota State Building Code, established pursuant to M.S. §§ 326B.101 through 326B.194, as they may be amended from time to time, allows the city 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 city:~~

~~(1) 1306, Special Fire Protection Systems, Option Subpart 2 and 1306.0030(e), Option 1; and~~

~~(2) 1335.0600 to 1335.1200, Flood-Proofing Regulations; and~~

~~(3) International Building Code (IBC), Appendix J (see Chapter 1300).~~

**Section 150.30 ALTERNATIVE MATERIALS AND METHODS; BOARD OF APPEALS.**

~~In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretation of the provisions of the code, there shall be and is hereby created a Board of Appeals, consisting of 5 members who are qualified by experience and training to pass upon matters pertaining to building construction. The Building Official shall be an ex officio member and shall act as Secretary of the Board. The Board of Appeals shall be appointed by the Mayor and shall hold office at his or her pleasure. The Board may adopt reasonable rules and regulations for conducting its investigation and shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant and may recommend to the City Council any new legislation as is consistent therewith; all decisions on findings by the Board shall be reported to the State Building Inspector within 15 days of the decision and finding.~~

**Any appeal of a determination or interpretation of the building official shall be heard by the State Board of Appeals.**

**SECTION 2: AMENDMENT.** CHAPTER 155 OF THE CODE OF ORDINANCES IS HEREBY AMENDED AS FOLLOWS:

**Section 155.042 SEWAGE DISPOSAL.**

(B) No person, firm, or corporation shall install, alter, repair, or extend any individual sewer disposal system without first obtaining a permit therefor from the ~~Zoning Administrator~~ **Authority Having Jurisdiction** for the specific installation, alteration, repair, or extension.

**SECTION 3: AMENDMENT.** CHAPTER 159 OF THE CODE OF ORDINANCES IS HEREBY AMENDED AS FOLLOWS:

**Section 159.021 DUTIES OF THE ZONING ADMINISTRATOR.**

| Action                        | When Applicable   | Property Owner Should Apply To               | Application Will be Approved or Denied By  | Appeal Would Be Considered By  | Public Hearing Required | Reference                 |
|-------------------------------|---|--|--|--|-------------------------|---------------------------|
| Amendment of Zoning Ordinance | Petition by property owner or initiative of Planning Commission or City Council | City Zoning Administrator*                   | Review and recommendation by Planning Commission, final approval by City Council | Board of Adjustment and Appeals and Court                                      | Yes                     | § <a href="#">159.026</a> |
| Building permits              | Building and construction   | Local Building Official                      | Local Building Official  | <del>Board of Adjustment and Appeals and Court</del><br>State Board of Appeals | No                      | State Building Code       |
| Certificate of occupancy      | Certifies building or structure meets current codes and can now be occupied     | Issued upon approved completion of structure | Local Building Official  | <del>Board of Adjustment and Appeals and Court</del><br>State Board of Appeals | No                      | § <a href="#">159.028</a> |

**Section 159.027 PERMITS.**

~~(7) The work for which a building permit is issued shall commence within 60 days after the date thereof unless an application for an extension of 90 days has been submitted,~~

~~to the Building Official and approved by that Official.~~ The **All exterior** work shall be completed within ~~4-year~~ **180 days** of the date of **permit** issuance.

### **Section 159.028 CERTIFICATE OF OCCUPANCY.**

(B) Application for a certificate of occupancy for a new building or for an existing building which has been so altered may be filed with the Building Official any time after the application for a building permit for the building. The certificate of occupancy shall be issued within 10 days after the construction or alteration of the building or part thereof has been completed in conformity with the provisions of this chapter and the Building Code. Pending the issuance of the certificate, a temporary certificate of occupancy may be issued, subject to the provisions of the Building Code ~~for a period not to exceed 12 months during the completion of the erection or the alteration of such a building.~~ The temporary certificate shall not be construed as in any way altering the respective rights, duties, or obligations of the owners or of the city relating to the use or occupancy of the premises or any other matter except under such restrictions and provisions as will adequately ensure the safety of the occupants. The use of any structure for which a building permit is required shall be considered a violation of this chapter unless a certificate of occupancy has been issued.

### **Section 159.083 ACCESSORY BUILDINGS AND STRUCTURES.**

(1) *Storage or tool sheds.* A 1-story accessory building of less than ~~460~~ **200** square feet gross area with a maximum roof height of 12 feet.

### **Section 159.086 FENCES.**

(C) *Location of fencing.* Any fence built on a property line requires written agreement by the adjoining property owners affected. Any fence built near but not on the property line will require that the owner leave a reasonable space (3 feet or more) between the fence and the property line to allow for the maintenance of the fence and the cutting of weeds on the adjoining property owner's side of the fence. ~~All fences shall require a building permit.~~

### **Section 159.101 TOWNHOUSE DEVELOPMENTS.**

(B) Townhouse developments, the placing of common wall residential dwelling units in compact groupings, may be permitted in any residential or multiple-family district following issuance of a conditional use permit. In recommending the granting of a conditional use permit for structures containing ~~3~~ **2** or more dwelling units, but only 1 use, the Planning Commission shall find that the proposed development plan is in substantial compliance with the approved townhouse and multiple-family standards of this chapter and the city housing policies on file with the Zoning Administrator.

All requests for conditional use permits for townhouse developments shall be accompanied by a series of site plans and data showing:

**Section 4. Effective Date.** This Ordinance shall be in full force and effect from and after its adoption and publication according to law. Passed and adopted by the City Council for the City of Lakeland this 21st day of June 2016.

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Amy Williams, Mayor

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Sandie Thone, City Administrator/Clerk