

TITLE XV: LAND USAGE

CHAPTER 150: CONSTRUCTION REGULATIONS

Section

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§ 150.01 STATE BUILDING CODE ADOPTED.

(A) *Building Code.* The 2015 Minnesota State Building Code, established pursuant to Chapter 326B as they may be amended from time to time, 1 copy of which is on file in the office of the City Clerk, is hereby adopted as the building code for the City of Hastings. The code is hereby incorporated in this chapter as completely as if set out in full.

(B) *Administration required.* The following chapters of the 2015 Minnesota State Building Code are adopted without change by the City of Hastings:

- (1) 1300 - Minnesota State Building Code;
- (2) 1301 - Building Official Certification;
- (3) 1302 - Construction Approvals;
- (4) 1303 - Minnesota Provisions of the State Building Code;
- (5) 1303 - Window Fall Prevention Provisions;
- (6) 1305- Adoption of the 2000 International Building Code;
- (7) 1307 – Elevators and Related Devices;
- (8) 1309 - Adoption of 2012 International Residential Code;

- (9) 1311 - Adoption of the 2012 International Existing Building Code and Amendments
- (10) 1315 - Adoption of the 2014 National Electrical Code;
- (11) 1322 - Residential Energy Code; -2012 International Energy Conservation Code;
- (12) 1323 - Commercial Energy Code - 2012 International Energy Conservation Code;
- (13) 1325 - Solar Energy Systems;
- (14) 1335 - Floodproofing Regulations;
- (15) 1341 - Minnesota Accessibility Code;
- (16) 1346 - Adoption of the 2012 International Mechanical and Fuel Gas Code;
- (17) 1350 - Manufactured Homes;
- (18) 1360 - Prefabricated Buildings;
- (19) 1361 - Industrialized/Modular Buildings;
- (20) 1370 - Storm Shelters (Manufactured Home Parks);
- (21) 4715 - Minnesota Plumbing Code; and
- (22) International Building Code Appendix J (Grading).

(C) *Organization and enforcement.*

(1) There is hereby established in this jurisdiction a code enforcement agency which shall be under the administrative and operational control of the Building Official.

(2) The Building Official is hereby authorized and directed to enforce all the provisions of this code. For such purpose, the Building Official shall have powers of law enforcement officers.

(3) The Appointing Authority shall designate the Building Official for the City of Hastings.

(D) Permits, inspections, and fees; surcharge. Permits, inspections, and fees shall be as provided in accordance with the Minnesota State Building Code and as adopted by ordinance. In addition to the permit fee required by above, the applicant shall pay the required surcharge to be remitted to the Minnesota Department of Administration as prescribed by M.S. § 326B.082, Subd. 16, as it may be amended from time to time. (Prior Code, § 4.01) (Am. Ord. 2007-04, 3rd Series, passed 8-6-2007; Am. Ord. 2009-09, 3rd Series, passed 9-8-2009; Ord. 2010-16, 3rd Series, passed 07-19-2010, Ord. 2015-04, 3rd Series

passed 03-02-15

§ 150.01(D)(1) Electrical Inspections.

(A) Authority to inspect. The City of Hastings hereby provides for the inspection of all electrical installations, pursuant to Minn. Stat. § 326B.36, subd. 6.

(B) Adoption by reference. The Minnesota Electrical Act, as adopted by the Commissioner of Labor and Industry pursuant to Minnesota Statutes Chapter 326B, Sections 326B.31 to 326B.399 is hereby incorporated into this ordinance as if fully set out herein. The Minnesota State Building Code incorporates by reference the National Electrical Code pursuant to Minn. R. 1315.0020. All such codes incorporated herein by reference constitute the electrical code of the City of Hastings.

(C) Compliance. All electrical installations shall comply with the requirements of the electrical code of the City of Hastings and this ordinance. Each individual, partnership, corporation or other business association doing electrical work within the City of Hastings shall have on file with the City a copy of the current license issued by the Commissioner of Administration for the Department of Labor and Industry or such other evidence of such license as may be provided by the Commissioner.

(D) Permits and fees. The issuance of permits and the collection of fees shall be as authorized in Minnesota Statutes 326B.37. Any inspection or handling fees shall be payable to the City of Hastings. In addition, a state surcharge fee of \$5.00 shall be collected on all permits issued for work governed by this ordinance in accordance Minn. Stat. § 326B.148.

(E) Notice and appeal. All notices of violations and orders issued under this ordinance shall be in conformance with Minn. Stat. § 326B.36, subd. 4.

(F) Violations and penalties. A violation of the Minnesota Electrical Act or this ordinance is a misdemeanor. (M.S. 326B.082, subd. 16).

(2) *Purpose.* The purpose of this amendment is to establish an electrical inspections program in the City of Hastings that is administered and enforced by the City.

(3) *Ordinance Summary for Publication.* The following official summary of Ordinance 150.01 (D)(1)–(4) has been approved by the City Council of the City of Hastings as clearly informing the public of the intent and effect of the Ordinance:

It is the intent and effect of Ordinance 150.01 (D)(1)-(4) to establish an electrical inspections program in the City of Hastings that is administered and enforced by the City, as permitted in Minn. Stat. § 326B.36, subd. 6.

(Ord. 2011-15, Third Series, passed 8-1-11)

§ 150.02 SPECIAL REQUIREMENTS FOR MOVING BUILDINGS.

(A) *Conditions and procedures.* No building or structure shall be hereafter moved into and/or within the city limits except under the following conditions.

(1) Any person desiring to move buildings or structures into and/or within the limits of the

City shall first apply for a permit with the Planning Director, which permit shall be submitted to the Board of Design Control.

(2) The building or structure(s) must be so constructed as to be in compliance with all of the building and operating codes and ordinances of the City of Hastings at the time of the issuance of the permit, and must be in good repair and condition.

(B) *Submittal and review requirements.* At the time for the filing of the application for a permit to move any building and/or structure(s), as herein contemplated, the applicant shall file an affidavit with the Planning Director. The affidavit, among other things, shall recite the age, type of construction, height, weight, accurate outside measurements, the number of rooms and descriptions thereof (e.g., living room, dining room, kitchen, bedroom, and the like), number of baths, and the like, of the structure(s) proposed to be moved, and the address of the location where the building or structure(s) may be personally inspected by the City Building Official or his or her designated representative. The applicant shall also provide a description of the places from and to which it is proposed to be moved, and the route to be followed. After the inspection, if in the opinion of the Building Official, the building or structure(s) does not meet the conditions as outlined above, shall so notify the Planning Director who shall refuse to issue the permit; provided however, that if the building or structure(s), in the opinion of the Building Official, can be remodeled, altered, and/or reconditioned so as to comply with the requirements of the State Building Code, the Building Official, may issue a permit conditioned on the requirements as set forth by the Building Official's report. The Planning Director may at his or her discretion refer the application to the Board of Design Control as authorized under § 30.03.

(C) *Penal bond.* When a moving permit is issued, it shall be a further requirement that the applicant shall at the time of the issuance of the conditions and, further, shall post a penal bond in the sum of \$5,000 in favor of the city, guaranteeing compliance with the conditions. All permits shall be for the duration of 1 year from date of issuance; however, all exterior improvements to structures and required site landscaping shall be completed within 6 months of the date of issuance. Any moving, remodeling, alteration, or reconditioning of any building or structure(s) must be completed within the above referenced time periods; and in the case of a conditional permit, the penal bond shall remain in full force and effect until all conditions are fully complied with.

(D) *Building permit.* A building permit, such as is required under § 150.01 for any other construction in the city, and the payment of fees therefore shall be required in addition to the permit to move the building and/or structure(s) into or within the limits of city.

(E) *City costs.* Applicants shall pay in advance and prior to issuance of a permit, all labor and material costs to the City of Hastings, including but not limited to police, utility changes, and repairs.

(F) *Section application.* This section applies whether the building or other structure(s) proposed to be moved started from a point of origin within or without the city and is to a point of destination within or without the city, or whether the movement is merely through the city with a point of origin and destination without the city, provided that a public street, or other public property, are used for the movement. No building may be moved using city streets during the period between April 1 and May 15 of each year.

(G) *Abandonment of water and sanitary sewer lines.* Any city water or sanitary sewer services caused to be disconnected due to moving of a building shall be properly abandoned. Proper abandonment shall include capping the corporation stop at the water main and capping sanitary sewer lines. (Prior Code, § 4.02) Penalty, see § 10.99

§ 150.03 CERTIFICATE OF SURVEY.

In addition to plans and specifications required to ensure compliance with the state building code and prior to issuance of a building permit, each applicant shall be required to submit a certificate of survey including at a minimum the following information: property boundaries, existing structures, proposed structures (including driveways), lot corner elevations, proposed drainage flow (arrows), proposed garage floor elevation, proposed lowest floor elevation, proposed lowest foundation opening, proposed top of foundation elevation, street right-of-way (to center line), and existing property monuments. Field hubs shall be placed on-site by a surveyor to show top of foundation elevation and setbacks. The Building Official may for accessory structures or minor additions (decks, porches), waive the certificate of survey submittal requirements in favor of submittal of a plot plan indicating the location of existing and proposed structures in relation to lot lines. (Prior Code, § 4.03)

§ 150.04 CERTIFICATE OF OCCUPANCY.

In addition to certificate of occupancy requirements referenced in the State Building Code, certificates of occupancy are also required for Group R, Division 3, occupancies. (Prior Code, § 4.04)

§ 150.05 WRECKING AND DEMOLITION OF BUILDINGS.

(A) *Permit required.* That any person who proposes to be involved in the demolition or wrecking of structures in the City of Hastings shall before undertaking the wrecking or demolition, obtain a license therefore in accordance herewith. Licensee shall obtain a demolition/wrecking permit for each job before undertaking a demolition or wrecking and shall pay the cost of the permit. Demolition permit fees shall be set by ordinance.

(B) *Application.* Application for a demolition company license shall be made on application forms provided by the city, addressed to the City Building Official.

(C) *Regulations.* Licensees shall be required to provide advance notice to all concerned utility companies and obtain necessary shut-offs or permissions.

(1) No demolition refuse or material shall fall more than 15 feet unless in an enclosed chute.

(2) A licensee shall not install barriers or barricades effecting sidewalks, roadways or private ways, nor shall sidewalk, roadway, or private way traffic be diverted without prior written approval of the City Director of Public Works, or the other person as the Hastings City Council may designate. Any obstruction or diversion of traffic shall be preceded by notice from applicant to the Hastings Police Department.

(3) All demolition work including removal of all debris shall be completed within 30 days of the date of permit issuance.

(D) *Fees.* Submitted with the application shall be the annual fee in the amount as established by ordinance.

(E) *License.* The licenses shall be good for the calendar year in which the same is issued and shall expire on the last day of the calendar year of issuance.

(1) It shall be cause for suspension of the license if the licensee does not comply with all state and city demolition requirements including state statutes, city ordinances, and applicable regulations.

(2) No demolition or wrecking shall be accomplished by other than a licensed person working under his, her, or its direction.

(F) *Bond required.* Before issuance of the license, the applicant shall deposit with the Building Official's office a liability policy or bond in an amount of at least \$10,000 insuring and indemnifying the city from any and all claims that may be made against it as a result of the applicant's demolition or wrecking activity.

(G) *Insurance.* The applicant, before issuance of the license, shall file with the city a certificate of insurance covering workers compensation and a public liability insurance policy in the amount of at least \$250,000, insuring the applicant for any damage that may be done during the course of the wrecking or demolition or matters incident thereto.

(H) *Safety.* All demolition companies shall meet and maintain all safety requirements of the State Building Code and comply with provisions thereof. In addition, all foundations of structures which are demolished shall be removed to at least 24 inches below grade.

(I) *Repair.* The person accomplishing wrecking or demolition shall after accomplishing same, repair all common walls, chimneys, doors, stairs, and all other portions of remaining adjacent structures exposed as a result of the wrecking or demolition. Included in this requirement is the requirement in the person accomplishing same to repair any adjacent surface and to cover same so that the newly exposed portion of the remaining adjacent structure has a color or finish uniform with and compatible with other existing structures of the immediate area.

(J) *Abandonment of water and sanitary sewer lines.* Any city water or sanitary sewer services caused to be disconnected due to demolition of a building shall be properly abandoned. Proper abandonment shall include capping the corporation stop at the water main and capping sanitary sewer lines. (Prior Code, § 4.06) Penalty, see § 10.99

§ 150.06 LICENSING CONTRACTORS.

(A) *License.* That it is deemed in the interest of the public and the residents of the City of Hastings that any person, firm, or corporation who engages in the business of building, construction, or related work, within the City of Hastings shall first secure a city contractors license therefore as

provided herein unless the party provides evidence that it is licensed by the State of Minnesota to conduct the activity within Minnesota.

(1) Licenses shall be obtained by every person engaged in the following businesses or work in accordance with the applicable ordinances of the City of Hastings:

(a) General contractors including those involved in erection, alteration, or repair of structures;

(b) Masonry, cement work, cement block work, block laying, or brick work;

(c) Heating, air conditioning, and ventilation;

(d) Roofing;

(e) Plastering, stucco work, and sheet rock taping;

(f) Excavation, including excavation for footings, basements, and grading of lots and excavation of streets and other public properties;

(g) Lawn sprinkler installers;

(h) Residential and commercial fire alarm installation, maintenance, and repair;

(i) Gas fitters;

(j) Plumbers;

(k) Electricians; and

(l) Fire suppression system installation and repair.

(2) Nothing herein shall be construed as preventing any such qualified licensee from allowing an employee from performing work under his or her supervision and control, nor a property owner from performing his or her own work providing all provisions of the State Building Code are met.

(3) A license granted to a general contractor shall include the right to perform all of the work included in his or her general contract. The license shall include any or all persons performing the work, provided that each person performing the work is in the regular employ of the general contractor and qualified as required under state law and the provisions of this chapter to perform the work. The general contractor shall be responsible for the quality and completeness of all of the work so performed.

(B) *Application and insurance requirements.* Application for the license shall be made to the City Building Official and the license shall be granted upon filing with the City Building Official of certificates evidencing the holding of public liability insurance in the limits of \$100,000 per person, \$300,000 per accident for bodily injury and \$50,000 for property damages and certificates of worker's compensation insurance as required by law. The insurance policies shall contain provisions that same may not be canceled without 10-days' prior written notice thereof being mailed to the City of Hastings.

(C) *Liability.* This chapter shall not be construed to effect the responsibility of liability for any party owning, operating or installing the above described work for damages to persons or property caused by any neglect therein nor shall the City of Hastings be held as assuming any such liability by reason of the licensing of persons, firms, or corporations engaged in the work.

(D) *License fee.* The license fee shall be paid annually at an amount established by resolution of the City Council. Each license shall expire on the first day of January after the same is issued and shall not be prorated.

(E) *Waiver of license.* The City Council may issue a variance hereto, waiving the requirements of this chapter or any portions in the event of a declared emergency and for the period of time as deemed by the Council to be necessary.

(F) *Revocation.* Any license issued hereunder may be revoked for just cause after a public hearing with 4-days' prior written notice to the licensee. (Prior Code, § 4.07)

§ 150.07 ELECTRIC, TELEPHONE, TELEVISION CABLE, AND OTHER SIMILAR UTILITY CONSTRUCTION TO BE UNDERGROUND.

(A) *Underground construction required.* All utility lines hereafter installed, constructed, or otherwise placed within the city for electric, telephone, TV Cable, or other similar services to serve residential, commercial, and industrial customers in newly platted areas, and which utilize metallic conductors to carry electric current, whether owned, installed, or constructed by the supplier, consumer, or any person shall be installed and placed underground in an approved, safe manner, subject only to the exceptions hereinafter stated.

(B) *Utility companies.* All companies installing and operating lines such as those described herein shall be referred to as utility companies for the purpose of this section.

(C) *Exceptions to application.* The following exceptions to the strict applicability of this section shall be allowed upon the conditions stated.

(1) Aboveground placement, construction, modification, or replacement of meters, gauges, transformers, street lighting, and service connection pedestals shall be allowed.

(2) Aboveground placement, construction, modification, or replacement of these lines commonly referred to as high voltage transmission lines upon which the conductor's normal operating voltage equals or exceeds 23,000 volts-phase-to-phase shall be allowed, provided, however, that 60 days prior to commencement of construction of such a project, the Director of Public Works shall be

furnished notice of the proposed construction and, upon request, the utility company shall furnish any relevant information regarding the project to the Director of Public Works.

(3) Aboveground placement, construction, modification, or replacement of lines shall be allowed in residential, commercial, and industrial areas where the Council, following consideration and recommendation by the Planning Commission finds that:

(a) Underground placement is impractical or not technically feasible due to topographical, subsoil, or other existing conditions which adversely affect underground utility placement; and

(b) Aboveground placement of temporary service line shall only be allowed:

1. During the new construction of any project for a period not to exceed 24 months;
2. During an emergency to safeguard lives or property within the city; and
3. For a period of not more than 7 months when soil conditions make excavation impractical.

(D) *Repair and maintenance of existing installation.* Nothing in this section shall be construed to prevent repair, maintenance, replacement, or modification of existing overhead utility lines.

(E) *Developer responsibility.* All owners, platters, or developers are responsible for complying with the requirements of this section, and prior to the final approval of any plat or development plan, shall submit to the Planning Commission written instruments from the appropriate utility companies showing that all necessary arrangements with the companies for installation of the utilities have been made.

(F) *Placement.*

(1) All utility lines shall be placed within appropriate easements or dedicated public ways so as to cause minimum conflict with other underground services. Whenever feasible, all utilities shall be placed within the same trench.

(2) All utility companies shall submit annually to the Director of Public Works current maps revealing locations of underground installation, whether the installations were installed prior to the adoption of this section or hereafter. (Prior Code, § 4.13) Penalty, see § 10.99

§ 150.08 COMMERCIAL BUILDING REHABILITATION PROGRAM.

(A) *General provisions.*

(1) *Authority.* Pursuant to M.S. § 469.184, as it may be amended from time to time, the City of Hastings has been authorized to establish a program to provide rehabilitation loans to owners of

small and medium sized commercial buildings. In establishing a commercial building rehabilitation program, the City Council is acting in all respects for the benefit of the citizens of the City of Hastings to serve a public purpose in improving and otherwise promoting their health, welfare, and prosperity.

(2) *Findings.* The City Council of the City of Hastings finds that many commercial buildings in the city are physically deteriorating, underused, economically inefficient, or functionally obsolete and in need of rehabilitation to meet applicable building codes; that there is a need for a comprehensive program for the rehabilitation of the commercial buildings to prevent economic and physical blight and deterioration, to increase the tax base of the city, and to assist in the implementation of the comprehensive plan for the city; that some owners of small and medium sized commercial buildings are unable to afford rehabilitation loans on terms available in the private mortgage market or to obtain rehabilitation loans on any terms because the private mortgage market is severely restricted; and that the health, safety, and general welfare and the preservation of the quality of life of the residents of the City of Hastings is dependent upon the preservation and rehabilitation of the commercial buildings.

(3) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACT. M.S. § 469.184, as now in effect and as it may be amended from time to time.

AGENCY. The Housing and Redevelopment Authority in and for the City of Hastings.

PROGRAM. The commercial rehabilitation loan program authorized by the act and set forth in division (B) below.

REGULATIONS. Regulations drafted or approved by the agency for the program.

SMALL OR MEDIUM SIZED COMMERCIAL BUILDING. A structure having a total floor area not exceeding 40,000 square feet, the primary ground floor function of which is commercial in nature, i.e., retail service, or office. Noncommercial usage on other floors of such a structure shall not affect the structure qualifying as a small or medium sized commercial building.

(4) *Administration.* The agency is hereby authorized to administer the program in accordance with the act and the regulations and resolutions adopted by the city for the issuance of bonds, loans, or other obligations for the program.

(B) *Program requirements.*

(1) *Regulations and forms.* The agency shall adopt regulations setting forth uniform procedures by which applications for loans shall be submitted and processed, and for determining eligibility of borrowers, and other procedures necessary or desirable in carrying out the program. The agency may, in the agency's discretion and from time to time, prescribe and amend forms to be used by an applicant in applying for financing under the program.

(2) *Authorization of loans.* Under the program, no loan shall be made or purchased until the agency or its designee has reviewed the application relating to the loan and has approved the loan. In approving applications for loans under the program, the agency or its designee, in addition to other

requirements and regulations, shall consider the following factors:

- (a) The availability and affordability of private mortgage credit;
- (b) The availability and affordability of other government programs;
- (c) Whether the building is required, pursuant to any court order, statute, or ordinance, to be repaired, improved, or rehabilitated; and
- (d) Whether the proposed improvements will result in conformance with the building and zoning codes and any design guidelines approved by the agency for commercial areas.

(3) *General limitations.* The following limitations shall apply to all loans under the program.

- (a) No loan shall be made for a period exceeding 20 years.
- (b) No loan shall exceed 80% of the estimated market value of the property to be rehabilitated upon completion of the rehabilitation, less the principal balance of any prior mortgage or contract for deed existing on the property at the time the loan is made, or \$200,000, whichever is less.
- (c) All monies loaned under this program shall be used only on property located within a redevelopment area designated by the City Council.

(4) *Interest Reduction Program.* The agency may develop and administer an interest reduction program, pursuant to M.S. § 469.012, Subdivision 7-9, as now in effect and as it may be amended from time to time, to assist in the rehabilitation or preservation of small or medium sized commercial buildings.

(5) *Expiration date.* The agency's ability to authorize payment of interest reduction assistance pursuant to this chapter shall expire on 12-31-2011. Interest reduction assistance payments authorized prior to 12-31-2011 may be paid after 12-31-2011. (Prior Code, § 4.14)

§ 150.09 ACCESSORY STRUCTURES.

(A) *Deleted in its entirety per Ord. 2011-5, 3rd Series 4-18-11*

(B) *Swimming pools.*

(1) *Definition.* For the purpose of this division (B), the following definition shall apply unless the context clearly indicates or requires a different meaning.

SWIMMING POOL. Any enclosure above or below grade having a water depth greater than 18 inches, and having a water surface area in excess of 100 square feet, which shall be used or designed for swimming or wading purposes by anyone.

(2) *Building permit required.*

(a) A building permit shall be obtained prior to excavation, erection, or any phase of pool construction.

(b) The application for permit shall include:

1. Type and size of pool; and

2. Site plan shall provide: Location of pool, location of house, garage, fencing, and other improvements on the lot. Also the location of filter unit, pump, and wiring indicating the type of the units; location of back-flush and drainage outlet; elevations and final treatments or finishes around the pool. Also the location of overhead or underground wiring, utility easements, trees or other features or heating unit shall be specified.

(3) *Enclosure fence.* All pools to be constructed or already constructed shall be completely surrounded by a fence or wall of not less than 4 feet, nor more than 6 feet in height. The fence shall be of a type not readily climbed by children. A dwelling house or accessory building may constitute part of the enclosure. An above ground pool with a side wall height of 4 feet or greater does not require a fence. All gates or openings shall be self-closing and have a self-latching device for security. Pool gates shall have locking devices for off-season or non use.

(4) *Life-saving and emergency equipment.*

(a) One ring buoy not more than 15 inches in diameter with a 3/16-inch rope attached; the rope shall be equal to the greater dimension of the pool.

(b) One life pole, or shepherd's crook type pole, at least 10 feet long with blunt ends.

(5) *Above-ground pools.* Shall be protected in such a way that access or entry to the pool can be secured when not in use.

(6) *City water supply.* There will be no cross-connections of the city water supply with any other source of water supply for the pool. The line from the city water supply to the pool shall be protected against backflow of polluted water by means of either an air gap, vacuum breaker, or other adequate device to prevent back siphonage.

(7) *Outdoor pool enclosures.* Outdoor pool enclosures, permanent or inflated shall not exceed 18 vertical feet above the pool deck and shall conform to the Uniform Fire Code.

(8) *Setback requirements.* Pools or their outer most appurtenances shall not be located within 10 feet of any side or rear lot line nor within 6 feet of any principal structure or frost footing. Pools shall not be located within any front yard.

(9) *Lighting, ventilation, and electrical.* When underwater lighting is used, the lights will be spaced to provide illumination so that all portions of the pool and pool bottom may be readily seen

without glare. All electrical wiring shall conform to the National Electrical Code of the National Fire Protection Association and shall be approved by the State Electrical Inspector, with particular reference to Article 680-20 (National Electrical Codes).

(10) *Overhead wiring clearance.* Any overhead wiring shall not be installed above the swimming pool or surrounding area extending 10 feet horizontally from the pool edge, or diving structure, observation stands, towers, or platforms.

(11) *Pool filters.* Every pool shall be equipped with a recirculating system capable of filtering the entire contents of the pool in 12 hours or less.

(a) Filters shall be capable of maintaining the clarity of the water through an 8-foot depth.

(b) Filter capacity shall be such that it need not be cleaned more frequently than once every 4 days under proper conditions of water and operation.

(c) All filters shall be equipped with at least 1 pressure vacuum or compound gauge which shall be positioned in such a way as to determine the differential across the filter and the need for cleaning.

(d) All pressure filter systems shall be equipped with an air release at the high point in the system.

(e) Operating instructions shall be posted on every filter system. All valves shall be properly designated indicating their purpose.

(f) When dissimilar metals are used in the construction of the filter, which set up galvanic currents, then suitable provision shall be made to resist electrolytic corrosion.

(g) Filters shall be so designed and installed that they can be readily disassembled and the filter elements removed.

(12) *Disinfection and conditioning.* Suitable methods shall be available to maintain a pH of the pool water between 7.2 and 8.2 and to maintain an alkalinity of not less than 50 ppm. The devices used to apply chlorine or its equivalent as a disinfectant shall be of the capacity as to maintain in all areas of the swimming pool at all times at least 0.5 ppm. of free available residual chlorine or a level of another approved disinfectant which shall be of at least a proven equivalent disinfecting strength as 0.5 ppm. of free available residual chlorine.

(13) *Modifications.*

(a) The City Council may make modifications in individual cases, upon showing of good cause, with respect to height, nature, or location of the fence or wall, gates, latches, or the necessity therefore, provided the degree protection is not reduced thereby.

(b) Upon the application of a property owner, the Council may grant extension of time for compliance in individual cases, upon the showing of good cause; the extensions of time shall not exceed 30 days at a time.

(14) *Revocation of a permit.* The Building Official may revoke any permit for failure to comply with the regulations of this chapter. Before a permit is revoked, the pool owner shall have notice in writing listing the failure or failures to comply with this chapter. The permit shall be reissued upon proper application and upon proof that the deficiencies causing revocation have been corrected.

(15) *Public pools.* All pools used for any purpose other than private dwellings shall first have plans and specifications approved by the Minnesota Health Department, and subsequently by the Building Official.

(C) *Deleted in its entirety per Ord. 2011-18, 3rd Series, 8-15-11*

(D) *Deleted in its entirety per Ord. 2011-5, 3rd Series, 4-18-11*

§ 150.10 SURVEY INSPECTIONS.

The city shall require a top of block inspection and a final grade and site inspection. The top of block survey inspection shall be paid for as a part of the building permit fee. The final grade and site inspection costs shall be an additional fee to be collected with building permit charges. The amount of the final grade and site inspection fee shall be set by the City Council by ordinance. (Prior Code, § 4.17) (Am. Ord. 480, passed 7-1-2002)

§ 150.11 IRRIGATION SYSTEMS.

(A) *Permit required.* An irrigation permit issued by the Building Department is required prior to the installation of all turf and landscaping irrigation systems. The Building Department will conduct an inspection to review the proper installation of a backflow prevention device in accordance with Minnesota Health Department standards, and the installation of a rain sensor device in accordance with M.S. § 103G.298, as it may be amended from time to time.

(B) *Permit fee.* The irrigation permit fee shall be as set by resolution adopted by the City Council.

(C) *Installation standards.* All new and existing outdoor meter installations are required to be sheltered by a protective box that meets the standards established by the Public Works Department and adopted by the City Council. All irrigation system installations within the public right-of-way shall be installed as outlined in the Public Works Department irrigation installation guidelines. All property owners are solely responsible for repairing, replacing, or relocating irrigation system installations as needed within the public right-of-way. (Ord. 545, passed 3-6-2006) Penalty, see § 10.99