

Certified, Filed and or Recorded on
Dec. 18, 2008 AT 03:09PM

Signed: *CK*
Marilyn J Novak G V I
Benton County Minnesota
Marilyn J Novak
County Recorder

BENTON COUNTY ORDINANCE NO. 430

WHEREAS, the Benton County Department of Development instituted proceedings to adopt the Minnesota State Building Code as Benton County Ordinance 430; and,

WHEREAS, on July 1 and 2, 2008, Notice of Public Hearing and intent to amend Benton County Ordinance was published in the official newspapers of the county; and,

WHEREAS, on July 15, 2008, the Benton County Board of Commissioners held a public hearing and approved the proposed Ordinance ; and,

NOW PURSUANT TO THE AUTHORITY VESTED BY MINNESOTA STATUTES SECTION 16.B.59-16B.75 and 394.25, THE BENTON COUNTY BOARD OF COMMISSIONERS ORDAINS:

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, equipments, use, height, area, and maintenance of all buildings and/or structures in this county; provides for the issuance of permits and collection of fees thereof; provides penalties for violation thereof; repeals all ordinances and parts of 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.

This county does ordain as follows:

Section 1. Codes adopted by reference. The Minnesota State Building Code, pursuant to Minnesota Statutes, 16B.59 to 16B.75, includes all of the referenced amendments, rules and regulations and is hereby adopted by reference with the exception of the optional chapters, unless specifically adopted in this ordinance.

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The Minnesota State Building Code is hereby incorporated in this ordinance as if fully set out herein.

Section 2. 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 Statutes, 16B.62, subdivision 1, when so established by this ordinance.

The code enforcement agency of this county is called the Department of Development.

This code shall be enforced by the Minnesota Certified Building Official designated by this County to administer the code (Minnesota Statutes, 16B.65) subdivision 1.

Section 3. Permits and Fees. The issuance of permits and the collection of fees shall be as authorized by 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 county. In addition, a surcharge fee shall be collected on all permits issued for work governed by this code in accordance with Minnesota Statutes, 16B.70.

Section 4. Violations and Penalties. A violation of the code is a misdemeanor (Minnesota Statutes, 16B.69).

Section 5. Effective Date of Ordinance. The effective date of this Ordinance is January 2, 2009

Signed: Joseph J. Wallack
Title: Chair Benton County Board of Commissioners

Attest: Montgomery Heasley
Title: County Administrator

Reviewed by: _____
Title: _____