

CHAPTER 9 ZONING REGULATIONS

Fire Limits

9.101. Fire Limits.

The fire limits of the City are hereby established as follows:

East one half of Blocks Number two, five, and eight.
West one half of Blocks Number three, four, and nine.

9.102. Walls and Roofs.

Every building erected or altered within the fire limits shall be enclosed with walls constructed wholly of incombustible materials, and shall have the roof and the top and sides of all roof structures including cornice and dormer windows covered with incombustible material. Walls with a backing of wood or other combustible materials shall not be permitted within the fire limits even though veneered with incombustible material.

Subdivision 1. Exceptions to the above mentioned requirements may be made where a majority of the council shall be of the opinion that the nature, or type of proposed construction, or remodeling is such that it is impossible, impractical, or undesirable to enforce compliance with said requirements, or has little or no bearing as a fire hazard.

9.103. Moving Buildings.

No person shall move any building which does not comply with the requirements of the preceding section from without to within the fire limits, nor move any building from one lot on to another lot within the fire limits.

9.104. Existing Buildings.

Any existing building within the fire limits which does not comply with the requirements of the section 9.102. if damaged by fire, decay, or otherwise to one half or more of its value, exclusive of foundation, and any such building condemned by the Fire Marshall as unsafe, may not be repaired or rebuilt as a non-fire resistant structure; and no existing wooden shingle roof within the fire limits, if damaged more than twenty-five per cent of its present value, shall be renewed or repaired with other than approved incombustible roof covering.

9.105. Chimneys.

In every building hereafter erected, altered, or repaired within this municipality all chimneys shall be constructed of brick or other incombustible material and be lined on the inside with an approved fire tile laid in cement mortar, from one foot below the smoke pipe intake in each flue continuously to four inches above the extreme height of the chimney. All chimneys shall be topped out at least three feet above the point of contact if a flat roof and at least two feet above the ridge of a pitched roof. No chimney in any building hereafter erected shall be cut off below, in whole or in part, and supported by masonry resting upon an adjacent footing properly constructed upon the ground or foundation; and all existing chimneys which do not conform to this requirement shall be made to do so or be taken down. All wooden beams or framework shall

be separate at least two inches from the chimney, and no wood furring shall be used against or around any chimney, but the plastering shall be directly on the masonry or on metal lath.

9.106. Fire Stopping.

All stud walls, partitions, furrings, stair carriages, and spaces between joints in all buildings hereafter erected shall be so fire stopped as completely to cut off communication of fire through concealed space.

Zoning Permits

9.201. Zoning Permits.

No person may erect any structure of any kind or add to the outside dimensions thereof when the work is to cost \$100 or more without first procuring from the Clerk-Administrator a permit to do so, before such work is commenced.

The application for the permit to erect shall state the exact site to be occupied, the material, dimensions, and estimated cost of the proposed structure, the purpose for which the same is to be occupied, and the probable time when the work will be completed. Such application shall show affirmatively and in detail that all work will comply with every provision of the ordinances of the City; and shall be certified by the Clerk-Administrator-Administrator as showing such compliance before the permit may be granted. All restrictions for building permits as stated above shall apply to mobile homes and trailer houses.

9.202. Fee for Permit.

The fees for zoning permits shall be fifteen dollars (\$15) if the cost of the work is not to exceed \$1,000.00; and, if the cost of the work is to exceed one thousand dollars, the fee shall be one dollar for each additional thousand dollars or portion thereof. The maximum fee for a permit will not exceed \$1000.00.

9.203. Demolition or Moving Permits.

- Subdivision 1. No person may demolish, move or relocate any structure of any kind without first procuring from the Clerk-Administrator a permit to do so, before such structure is moved or demolished.
- Subdivision 2. The application to demolish, move or relocate any structure shall state the exact address or real estate description of the structure. Upon receipt of an application and fee, the city shall appoint an inspector to examine the premises and determine all the work required after removal of the structure to restore the lot and properly fill the lot to grade. The inspector shall make a list of each item of such work to be performed. The City shall then mail the list of required work to the permit applicant.
- Subdivision 3. The permit applicant shall get a signed bid from a contractor for all the work listed to be performed and submit the contractor's estimate to the City Clerk-Administrator for approval by the City, who shall consider the application and estimate at the next City Council meeting.

- Subdivision 4. If the bid is approved, upon the City Clerk-Administrator's receipt of the applicant's bond consisting of either certified funds payable to the order of the City or cash in an amount equal to 120 per cent of the estimated bid, the City Clerk-Administrator shall issue the applicant a permit for moving the structure. The fee for a demolition or moving permit shall be \$100.00. The fee for demolition or moving shall not apply to the instance where a person is demolishing or removing a structure to replace it immediately there after by another structure of greater value.
- Subdivision 5. No permit shall be issued to move or relocate any structure unless the applicant demonstrates the building mover has in effect a license to operate as a building mover in Minnesota and the applicant agrees to fence any excavation until it is filled.

9.204. Disposition of Bond.

The bond stated above shall be held by the City until the site of the structure demolished, moved or relocated has been inspected by the City Council or its representative and it has been established the excavation has been properly filled to grade. Upon determining the excavation has been properly filled, the City shall refund the bond. If the excavation is not filled within 30 days after the structure was demolished or removed, the City may, with no further notice, fill the excavation and apply the bond to the cost. Any overage of the bond remaining after the excavation is filled shall be refunded to the permit applicant. If the bond is not sufficient to cover the City's cost of filling the excavation, the permit applicant shall be liable to the City for the balance of the cost and any fees, costs and attorney's fees for collection.

9.205. Application of Demolition or Moving Permits.

That part of this Chapter pertaining to demolition or moving permits shall not apply to manufactured or modular homes where the structure is not on a permanent footing or basement, nor shall it apply to trailer homes.

9.206. Penalty for Violation.

A person who violates, or aids or abets the violation of, any of the provisions of this Chapter is guilty of a misdemeanor.