

ORDINANCE NO. 46

AN ORDINANCE ESTABLISHING A BUILDING CODE  
FOR THE CITY OF SHELLY

Section 1. BUILDING PERMITS. No person may erect or demolish any structure of any kind or add to the outside dimensions thereof nor relocate any building already constructed without first procuring a permit to do so from the City Council. The application for the permit shall state the exact site to be occupied, the materials, 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 of Shelly.

Structures hereafter erected without permit or not in conformity with this ordinance shall be removed.

No building shall be erected or moved until a permit has been obtained from the City Council. Before the Council acts on any application for a Building Permit, the application shall be examined by the City Building Inspector who shall make recommendations thereon to the Council. The Council shall not issue a permit if in its judgment the proposed structure or location of the building would seriously increase the fire hazard or deteriorate the value of the surrounding buildings.

Section 2. FEES FOR BUILDING PERMITS. The fee charged for a Building Permit shall be \$ 5.00 which amount shall accompany the application therefor.

Section 3. FIRE LIMITS. The following shall be and is hereby declared to be the fire limits areas: Blocks One (1), Two (2), Three (3), and Four (4) of the Original Townsite of Shelly and Blocks One (1) and Two (2) of Mauritsen's First Addition.

Section 4. LIMITATIONS WITHIN FIRE LIMITS. NO building or structure of frame wall, or of unprotected metal wall construction or which has a wooden cornice shall hereafter be erected in the fire limits except the following: Buildings of frame construction or of unprotected metal construction occupied exclusively as a private garage or stable, not more than one story in height nor more than three hundred square feet in area, located on the same lot with a dwelling; frame dwellings not exceeding two stories in height and separated by at least five feet from lot line of adjoining property. Buildings of ordinary (wood joist and masonry wall) construction shall not exceed fifty feet in height and 7500 square feet in area.

Section 5. WALLS. The thickness of masonry bearing walls shall not be less than twelve inches except that reinforced concrete walls may have a minimum thickness of 8 inches. Parapets shall be provided on all fire walls, party walls and exterior walls of masonry or reinforced concrete. Such parapets shall not be less than twelve inches thick for masonry and 8 inches for reinforced concrete construction and carried not less than eighteen inches above the roof.

Section 6. ROOF COVERING. Every roof hereafter placed on a building within the fire limits area shall be covered with a roofing of brick, concrete, tile, slate, metal, asbestos, or built up roofing finished with asphalt, slag, or gravel.

Section 7. CHIMNEYS. All chimneys shall be built of masonry not less than four inches thick. Every such chimney shall be lined with a flue lining and shall be built upon a solid masonry foundation.

Section 8. REMOVAL OR REPAIR OF UNSAFE BUILDINGS. A building or structure or part thereof declared structurally unsafe or hazardous by duly constituted authority, may be restored to safe condition; provided that if the damage or cost of restoration and re-construction is in excess of fifty percent of the value of the building or structure, such building or structure, if re-constructed or restored, shall be made to conform to the requirements for buildings and structures contained in this ordinance.

Section 9. INSPECTIONS. (a) It shall be the duty of the Chief of the Fire Department to inspect or cause to be inspected by fire department members, not less than four times a year, all buildings and premises, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire.

(b) Whenever the inspector shall find in any building or upon any premises or other place, combustible or explosive matter or dangerous accumulation of rubbish, or any highly flammable materials, and so situated as to endanger property, he shall order the same to be removed or remedied.

Section 10. ELECTRICAL INSTALLATIONS. All electrical wiring, apparatus, or appliances for furnishing light, heat or power shall be in strict conformity with the statutes of the State of Minnesota and with approved methods of construction for safety to life and property. The regulations in the National Electrical Code shall be prima facie evidence of such approved methods.

Section 11. PENALTIES FOR VIOLATION. Any person who violates or fails to comply with the provisions of this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not to exceed Three Hundred (\$300.00) Dollars or by imprisonment for not to exceed ninety (90) days for each offense. Each day that the violation is permitted to exist shall constitute a separate offense. This shall not preclude the City from resorting to any other remedy available under the law.

Section 12. VALIDITY. If any section or part of section or paragraph of this Ordinance is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this Ordinance.

Adopted by the City Council of the City of Shelly this 28 day of March, 1974.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Clerk