

**CHAPTER 4  
SUB-ANALYSIS**

**CONSTRUCTION AND HOUSING LICENSING, PERMITS AND REGULATION**

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## CHAPTER 4

### CONSTRUCTION AND HOUSING LICENSING, PERMITS AND REGULATION

**SECTION 4.01. BUILDING CODE ADOPTED.** The following are hereby adopted by reference as though set forth verbatim herein: (1) the Minnesota State Building Code (SBC), including Chapter 1335, Flood Proofing Regulations; (2) the 1985 Uniform Building Code, including the following options, Chapter 7, Covered Mall Buildings, Chapter 38, Basement Pipe Inlets for Sprinkler Systems, Chapter 55, Membrane Structures (Air-inflated structures), and Chapter 70, Excavation and Grading; and, (3) the Minnesota Plumbing Code, including the following options, Appendix C, Guide for Sizing the Water Supply System, and Appendix D, Sizing the Building Water Supply System. One copy of said Code shall be marked CITY OF VIRGINIA - OFFICIAL COPY and kept on file in the City Administrative Offices and open to inspection and use by the public.

**SEC. 4.02. PERMIT FEES.** (Codifier's Note: Permit fees are set forth in City Code, Chapter 11 entitled "Land Use Regulation (Zoning)").

**SEC. 4.03. BUILDING PERMITS REQUIRED.** (Codifier's Note: The requirements for building permits are set forth in City Code, Chapter 11 entitled "Land Use Regulation (Zoning)".)

#### **SEC. 4.04. COLLECTION OF BUILDING PERMIT FEES.**

Subd. 1. For the purpose of this Section (1) the act by the City of granting an application for a building permit, and the subsequent issuance of the permit, are deemed improvements to real estate, and (2) the act by the owner of real estate of employing or entering into an agreement with a contractor or other person for construction, requiring a building permit, shall be deemed an appointment of such contractor or other person as the agent of such owner for the purpose of applying for such permit and incurring fees therefor, and the owner and the agent shall be jointly and severally liable for payment thereof.

Subd. 2. When the fee for a building permit has been determined, a statement shall be prepared by the City and mailed to the owner. If such fee remains unpaid for a period of more than thirty (30) days after mailing, the City may collect the same in a civil action or, in the alternative and at the option of the City, as otherwise provided in this Section.

Subd. 3. Each such account is hereby made a lien upon the premises improved. All such accounts which are more than forty-five (45) days past due may, when authorized by resolution of the Commission, be certified by the City Clerk of the City of Virginia, Minnesota to the County Auditor, and the City Clerk in so certifying shall specify the amount thereof, the description of the premises improved, and the name of the owner thereof. The amount so certified shall be extended by the Auditor on the tax rolls against such premises in the same manner as other taxes, and collected by the County Treasurer, and paid to the City along with other taxes.

#### **SEC. 4.05. PERMITS AND SPECIAL REQUIREMENTS FOR MOVING BUILDINGS.**

Subd. 1. Definitions. The following terms, as used in this Section, shall have the meanings stated:

1. "Highway" means a public thoroughfare for vehicular traffic which is a State trunk highway, County State-aid highway, or County road.

2. "Street" means a public thoroughfare for vehicular traffic which is not a State trunk highway, County Stateaid highway or County road.

3. "Moving Permit" means a document allowing the use of a street or highway for the purpose of moving a building.

4. "Highway Moving Permit" means a permit to move a building on a highway for which a fee is charged which does not include route approval, but does include regulation of activities which do not involve the use of the highway; which activities include, but are not limited to, repairs or alterations to a municipal utility required by reason of such movement.

5. "Street Moving Permit" means a permit to move a building on a street for which a fee is-charged which does include route approval, together with use of the street and activities including, but not limited to, repairs or alterations to a municipal utility required by reason of such movement.

6. "Combined Moving Permit" means a permit to move a building on both a street and a highway.

Subd. 2. Application. The application for a moving permit shall state the approximate loaded height of the structure or building proposed to be moved, the places from which and to which it is to be moved, the route to be followed, the dates and times of moving and parking, the name and address of the mover, and the municipal utility and public property repairs or alterations that will be required by reason of such movement. In the case of a street moving permit or combined moving permit the application shall also state the size and weight of the structure or building proposed to be moved and the street alterations or repairs that will be required by reason of such movement. All applications shall be referred to the Public Utilities Commission. All applications for street and combined moving permits shall also be referred to the Police Department and no such permits shall be issued until route approval has been obtained from the Public Utilities Commission and the Police Department.

Subd. 3. Permit and Fee. Permits shall be issued only for moving buildings by building movers licensed by the State of Minnesota. Fees to be charged shall be separate for each of the following: (1) a street and combined moving permit fee to cover use of streets and route approval, and (2) for all moving permits a fee equal to the anticipated amount required to compensate the City for any municipal utility and public property repairs or alterations occasioned by such movement. All permit fees shall be paid in advance of issuance of a permit. (Codifier's Note: Additional requirements and exceptions are set forth in City Code, Chapter 11, Special Regulations, Relocated Structures.)

Subd. 4. Building Permit and Code Compliance. Before any building is moved from one location to another within the City, or from a point of origin without the City to a destination within the City, regardless of the route of movement, it shall be inspected and a building permit shall

have been issued for at least the work necessary to bring it into full compliance with the State Building Code.

Subd. 5. Unlawful Acts.

A. It is unlawful for any person to move a building on any street without a moving permit from the City.

B. It is unlawful for any person to move a building on any highway without a highway moving permit from the City.

C. It is unlawful to move any building (including a manufactured home) if the point of origin or destination (or both) is within the City, and regardless of the route of movement, without having paid in full all real and personal property taxes, special assessments and municipal utility charges due thereon, and filing written proof of such payment with the City.

**SEC. 4.06. CERTIFICATE OF SURVEY.** No building permit application, for the construction of a new building or extending or increasing the size of an existing building, shall be accepted unless it is accompanied by a certificate of survey signed by a registered land surveyor. Such survey shall show all lot lines and existing (if any) and building lines. The following projects do not necessarily require a survey:

1. Sheds, sunscreens, greenhouses, decks or freestanding structures 144 square feet or less or attached to main building structure not extending beyond existing walls or structure or extending to interior of lot.

2. Fences and screens may be constructed within existing building lines or along property boundaries with the consent of the adjoining property owner or neighbor. For boundary fences and screens the adjoining property owners' written consent will be required prior to issuance of a building permit." (Amended 8/23/94)

**SEC. 4.07. HOUSING CODE ADOPTED.** The Uniform Housing Code, 1985 Edition, published by the International Conference of Building Officials, is hereby adopted by reference as though set forth verbatim herein. One copy of said Code shall be marked CITY OF VIRGINIA - OFFICIAL COPY and kept on file in the office of the City Clerk and open to inspection and use by the public.

Source: City Code  
Effective Date: 3-1-88

**SEC. 4.08. INSTALLATION, REPAIR, AND MAINTENANCE OF TELEVISION AND RADIO RECEIVING ANTENNAS.**

Subd. 1. Definitions. The following definitions shall apply in the interpretation and enforcement of this Section.

A. "Antenna" means the outdoor portion of the receiving equipment for receiving television or radio waves from space.

B. "Mast" means that portion of the outside antenna system to which the antenna is attached, and the support or extension required to elevate the antenna to a height deemed necessary for adequate operation.

C. "Height" means the overall vertical length of the antenna system above ground, or, if such system be located on a building, then above that part of the level of such building upon which the system rests.

D. "Primary Power Line" means any electrical line carrying 250 volts or more.

E. "Secondary Power Line" means any electrical line carrying 250 volts or less.

Subd. 2. Regulations for Installation of Antenna.

A. Except on radio and television antennas less than 10 feet in height all construction hereafter placed on the roof of a building or structure within the City shall be noncombustible and non-corrosive construction. All equipment installed on roofs shall be mounted on its own platform or plate covering one or more rafters of the roof and shall be securely anchored with guy wires. (See below for tower installation.)

B. Poles or masts over 10 feet must be guyed with four or more wires to one mast position. Masts 20 to 30 feet in height must be guyed to a minimum of two positions, the uppermost guy wires to be within two feet of the top except where impractical because of the structure of a unit supporting the antenna, in which case the uppermost guy wire must be attached to the unit supporting the antenna. Roof-mounted masts over 30 feet high must not be erected without first securing permission from the Building Inspector having jurisdiction. The angle of the guys supporting such masts and towers must not be less than 30 degrees from the vertical mast. Wire used as guys shall in no case be less than 620 strand cable or equivalent and of the rust-proof type for masts less than 20 feet in height. And for masts exceeding 20 feet in height minimum size of wire used as guys shall be 6-18 strand cable or its equivalent and shall be of the rust-proof type. Rawl plugs shall not be used for guy wires or for mounting brackets. Guy wires shall not connect to any pole in the power or communication system of the City.

C. Towers may be erected without the use of guy wires providing the towers are of a type approved by the Electrical Inspector and Fire Chief. Such towers may be either roof-mounted or mounted on the ground independent of a building. In the event towers are erected from the ground and attached to a building and extend more than 10 feet above the portion of the building to which they are attached, the towers must be guyed to the building by not less than three (3) guy wires, one of which guy wire may be of an outrigger type. If a tower-mounted antenna extends more than 50 feet above the ground, whether roof-mounted or mounted on the ground, permission must first be secured from the Electrical Inspector before installation.

D. Metal structures supporting antennas shall be permanently and effectively grounded as outlined in Section 8115 of the National Electrical Code. Grounds for either the lead-in or the metal supporting pole or structure shall be made to existing underground water distributing system if available, provided that no ground connection shall be made to an outside water spigot if the spigot is disconnected for any portion of a year. For installation beyond reach of such distribution systems, a regular driven ground rod of not less than 6 feet in length of an approved type

may be used. Such ground conductors shall not be smaller than No. 8 AWG. (Effectively grounded shall be interpreted as providing protection for mast, receiver and rotating mechanism if such is used, and ground straps or clamps shall be of the approved type.)

E. Under no conditions will a ground connection be allowed to be connected to a sewer stack vent or gas lines or any line connected to a line connected to any inflammable material or to a gas or fuel oil line or to any other line conveying any combustible substances or to a line which is attached to a line or pipe conveying any combustible substances.

F. Ground line from mast should not follow the contour of a building and shall not contact nor be connected in any way to a down spout.

G. Lightning arrestor for protection of receiver shall not be mounted on mast but shall be mounted approximately as near the earth as the receiver and said arrestor shall be of the approved type.

H. Antennas shall not be attached to chimneys as heavy stress often occurs on antenna supports due to the wind and ice loading to which the television antenna is subjected. Damage to chimney can occur below roof line creating a serious fire hazard.

I. Serious accidents have occurred where improperly supported masts have fallen over primary and secondary power lines. It shall be the responsibility of the individual installing said masts or towers to take this factor into consideration so as to provide proper installation so as to assure maximum protection to life and property in case such mast or tower shall fall or topple.

J. Guy wires crossing over or under secondary power lines shall have a four-foot minimum clearance from same as to avoid contact under all conditions and under no conditions shall guy wires be placed over primary power lines regardless of clearance, nor masts be erected to such heights that in event of collapse or failure such mast would fall over primary power lines located in streets or alleys of the City.

K. Lead-in conductors attached to buildings shall be so installed that they cannot swing within two feet of conductors carrying 250 volts or less or within 10 feet of conductors carrying more than 250 volts. The clearance between lead-in conductors and any conductor forming part of a lightning rod system shall be no less than six feet. Lead-in shall be supported at intervals of not more than twelve feet apart.

L. Television antenna installers must constantly be aware that antenna wires and large dipole structures may seriously interfere with firemen while raising ladders or handling hose lines. This may be important in closely built areas where antennas and wires may overhang or bridge space between buildings. Perhaps more serious is that high antennas on roofs or improperly supported towers, may under fire exposure be so weakened that they may collapse and injure fire fighters or occupants.

M. It is recommended that master antennas be installed on apartment buildings and a "tee-tap" or other distribution system used to supply the lead-in conductors from the main cable.

Subd. 3. Electrical Inspector - Duties, Rights and

A. It shall be the duty of the Electrical Inspector and his authorized assistants to inspect all television and radio receiving antenna to ascertain if the work has been done in a workmanlike manner and to investigate all complaints from the general public pertaining to said antenna installations and interference caused thereby.

B. The Electrical Inspector and his assistants are hereby empowered to inspect or reinspect any wiring, equipment, or apparatus conducting or using electric current for radio and television service in the City, and if conductors, equipment, or apparatus are found to be unsafe to life or property, or are not in conformity with the provisions of this Section, the Electrical Inspector shall notify the person owning or operating the hazardous wiring or equipment to correct the condition within a forty-eight hour period or within the time the Electrical Inspector specifies. Failure to correct violations within the specified time shall constitute a violation of this Section.

C. A reasonable schedule of fees shall be established by the Council by resolution covering all inspections made by the Electrical Inspector pursuant to the provisions of this Section, which schedule may be changed from time to time as the Council shall deem necessary or expedient. Such fees shall be paid by the person making the installation prior to installation. No television antenna shall be installed or repaired until a permit to do so shall have been issued by proper authority.

Subd. 4. Application to Existing Antennas. Every television or radio receiving antenna erected prior to the effective date of this Section may be maintained and operated in its present location, unless said antenna is so constructed, located, and maintained as to be unsafe and dangerous as determined by the Electrical Inspector as provided in Subdivision 3, Subparagraphs A and B above. Provided that all repairs to antenna shall be made in accord with the provisions of this Section.

Source: Ordinance No. 86  
Effective Date: 8-20-55

(Sections 4.09 through 4.98, inclusive, reserved for future expansion.)

**SEC. 4.99. VIOLATION A MISDEMEANOR.** Every person violates a section, subdivision, paragraph or provision of this Chapter when he performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, or performs an act prohibited or declared unlawful or fails to act when such failure is prohibited or declared unlawful by a Code adopted by reference by this Chapter, and upon conviction thereof, shall be punished as for a misdemeanor except as otherwise stated in specific provisions hereof.

Source: City Code  
Effective Date: 3-1-88