

TITLE 9

**BUILDING REGULATIONS**

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CHAPTER 1  
**BUILDING CODES**

## SECTION:

9-1-1	Application, Administration and Enforcement
9-1-2	Permits and Fees
9-1-3	Violations and Penalties
9-1-4	Building Code
9-1-5	Effective Date of Ordinance

9-1-1:       **APPLICATION, ADMINISTRATION AND ENFORCEMENT:**     The application, administration, and enforcement of the code shall be in accordance with Minnesota Rule Chapter 1300. 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 municipality is called the Building Code Department.

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

9-1-2:       **PERMITS AND FEES:**     The issuance of permits and the collection of fees shall be as authorized in 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 municipality in Section 9-1-4. In addition, a surcharge fee shall be collected on all permits issued for work governed by this code in accordance with Minnesota statute 16B.70.

9-1-3:       **VIOLATIONS AND PENALTIES:** A violation of the code is a misdemeanor (Minnesota statute 16B.69) and Minnesota Rules, Chapter 1300.

9-1-4:       **BUILDING CODE:**     The Minnesota State Building Code, established pursuant to Minnesota Statutes 16B.59 to 16B.75 is hereby adopted as the building code for this Municipality. The code is hereby incorporated in this ordinance as if fully set out herein.

A. The Minnesota State Building Code includes the following chapters of Minnesota Rules:

1. 1300, Administration of the Minnesota State Building Code;
2. 1301, Building Official Certification;
3. 1302, State Building Code Construction Approvals;
4. 1303, Minnesota Provisions;
5. 1305, Adoption of the 2000 International Building Code;
6. 1307, Elevators and Related Devices;
7. 1309, Adoption of the 2000 International Residential Code;
8. 1311, Adoption of the 2000 Guidelines for the Rehabilitation of Existing Buildings;
9. 1315, Adoption of the 2002 National Electrical Code;

10. 1325, Solar Energy Systems;
11. 1330, Fallout Shelters;
12. 1341, Minnesota Accessibility Code;
13. 1346, Adoption of the Minnesota State Mechanical Code;
14. 1350, Manufactured Homes;
15. 1360, Prefabricated Structures;
16. 1361, Industrialized/Modular Buildings;
17. 1370, Storm Shelters (Manufactured Home Parks);
- 18.4715, Minnesota Plumbing Code;
19. 7670, 7672, 7674, 7676 and 7678, Minnesota Energy Code; (ord. 03-15, 06-20-03)

## CHAPTER 2

**ELECTRICAL INSTALLATIONS**

## SECTION:

- 9-2- 1 : Title
- 9-2- 2: Definitions; Interpretation
- 9-2- 3: Electrical Inspector
- 9-2- 4: Affidavit
- 9-2- 5: Inspections
- 9-2- 6: Inspection Fees
- 9-2- 7: Electrical Affidavit Fee Schedule
- 9-2- 8: Existing Buildings Moved, Remodeled Or Repaired;  
Compliance Required
- 9-2- 9: Temporary Affidavits
- 9-2-10: Unauthorized Concealment
- 9-2-11 : Disturbing Wiring
- 9-2-12: Condemning Defective Wires, Apparatus, Materials
- 9-2-13: Reconnecting Condemned Wiring Or Apparatus
- 9-2-14: Acceptance Before Reconnection
- 9-2-15: City Attorney To Defend
- 9-2-16: Penalty

9-2-1: **TITLE:** This Chapter shall constitute and be known and cited as the ELECTRICAL CODE.  
(1981 Code § 901.01)

9-2-2: **DEFINITIONS; INTERPRETATION:**  
A. Definitions: For the purposes of the Electrical Code, the following definitions shall apply:

INSPECTOR: Electrical Inspector authorized as such by the City.

STATE  
ELECTRICAL  
CODE: Section SBC 8601 of the Minnesota Building  
Code as adopted by Minnesota Laws of 1971,  
chapter 561.

B. Interpretation: For the purpose of interpretation of the provisions of the Electrical Code, the most recently published edition of the National Electrical Code shall be prima facie evidence of the definitions, interpretations and scope of words and terms used in this Code. (1981 Code § 901.01; 1997 Code)

9-2-3: **ELECTRICAL INSPECTOR:**

A. Position Created: There is hereby created the office of Electrical Inspector. Such Electrical Inspector shall be subject to the orders and supervision of the Mayor.

B. Appointment: The Electrical Inspector shall be appointed by the Mayor and approved by the City Council. (1981 Code § 901.02)

C. Duties:

1. Supervision: The Electrical Inspector shall regulate, determine and have general supervision over all electrical apparatus and machinery and the placing and attaching of electric light and power, telephone,

telegraph and all other electric wires of any other nature whatsoever, now or hereafter placed, in or in any manner directly attached to any building, tent or other temporary structure within the City limits.

2. Inspections: The Electrical Inspector shall inspect and reinspect all such electrical apparatus, machinery and wires so as to prevent fires, accidents or injuries to persons or property, and shall cause all such electrical apparatus, machinery and wires to be so constructed, placed, supported and guarded as not to cause fire or accident, or endanger life or property.

3. Scope: Any and all such electrical apparatus, machinery and wires now existing or hereafter constructed and placed shall be subject to such supervision and inspection. (1981 Code § 901.03)

D. Authority: The Electrical Inspector is hereby vested with full authority to enter any building or premises and any manhole or subway at any reasonable time in the discharge of the duties of Electrical Inspector and to enforce compliance with the terms of this Chapter. (1981 Code § 901.04)

9-2-4: **AFFIDAVIT:**

A. Affidavit Required; Exception:

1. No person shall enter upon the erection, construction, alteration or change of any electrical installation, work or wiring until an affidavit has been obtained from the office of the Clerk-Treasurer properly filled out and filed with the Electrical Inspector. When required, plans and specifications for the proposed work must be filed with the Inspector before the work is started and during the progress of said work if major changes are instituted. (1981 Code § 902.01)

2. No affidavits shall be required for installations operated and maintained by public utilities in the exercise of their utility functions or for minor repairs, etc., which shall mean the adjustment or repair and replacement of worn or defective parts of electrical fixtures, switches and receptacles; provided, that such minor repairs are made in compliance with accepted standards of construction for safety to life and property, and do not require replacement of wiring to them. (1981 Code § 902.02)

B. Term: If authorized work under an affidavit is not commenced within twelve (12) months after the filing of same or if after partial completion the work is discontinued for a period of one year, the affidavit shall become void and no work shall be done there under until a new affidavit is filed with the Inspector. (1981 Code § 902.03)

C. State License Required; Exception:

1. No affidavit for the erection, construction, alteration or change of any electrical work or wiring shall be accepted from any person unless he/she has a proper valid and subsisting bonded master electrician's license issued by the State Board of Electricity, State of Minnesota. No holder of any such license shall allow his/her name to be used by any other party for the purpose of doing work or filing an affidavit.

2. A person who is capable of doing so may do electrical work in a single-family dwelling owned and occupied by such person as such person's homestead, provided such person fulfills all of the other provisions of this Chapter. (1981 Code § 902.04)

- D. False Statements: No person shall make any false statements in connection with the filing of any affidavit with the Inspector. (Ord. 88-2, 4-25-1988)

9-2-5: **INSPECTIONS:**

- A. Inspection Required: No electrical work or wiring for which an affidavit is issued or required shall be considered complete until inspected and approved by the Inspector. (1981 Code § 901.05)
- B. Request For Inspection: The electrical contractor shall file a request for inspection with the Electrical Inspector before any electrical work done by such contractor is covered up or concealed and shall file a request for final approval within forty eight (48) hours after completion of any electrical work done by said electrical contractor. (1981 Code § 901.06)
- C. Installations Complete: Before any electric work or wiring, done under affidavits hereafter filed, shall be approved or any certificate of acceptance of the same shall be granted, the said electric work or wiring must be complete. (1981 Code § 901.07)

9-2-6: **INSPECTION FEES:**

- A. Fee Procedure: Fees established and set forth in Section 9-2-7 of this Chapter shall be paid to the Clerk-Treasurer. The Electrical Inspector shall file a monthly, bimonthly or quarterly report, as he/she sees fit, to the Clerk-Treasurer, containing all due inspection fees. (Ord. 88-2, 4-25-1988; 1997 Code)
- B. Disposition Of Funds: Ten percent (10%) of the fees shall be withheld by the City for expenses incurred. The balance shall be paid to the Inspector.
- C. Minimum Fee: In no case shall the fee charged for any permit issued be less than fifteen dollars (\$15.00).
- D. Investigation Fee: Should any person begin work of any kind such as hereinbefore set forth or for which an affidavit is required by the City Code without having filed the necessary affidavit therefor either previous to or during the day of commencement of such work, or on the next succeeding business day where such work is commenced on a Saturday, Sunday or holiday, when subsequently securing such permit, the investigation fee shall be equal to the amount of the fee required by Sections 9-2-6 and 9-2-7 of this Chapter. The payment of the investigation fee does not except any person from compliance with all other provisions of this Code nor from any penalty prescribed by law. (Ord. 88-2, 4-25-1988)

9-2-7: **ELECTRICAL AFFIDAVIT FEE SCHEDULE:**

A. Services:

1. Separate Computations: Services, change of services, temporary services, additions, alterations or repairs of either primary or secondary services shall be computed separately.

2. Fee Schedule: Fees shall be paid in accordance with the following schedule:

0 to 200 ampere capacity	\$15.00
For each additional 100 ampere capacity or fraction thereof	\$ 5.00

B. Branch Circuits And Feeders:

1. Separate Computations: Circuit, installations of, additions, alterations or repair of each circuit or subfeeder shall be computed separately including circuits from subfeeders and including the equipment served except as provided for in subsection A of this Section.

2. Fee Schedule:

0 to and including 100 ampere capacity	\$4.00
For each additional 100 ampere capacity or fraction thereof	\$2.00

C. Signs: In addition to the above fees, all transformers for signs and outline lighting shall be computed at five dollars (\$5.00) per unit.

D. Transformers And Generators:

1. Fee: Fees for all transformers and generators for light, heat and power shall be computed separately at five dollars (\$5.00) per unit plus three dollars (\$3.00) per ten (10) K.VA. or fraction thereof.

2. Unit Defined: For the purpose of computing the fees for transformers, a unit means a single transformer or a bank of transformers supplying a service.

3. Maximum Fee: The maximum fee for any unit in this category is forty dollars (\$40.00).

E. Alterations And Repairs: The fee for each affidavit for the alteration, rearrangement or repairing of existing electrical equipment or for the other electrical work not included in the above shall be five dollars (\$5.00) for the first one hundred dollars (\$100.00), or fraction thereof, in the estimated cost thereof. For each additional one hundred dollars (\$100.00), or fraction thereof, in the cost of such proposed work, two dollars (\$2.00) shall be added to the above prescribed fee for such permit.

F. Transient Projects: For inspection of transient projects, including, but not limited to, carnivals and circuses, the inspection fee shall be computed as follows:

1. Power Supply Units:

a. Fee: The fee for inspection of power supply units shall be that fee specified in subsection A of this Section.

b. Fee Required Each Engagement: Additional Inspection Time: A like fee will be required on power supply units at each engagement during the season; except that, a fee of twenty three dollars (\$23.00) per hour will be charged for additional inspection time spent by the Inspector if the power supply is not ready for inspection at the time and date specified on the request for inspection as required by law.

c. Rides, Devices, Concessions: Rides, devices or concessions shall be inspected at their first appearance of the season and the inspection fee shall be fifteen dollars (\$15.00) per unit.

2. General Inspection:

a. Inspection Each Engagement: In addition to the fee for the power supply units, there shall be a general inspection for each engagement during the season at the hourly rate, with a two (2) hour minimum.

b. Weekends, Holidays, After Hours: In addition to the above fees, inspections required on Saturdays, Sundays, holidays or after regular business hours will be at the hourly rate including travel time.

c. Notice Of Season Itinerary; Application: An owner of a migratory amusement enterprise shall notify the State Electrical Board of its season itinerary and make application for initial inspection a minimum of fourteen (14) days before its first engagement in the State.

d. Engagement Not On Itinerary: For subsequent engagements not listed on the itinerary sent to the Board, where the Board is notified at least forty eight (48) hours in advance, a charge of one hundred dollars (\$100.00) will be made in addition to all required fees. Also, a fee at the hourly rate will be charged for additional time and date specified on the request for electrical inspection.

e. Reinspection: The fee for reinspection of corrections is fifteen dollars (\$15.00) for each reinspection.

G. Maximum Fees:

1. Dwelling Units: The maximum fee on a single-family dwelling shall not exceed fifty five dollars (\$55.00) if not over two hundred (200) ampere capacity. This includes service, feeders, circuits, fixtures and equipment. This maximum fee provides for not more than one rough-in inspection and one final inspection per dwelling. The fee for each unit of a multi-family dwelling having three (3) to six (6) dwelling units shall not exceed thirty dollars (\$30.00). The fee for each multi-family dwelling exceeding six (6) units shall not exceed twenty dollars (\$20.00) per dwelling unit. This fee includes only the wiring in an individual dwelling unit and the final feeder to that unit. The fee for service and all other circuits shall be as specified in this rule, except that the fee for each house panel shall not exceed fifty five dollars (\$55.00).

2. Separate Request Required: A separate request for electrical inspection is required for each building.

3. Two-Unit Dwelling; Duplex: The fee for a two (2) unit dwelling or duplex shall be the same as for two (2) single-family dwellings.

4. Mobile Home Park Stalls: The fee for mobile home park stalls shall be six dollars (\$6.00) per unit stall exclusive of the feeder to the mobile home with a minimum fee of fifteen dollars (\$15.00) per inspection trip. The fee for permanently installed feeders shall be in accordance with subsection B of this Section.

5. Additional Fees: In addition to the above fees:

a. The maximum number of zero to thirty (30) ampere circuits to be paid on any athletic field lighting standard is ten (10).

b. A charge of one dollar (\$1.00) will be made for each street lighting standard.

c. A charge of two dollars (\$2.00) will be made for each traffic signal standard. Circuits originating within the standard will not be used in computing the fee.

d. The inspection fee for each separate inspection of a swimming pool shall be computed at fifteen dollars (\$15.00). Reinforcing steel for swimming pools requires a rough-in inspection.

- H. Remote Control And Signal Circuits: In addition to the above fees (unless included in the maximum fee filed by the initial installer), remote control, signal circuits and circuits of less than fifty (50) volts shall be computed at five dollars (\$5.00) per each ten (10) openings or devices of each system plus two dollars (\$2.00) for each additional ten (10) or fraction thereof, with a minimum fee of fifteen dollars (\$15.00) per inspection trip.
- I. State Building Permit Surcharges: State building permit surcharges as provided in the State Building Code shall be added to the fee for each affidavit issued under the provisions of this Title. The surcharge is fifty cents (\$0.50) per unit.
- J. Rough-In Inspection: Where wiring is to be concealed, the Inspector must be notified in reasonable time to complete a rough-in inspection prior to concealment, exclusive of Saturdays, Sundays and holidays. In the event wiring is concealed before rough-in inspection without adequate notice having been given to the Inspector, the person responsible for having enclosed the wiring shall be responsible for all costs resulting from uncovering and replacing the cover material. (Ord. 88-2, 4-25-1988)

9-2-8:                   **EXISTING BUILDINGS MOVED, REMODELED OR REPAIRED; COMPLIANCE REQUIRED:** When a building is altered by substantial remodeling, a change in the type of occupancy (or legalizing thereof), an increase in the number of dwelling units therein, by moving the building, or by extensive fire repairs, the wiring system shall also be remodeled to conform to the provisions of the Electrical Code. Permanent service connection will not be released to the local utility on moved buildings until wiring is completed and passes inspection, unless a separate temporary affidavit is filed, in which case temporary service will be released after inspection of service installation. (1981 Code § 901.08)

9-2-9:                   **TEMPORARY AFFIDAVITS:** The Electrical Inspector may, in his/her discretion, allow a temporary affidavit for a period not to exceed ninety (90) days for the temporary use of electric wiring not in full compliance with the requirements of the Electrical Code. In such cases, this affidavit shall state the methods and materials to be employed and the date upon which such temporary affidavit shall expire and the said temporary wiring removed. (1981 Code § 901.09)

9-2-10:                 **UNAUTHORIZED CONCEALMENT:** No person having charge of the construction, alteration or repair of any building, nor any other person, shall cover or conceal or cause to be so covered or concealed, any wiring for which an affidavit has been filed or required before the said wiring has been inspected and approved, without having officially notified the Electrical Inspector at least forty eight (48) hours previously. (1981 Code § 901.10)

9-2-11:                 **DISTURBING WIRING:** No unauthorized person shall cut, disturb, alter or change or cause to be cut, disturbed, altered electric wire cutout, fuse, apparatus, machinery or material or changed any in such a manner as to render the same inoperative, defective or not in accordance with the provisions of the Electrical Code. (1981 Code § 901.11)

9-2-12:                 **CONDEMNING DEFECTIVE WIRES, APPARATUS, MATERIALS:** Any and all generators, motors, wires or other machinery, apparatus or materials used for electrical purposes which may at any time become so defective as to be likely, in the opinion of the Inspector, to cause potential fires or accidents, or to endanger persons or property, shall be condemned by the Inspector upon written notice to the owner or occupant of said premises which notice shall specify the defective portions of said wiring, etc., and the reason for condemnation thereof. When, in the Inspector's opinion, it is deemed necessary, in order to prevent such accident or danger, said Inspector is authorized to disconnect such wires or apparatus or to cause the same to be disconnected from service. Upon such condemnation, the person owning or using the same shall immediately cause the same to be put into safe condition according to said notice. (1981 Code § 901.12)

9-2-13:           **RECONNECTING CONDEMNED WIRING OR APPARATUS:** If any person owning or using any electric wires, generators, motors or any other electrical apparatus or material of any other nature whatsoever, which has been condemned by the Inspector, shall fail to have the same put in safe condition and accepted by the Inspector within forty eight (48) hours after the same has been condemned, or within such other reasonable length of time as shall be prescribed by the Inspector, then said Inspector shall remove the fuses, cut the wires or by other means completely disconnect or cause to be disconnected the condemned wires, apparatus or material from the source of electrical energy. (1981 Code § 901.13; 1997 Code)

9-2-14:           **ACCEPTANCE BEFORE RECONNECTION:** When any electric wires, generator, motors or electrical apparatus or material of any nature whatsoever have been in any manner disconnected and rendered inoperative by the Inspector, as set forth in the foregoing sections, no person shall in any manner reconnect the same or cause the same to be reconnected to any source of electrical energy, or use the same as a part of any electrical system until they have been put in safe condition and a certificate of acceptance has been issued by the Inspector. (1981 Code § 901.14)

9-2-15:           **CITY ATTORNEY TO DEFEND:** The Electrical Inspector, when acting in his/her official capacity and within the scope of his/her duties, shall be considered as acting for and in behalf of the City in any lawsuit brought against the Electrical Inspector when so acting. The City Attorney shall represent and defend the Inspector until final determination of the cause. (1981 Code § 901.15)

9-2-1 6:           **PENALTY:**

- A.       Violation: Every person who violates any provision of this Chapter shall be guilty of a misdemeanor and subject to penalty as provided in Section 1-4-1 of this Code. (1981 Code §§ 901.14, 905.02; 1997 Code)
- B.       Continued Violation: After conviction for violation of any provision of this Chapter becomes final, the continued violation of such provision shall be and constitute a separate offense for each day such violation shall continue to exist.
- C.       Noncompliance: If noncompliance by an electrical contractor is not corrected within twenty (20) days after such conviction becomes final, said electrical contractor shall not thereafter qualify to receive any additional affidavits until proper corrections have been made. (1981 Code § 905.03)

## CHAPTER 3

### FIRE CODES

#### SECTION:

- 9-3-1: Adoption of State Code
- 9-3-2: Adoption of Appendicies
- 9-3-3: Required Permits
- 9-3-4: Administration Amendments
- 9-3-5: Organization and Enforcement
- 9-3-6: Waiver of Inspection
- 9-3-7: Liability
- 9-3-8: Violation and Penalty

9-3-1: **ADOPTION OF STATE CODE:** The Minnesota State Fire Code, one copy of which is on file in the office of the Clerk-Treasurer, is hereby adopted as the Fire Code for the City.

9-3-2: **ADOPTION OF APPENDICIES:** The following appendices are hereby adopted and their provisions shall apply:

- A. Appendix B FIRE-FLOW REQUIREMENTS FOR BUILDINGS
- B. Appendix C FIRE HYDRANT LOCATIONS AND DISTRIBUTION
- C. Appendix E HAZARD CATEGORIES
- D. Appendix F HAZARD RANKINGS
- E. Appendix G SPECIAL LOCKING ARRANGEMENTS FOR GROUP 1 OCCUPANCIES

9-3-3: **REQUIRED PERMITS:** Permits are required for the following:

- A. Operational Permits
  - 1. Carnivals and fairs
  - 2. Exhibits and trade shows
  - 3. Explosives
  - 4. Open burning
  - 5. Pyrotechnic special effects material
- B. Construction Permits
  - 1. Automatic fire-extinguishing systems
  - 2. Fire alarm and detection systems and related equipment
  - 3. Fire pumps and related equipment

4. Private fire hydrants
5. Standpipe systems
6. Hazardous materials

9-3-4: **ADMINISTRATION AMENDMENTS:** Pursuant to Section 106.1 of the Minnesota State Fire Code, Chapter 1 of the Minnesota Fire Code is amended as follows:

A. An additional section 101.2.1.1 is added that reads:

101.2.1.1 Adopted Appendices. The following appendices are hereby adopted:

1. Appendix B FIRE-FLOW REQUIREMENTS FOR BUILDINGS
2. Appendix C FIRE HYDRANT LOCATIONS AND DISTRIBUTION
3. Appendix E HAZARD CATAGORIES
4. Appendix F HAZARD RANKINGS
5. Appendix G SPECIAL LOCKING ARRANGEMENTS FOR GROUP I OCCUPANCIES

B. Section 103.1 is amended to read:

103.1 General. The department of fire prevention is established within the jurisdiction as a division of the Department of Inspections under the direction of the City Administrator. The function of the department shall be the implementation, administration and enforcement of the provisions of this code.

C. Section 103.3 is amended to read:

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction, the appointing authority shall have the authority to appoint a deputy code official(s)/Fire Inspector(s), other related technical officers, and other employees.

D. Section 104.1 is amended to read:

104.1 General. The code official is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this code, and to propose to the City Administrator and City Council policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code. All such policies, procedures, rules and regulations must be approved by the City Council.

E. Additional sections 104.1.1 and 104.1.2 are added that read:

104.1.1 Deputy/Fire Inspector Responsibilities. Under the direction of the Code Official, appointed deputies shall have the same authority to administer this code as the code official is given in section 104.1. Any time the term "Code Official" appears within this code, it shall mean Code Official or Deputy Code Official." Administrative supervision of the responsibilities of appointed deputies shall be provided by the City Administrator.

104.1.2 Consistency. The Code Official and any Deputy Code Official shall exercise consistency in the enforcement of this code.

F. Section 108.1 is renumbered to 108.4

G. Section 108.1 is replaced with the following:

108.1 Board of appeals established. As outlined in the City of Sartell Ordinance Number #02-04, any person may appeal an order or directive issued to them by the code official on issues regulated by this code. The City of Sartell Ordinance #02-04 shall guide the appeals process.

H. An additional section 108.2 is added that reads:

108.2 Limitations on authority. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall have no authority to waive requirements of this code.

I. An additional section 108.3 is added that reads:

108.3 Administration. The code official shall take action in accordance with the decision of the board.

J. Section 111.4 is amended to read:

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor.

**9-3-5: ORGANIZATION AND ENFORCEMENT:**

A. Department of Fire Prevention:

The organization of the Department of Fire Prevention shall be as established by Section 103 of the Minnesota State Fire Code. The Fire Code shall be enforced within the incorporated limits of the City.

B. Code Official:

The appointing authority shall designate the Code Official for the jurisdiction of the city pursuant to section 103.2.

C. Deputies/Fire Inspectors:

Deputies/Fire Inspectors, if any, shall be appointed by the appointing authority pursuant to section 103.3.

**9-3-6: WAIVER OF INSPECTION:** The Fire Inspector may waive such called or special inspections by the Fire Inspector allowed by Minnesota Statute, or provided he/she finds that:

A. The Fire Inspector is assured that such inspections will be conducted by a qualified independent inspector and;

B. Copies of any independent called or special inspection reports shall be made available to the Fire Inspector upon his/her request and without cost.

**9-3-7: LIABILITY:** The code official, officer or employee charged with the enforcement of this code, while acting in good faith and without malice for the jurisdiction, shall not thereby be rendered liable personally,

and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties within this code or other pertinent law or ordinances.

Any suit instituted against any officer or employee because of such an act or omission performed by the fire official or deputy in the lawful discharge of their duties and under the provisions of this code or other pertinent law or ordinances shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any deputy shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code or other pertinent law or ordinances.

9-3-8: **VIOLATION AND PENALTY:** A person who violates a provision of this code shall be guilty of a misdemeanor.