

Ordinance No 37

AN ORDINANCE REGULATING THE CONSTRUCTION OR ALTERATION OF
BUILDINGS AND REQUIRING A PERMIT THEREFORE.

The Village Council of Clearbrook, Minnesota, ordains.

ARTICLE I. GENERAL CONSTRUCTION REGULATIONS

Sec. 1. **FOUNDATIONS:** Foundation walls shall be required under every dwelling or commercial building hereafter constructed or rebuilt. Foundation walls shall be at least eight inches thick and constructed of either stone, concrete, concrete blocks, brick or other hard durable material approved by the Village Council. All foundation walls shall be carried up at least six inches above the finished grade, and walls shall be carried up at least six inches above the finished grade, and wall footings down at least two feet and six inches below the finished grade, or deeper if necessary to reach suitable bearing soil. All sheds having an area of over one hundred and twenty square feet, and all private garages built or moved hereafter shall rest on foundation walls of approved fire-proof material, which shall be at least eight inches wide and at least ten inches deep.

Sec. 2. **CHIMNEYS:** In every dwelling or commercial building hereafter erected, altered or repaired within the Village of Clearbrook all chimneys shall be constructed of brick or other incombustible material approved by the Village Council. No chimneys in any building shall be cut off below, in whole or in part, nor supported on brackets, but shall be wholly supported by masonry resting upon a footing properly constructed at least two feet and six inches below grade and deeper if necessary to rest on sound bearing soil. Chimney footing shall be of concrete of at least twelve inch depth and at least six inches larger than the chimney size each way. Brick chimneys shall be at least eight inches thick if unlined or four inches thick if lined with approved flue lining for the full height of the chimney.

Sec. 3. **STUDDINGS, JOISTS AND RAFTERS:** All studding's, joists and rafters shall be of such size and quality as to safely sustain the loads to be carried and in dwellings or commercial structures shall be spaced not greater than sixteen inches on center, except where in the opinion of the Village Council, special framing around openings shall have double headers and all carrying partitions and outside walls shall have double top plates. Window and door openings shall have double headers.

Sec. 4. **ELECTRIC WIRING:** In every building all electric wiring, apparatus or appliances for furnishing light, heat or power shall be in strict conformity with the statues of the State of Minnesota, the rules and regulations issued by the Railroad and Warehouse Commission, the State Fire Marshal and the Industrial Commission of the State of Minnesota, and in conformity with approved methods of construction for safety of life and property.

Sec. 5. **SEWER AND WATER**: Every dwelling or commercial building constructed or remodeled or placed upon any lots within the Village of Clearbrook where sewer and water mains are available in nearby streets shall be required to make water and sewer installations with proper supervision, and where no sewer is available but water connections are available, outside toilets are prohibited and septic tanks to take the place of sewer connections shall be and are hereby required.

Sec. 6. **LOCATION**: No residential building shall be constructed or placed closer than four feet from the edge of the property line based on actual survey; no commercial building shall be constructed until the owner shall first have the lot or lots upon which such building is proposed to be constructed, or located, surveyed by a registered surveyor and the boundary lines thereof clearly and plainly marked.

ARTICLE II. ENFORCEMENT AND ADMINISTRATION

Sec. 1. **PERMIT**: No person may erect nor demolish any structure of any kind or add to the outside dimensions thereof nor relocate nor build a foundation or basement under any building already constructed without first procuring a permit to do so from the Village Council. The application for the permit shall be filed with the Village Clerk, and shall state the exact site to be occupied, the material, dimensions and estimated costs of the proposed structure, the purpose for which the same is to be occupied and the probable time when the work will be started and completed. Such application shall show affirmatively and in detail that all work will comply with every provision of the building ordinances of the Village of Clearbrook. Structures hereafter erected without permit or not in conformity with the ordinances shall be removed.

No building shall be erected or moved or altered in any way until a permit has been obtained from the village Council, and they shall not issue such a permit if in their judgment the proposed structure or location of the building would seriously increase the fire hazard or deteriorate the value of the surrounding buildings.

The application for the building permit shall be accompanied by a fee of \$1.00 paid to the Village Clerk.

Sec. 2. **CORRECTION OF UNSAFE CONDITIONS**: Whenever any building or structure is found to be in a condition dangerous to its occupants, or to any other person or to adjacent property, or to be unsafe for its intended use, the Village Council shall have the authority to notify in writing the owner, agent, or person in charge thereof, requiring such changes or removal to be made as may be necessary to correct the conditions described, and they shall state the time limit for its correction, they may also place at the principal entrance of such structure a notice that it is in a dangerous condition and has been condemned by them, and it shall be unlawful for any person to remove such notice without a written permit from the Village Council.

If the owner or person in charge of such building or structure when notified shall fail to place the same in a safe condition or to adopt such emergency measures as shall have been directed within the specified time, it shall be unlawful thereafter for any person, firm or corporation to occupy or use said building or structure until it has been rendered safe.

Whenever any building or structure is being constructed or demolished in such a manner as to endanger life or property, the Village Council may order work discontinued, and it shall not be resumed until adequate measures have been taken for safety.

Sec. 3. **PENALTIES**: Any building altered in any way or erected or moved in violation of this ordinance shall be condemned and removed or made to conform hereto. The erection or alteration or moving hereafter of any building in violation hereof shall be a misdemeanor, and any person convicted thereof shall be fined by a fine of not less than One Dollar (\$1.00) nor more than One Hundred Dollars (\$100.00) or imprisonment in the county jail for not more than ninety days (90) in any case.

The imposition of one penalty for any violations of this ordinance shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violation or defects within a reasonable time, and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

The application of the penalty above shall not be held to prevent the enforcement or removal of prohibited conditions.

ARTICLE III. DUTIES

Sec. 1. The duty of the Village Council shall be to pass on all applications for building permits in accordance with this ordinance and to issue building permits in compliance with this ordinance, and to pass upon all matters referred to the Council under this ordinance, all permits and rulings to have final approval of the Village Council.

ARTICLE IV. GENERAL PROVISIONS

Sec. 1. Any previous ordinance or parts of ordinances which may be found to conflict with the provisions of this ordinance are hereby repealed.

Sec. 2. The provisions of this ordinance and each part thereof, and each section and part thereof, are independent and separable, and if any provision or part thereof, or any section or part thereof, be held to be unconstitutional or invalid, no provision or part thereof, or section or part thereof, shall thereby be impaired or rendered unconstitutional or invalid.

Sec. 3. This ordinance shall take effect and be in force from and after its adoption and publication.

Adopted this 4th day of June 1959.
Walter Stoker, Village Clerk

Lowell W. Johnson, Mayor