

## Chapter 4

### Construction 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); (2) the 1985 Uniform Building Code; and, (3) the Minnesota Plumbing Code. One copy of said code shall be marked CITY OF BADGER – OFFICIAL COPY and kept on file in the office of the City Clerk-Treasurer and open to inspection and use by the public.

**Section 4.02. Building Permits Required.** It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure, or any part or portion thereof, without first obtaining a separate building or mechanical permit for each such building, structure or mechanical components from the City.

**Section 4.03. Permit Fees.** Fees for permits under this Chapter, which may include a surcharge, shall be determined by the Council and fixed by its resolution, a copy of which shall be in the office of the City Clerk-Treasurer and uniformly enforced.

*Source: City Code  
Effective Date: 1/1/1991*

*(Sections 4.04 through 4.19, inclusive, reserved for future expansion.)*

### **Section 4.20. 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 State-aid 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 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.

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 dimensions, weight, and approximate loaded height of the structure of 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.

**Subd. 3. Permit and Fee.** The moving permit shall state date or dates of moving, hours, routing, movement and parking. Permits shall be issued only for moving buildings by building movers licensed by the State of Minnesota, except that a permit may be issued to a person moving his own building, or a person moving a building which does not exceed 16 feet in width, 24 feet in length, or 14 feet in loaded height. Fees to be charged shall be separate for each of the following: (1) a moving permit fee to cover use of streets and route approval, and (2) a fee equal to the anticipated amount required to compensate the City for any municipal utility and public property (other than streets) repairs or alterations occasioned by such movement. All permit fees shall be paid in advance of issuance.

**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 on the premises of origin and filing written proof of such payment with the City.

**Subd. 6. Denial of a Permit.** Any permit under this Section shall be denied upon a finding of any one of the following:

A. The building is in such state of deterioration or disrepair or is otherwise so structurally unsafe that it would constitute a danger to persons or property in the City.

B. The building is structurally unsafe or unfit for the purpose for which moved, if the location to which the building is to be moved is in the City.

C. If the location to which the building is to be moved is in the City, the building is in substantial variance with either the established or the expected pattern of building development within the neighborhood to which the building is to be moved. Comparative age, bulk, architectural style and quality of the construction of both the building to be moved and the buildings existing in the neighborhood shall be considered in determining whether a building is in substantial variance.

*Source: City Code  
Effective Date: 1/1/1991*

*(Sections 4.21 through 4.98, inclusive, reserved for future expansion.)*

**Section 4.99. Violation a Misdemeanor.** Every person violates a section, subdivision, paragraph or provision of this Chapter when he performs and 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.