



STAFF REPORT

DATE: 7/18/2017
CONSENT
ITEM #: 16
MOTION

TO: City Council

FROM: Michael Bent, Building Official

AGENDA ITEM: Approve adoption of the 2017 Lake Elmo Property Maintenance Code

REVIEWED BY: Kristina Handt, City Administrator, Sarah Sonsalla, City Attorney

BACKGROUND:

The City of Lake Elmo last adopted the Lake Elmo Property Maintenance Code in May of 2013. At that time, the Lake Elmo Property Maintenance Code referenced the 2006 International Property Maintenance Code. The reference to the 2006 International Property Maintenance Code is outdated and not aligned with the remaining family of codes in effect.

The previous code omitted the IPMC's appeals process found in Section 111. The City Code previously had an appeal process under the administrative citation section of the code which has been repealed. The appeal process found in Section 111 of the IPMC is therefore added back into the code.

The previous code omitted the IPMC section 302.4 Weeds. Section 302.4 Weeds is being added back in the code.

ISSUE BEFORE COUNCIL:

The City Council is being asked to adopt Ordinance 08-181 which adopts the Lake Elmo Property Maintenance Code and references the 2012 International Property Maintenance Code.

PROPOSAL DETAILS/ANALYSIS:

The State of Minnesota has updated the family of building and regulatory codes to reflect the reference to the 2012 International Codes.

The current Lake Elmo Property Maintenance Code is outdated and references the 2006 International Property Maintenance Code.

The Lake Elmo Property Maintenance Code should reflect the 2012 International Property Maintenance Code which will align the Lake Elmo Property Maintenance Code with the other model codes in effect in the City.

FISCAL IMPACT:

None

OPTIONS:

1. Adopt Ord. 08-181 as presented.
2. Amend Ord.. 08-181 and adopt as amended.
3. Do not adopt Ord.08-181

RECOMMENDATION:

Staff recommends the City Council adopt Ord. 08-181, Approve adoption of the 2017 Lake Elmo Property Maintenance Code as proposed as part of the consent agenda.

If removed from the consent agenda, Staff recommends the following motion:

“Motion to adopt Ord No. 08-181 approving the adoption of the 2017 Lake Elmo Property Maintenance Code.

ATTACHMENTS:

Ordinance NO. 08-181

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-181

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title XV, Chapter 150: General Provisions; International Property Maintenance Code, Sections 150.325 - 150.326 of the Lake Elmo Code of Ordinances to read as follows:

INTERNATIONAL PROPERTY MAINTENANCE CODE

§ 150.325 ADOPTION BY REFERENCE.

The City of Lake Elmo does hereby adopt, by reference, the year ~~2006~~2012 edition of the International Property Maintenance Code, as hereinafter amended pursuant to this subchapter, as the Property Maintenance Code of the City of Lake Elmo.

§ 150.326 AMENDMENTS.

(A) The year ~~2006~~ 2012 edition of the International Property Maintenance Code adopted by this subchapter is hereby modified by deleting the following sections: 103.2, 103.3, ~~302.4, and sections 111.1 through 111.8.~~

(B) The year ~~2006~~ 2012 edition of the International Property Maintenance Code adopted by this subchapter is hereby amended by modifying the following denominated sections thereof to read as hereinafter set forth:

(1) *Chapter 1.*

101.1 For the purpose of this article, these regulations shall be known as the Property Maintenance Code of the City of Lake Elmo, hereinafter referred to as this code.

102.3 Application of Other Codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Minnesota State Building Code. Nothing in this code shall be construed to cancel, modify or set aside any of the provisions of the City of Lake Elmo Zoning Code.

103.1 Enforcement. Responsibility for enforcement of this code shall be vested in the City's Building Official's Office. The City's Building Official is hereby appointed as the code official for the purposes of this code and employees acting under his or her discretion and control shall be deemed to be deputy code officials.

103.5 Fees. The fees for activities and services performed by the department carrying out its responsibilities under this Code shall be determined by the City Council.

(2) *Chapter 3.*

304.14 Insect Screens. During the period from May 15 to October 31 every door window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

(3) *Chapter 6.*

602.3 Heat Supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from September 1 to May 31 to maintain a temperature of not less than 68°F (20°C) in all habitable rooms.

602.4 Occupiable Work Spaces. Indoor occupiable work spaces shall be supplied with heat during the period from September 1 to May 31 to maintain a temperature of 65°F (18°C) during the period the spaces are occupied.

(4) *Chapter 8.*

800 General References. Whenever this code refers to the International Building Code, the ICC Electrical Code, the International Fire Code, the International Mechanical Code, or the International Plumbing Code, such references shall be deemed to the comparable applicable Code as adopted by the State of Minnesota. Whenever this code shall refer to the International Zoning Code, such references shall be deemed to be Chapter 154 of the Lake Elmo City Code.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 3. Adoption Date. This Ordinance 08-181 was adopted on this 18th day of July, 2017, by a vote of __ Ayes and __ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 08-__ was published on the ____ day of _____, 2017.