

Sec. 33.03. - Permits—When required.

- (a) *Building and general construction.* No person shall construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure without first obtaining a building permit from the building official. Permits for building or general construction are not required for repairs for maintenance only or for minor alterations provided they are not required under the state building code, this chapter or other pertinent provisions of the Saint Paul Legislative Code, and provided the cost of such repairs and minor alterations does not exceed the present market value of five hundred dollars (\$500.00).
- (b) *Plumbing.* No person shall install, remove, alter, repair, or replace or cause to be installed, removed, altered, repaired or replaced any plumbing, gas or drainage piping work, standpipe system, sprinkler system, or any fixture or water heating or treating equipment in a building or premises without first obtaining a permit to do such work from the building official. A separate permit shall be obtained for each building or structure.
- (c) *Mechanical.* No person shall install, alter, reconstruct, or repair any heating, ventilating, cooling, refrigeration equipment or process piping and/or equipment without first obtaining a permit to do such work from the building official. A separate permit shall be obtained for the equipment installed in each building or structure.
- (d) *Electrical.* No person shall perform any new electrical installation in any construction, remodeling, replacement or repair, except minor repair work as defined by the state board of electricity, without first obtaining a permit to do such work from the building official. A separate permit shall be obtained for each building or structure.
- (e) *Work to be done by permittee only:*
 - (1) A permittee issued a permit pursuant to this chapter shall be responsible for all work done under said permit.
 - (2) Business required to be licensed pursuant to chapter 369 of the Legislative Code: No one other than the permittee or an employee under the direct supervision and control of the permittee or a qualified subcontractor licensed pursuant to chapter 369 of the Legislative Code shall work or cause any work to be done under said permit.
- (f) *Work done on dangerous structures, nuisance buildings and vacant buildings.*
 - (1) No persons shall be issued a permit pursuant to this chapter, excluding a demolition permit, for any building determined to be a dangerous structure under chapter 43 or nuisance building under chapter 45 of the Saint Paul Legislative Code, or a vacant building as defined under section 43.02(7)(c), (d), (e) or (f) without first filing for and receiving a certificate of code compliance inspection under section 33.06 or filing for and receiving a certificate of occupancy inspection under this chapter. Any application for a permit issued under this chapter, with the exception of a demolition permit, for work to be done on a building determined to be a dangerous structure or nuisance building must be accompanied by a deposit of five thousand dollars (\$5,000.00). Such monies shall be deposited with the department of safety and inspections to be held at an interest rate to be established by that department until such time as the monies are refunded to the permittee or forfeited to the city under the provisions of this section. In lieu of the five thousand dollar (\$5,000.00) deposit, a performance bond in the same amount running in favor of the city may be submitted with the application for the permit.
 - (2) Except as otherwise specified in this section, a certificate of compliance under section 33.06 or a certificate of occupancy under section 33.05 must be obtained within six (6) months from the date of the original certificate of compliance or certificate of occupancy inspection. One (1) six-month time extension beyond the initial six-month time limitation may be requested by the owner and will be considered by the building official if it can be shown that the code compliance work is proceeding expeditiously and is more than fifty (50) percent complete or if unforeseen conditions have had significant schedule impact on the completion of work.

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The provisions for completion of rehabilitation within six (6) months and the six-month extension apply only to property not presently subject to any orders issued to the property pursuant to chapter 43 or 45 of the Saint Paul Legislative Code by the department of safety and inspections, the department of fire and safety services or the city council. Notwithstanding the time limitation established under this section, the city council reserves the right to shorten the time period for completion of the rehabilitation through any order or resolution issued pursuant to chapter 43 and sections 45.10 and 45.11 of this Code.

In the event the building is restored to habitable condition and a certificate of compliance and/or certificate of occupancy is obtained within the time limits set out herein, the five thousand dollars (\$5,000.00) is eligible to be refunded with interest by the department of safety and inspections.

- (3) If a certificate of compliance or certificate of occupancy is not issued within the time period authorized pursuant to this section, all monies deposited may be forfeited without refund to the city and the city may proceed with a substantial abatement action under the provisions of chapter 45 of this Code.
- (4) If the city council determines that it is in the public interest to grant additional time to complete the rehabilitation of the building(s) to habitable condition, it may, by resolution, grant an additional six (6) months for the property to be restored to habitable condition. One (1) six-month time extension beyond this time limitation may be requested by the owner and will be considered by the building official if it can be shown that the code compliance work is proceeding expeditiously and is more than fifty (50) percent complete or if unforeseen conditions have had significant schedule impact on the completion of work.

If the initial five thousand dollars (\$5,000.00) deposit or performance bond has been forfeited for lack of progress, the city council reserves the right to increase the amount of the required deposit or performance bond to continue work on the dangerous structure, nuisance or vacant building to ten thousand dollars (\$10,000.00); the purpose of said bond shall be to off-set potential city expenses associated with abating nuisance conditions.

- (5) No building subject to the restrictions of this section shall be used for occupancy until such time as the certificate of compliance and/or certificate of occupancy relating to that building has been issued. Rehabilitation undertaken by the department of planning and economic development shall be exempt from the requirement for a cash deposit.
- (6) In order to maintain and improve decent, safe and sanitary residential housing and for the purpose of protecting the health, welfare and safety of the public, no person shall sell, purchase, give or transact a change in title or property ownership of any building, dwelling or dwelling unit, structure, or any portion thereof, which is intended for residential occupancy and has been designated as a dangerous structure under Leg. Code § 43.02(1), a vacant building under Leg. Code § 43.02(7), (c), (d), (e) or (f), or a nuisance building under Leg. Code § 45.03, without first obtaining the appropriate certificate of occupancy or compliance from the building official required under this chapter or fire certificate of occupancy from the fire marshal required under Leg. Code Chap. 40.

Transfer of ownership in certain vacant buildings classified under Leg. Code § 43.02(7.1) as a Category I or a Category II building may be exempt from the provisions of this section provided that the prospective buyer of a Category I building:

- a. Pays all outstanding vacant building fees;
- b. Submits for approval a complete vacant building registration form;
- c. Obtains a truth in sale of housing report meeting the requirements of Leg. Code Chap. 180.

And further provided that the prospective buyer of a Category II building:

- d. Complies with all the requirements under subsections a - c under this subdivision for Category I buildings; and
- e. Either posts a performance bond in the amount estimated as necessary to cover the estimated costs of repairs or deposits with the department of safety and inspections that sum of money necessary to cover the estimated costs of repairs. This bond or cash deposit shall be in addition to any other bond or deposit required under subdivision (f) of this section.
- f. Submits for approval a schedule for completion of the repairs.
- g. Obtains a vacant building rehabilitation permit.

Transfer of ownership in Category I, II, or III buildings and structures shall be exempt from the provisions of this section where the acquisition of such buildings or structures is transacted by the Housing and Redevelopment Authority for the City of Saint Paul (the "HRA") or by a person acting in conjunction with and for the convenience of the HRA.

- (g) *Grading.* No person shall perform any filling or excavating activity on a property unless such activity is in accordance with the provisions of Appendix E (Grading) of the 2007 Minnesota State Building Code, as amended from time to time, and the requirements herein.
 - (1) Unless grading activity is included in a general building permit, a grading permit shall be required for the placement, removal or movement of more than fifty (50) cubic yards of fill.
 - (2) Only clean fill may be deposited as fill material on the property.
 - (3) Grading activities in excess of ten thousand (10,000) square feet require site plan review in accordance with section 61.402(a) of the Saint Paul Legislative Code.
 - (4) The property owner and/or permittee shall be responsible for the grading on site.
 - (5) Erosion and sediment control installation shall be established as set forth in the Minnesota Pollution Control Agency's Manual for Protecting Water Quality in Urban Areas. The property owner and/or permittee shall be responsible for maintaining any required erosion and sediment control installations. This maintenance requirement shall also include sediment laden runoff onto adjacent properties or public ways.
 - (6) All soil stockpiles greater than ten (10) cubic yards shall be located at least twenty-five (25) feet from a road, drainage channel or storm water inlet. If left for more than seven (7) days, the stockpile shall be stabilized with mulch, vegetation, tarps or other means.
- (h) *Posting.* The building or general construction permit shall be posted on the premises in a conspicuous location such that the information on the permit can be read from the outside of the premises.
- (i) *High pressure piping.* No person shall construct or install a high pressure piping system without obtaining a permit from the department of safety and inspections. Such permit shall be issued and all constructions or installations shall be in compliance with Minnesota Rules, parts 5230.0250 to 5230.6200, as amended. Permits shall only be issued to persons holding a high pressure piping business license issued by the state.

(Code 1956, § 25.03; Ord. No. 16854, 11-19-81; Ord. No. 17250 § 2, 6-13-85; Ord. No. 17587, § 1, 9-13-88; Ord. No. 17681, § 1, 10-3-89; Ord. No. 17866, § 1, 8-13-91; Ord. No. 17867, § 3, 8-13-91; C.F. No. 92-662, § 1, 8-6-92; C.F. No. 97-761, § 1, 7-9-97; C.F. No. 97-1423, § 3, 12-22-97; C.F. No. 97-1407, § 1, 12-10-97; C.F. No. 99-227, § 1, 4-14-99; C.F. No. 99-751, § 1, 9-1-99; C.F. No. 03-33, § 1, 2-12-03; C.F. No. 03-887, § 2, 11-5-03; C.F. No. 04-175, § 1, 3-3-04; C.F. No. 05-294, § 2, 4-27-05; C.F. No. 05-1095, § 1, 12-28-05; C.F. No. 06-1132, § 1, 1-24-07; C.F. No. 07-149, § 4, 3-28-07; C.F. No. 08-212, § 2, 3-26-08; C.F. No. 07-1194, § 1, 7-9-08; C.F. No. 08-1080, § 3, 10-22-08; C.F. No. 09-96, § 1, 2-11-09; C.F. No. 09-983, § 1, 10-28-09)