

CHAPTER 9

HOUSES, BUILDINGS AND STRUCTURES

BUILDING STRUCTURES AND MOBILE HOMES

9.101. Fire Limits Established. The following blocks and lots constitute the fire limits in the City:

Block 1, Block 2, Block 5 and Block 6 ◀
of the Original Plat of the City of Lucan.

9.102. Building Construction Materials. No building or structure of any description or kind shall be constructed or placed within the City of Lucan unless said building or structure shall be constructed in compliance with the Uniform Fire Code for the State of Minnesota as the same may hereafter be amended from time to time. The City Council, with the approval of the State Fire Marshall, may grant variances from the minimum requirement specified in the Code, as authorized by Minnesota Statute 229F.011.

9.103. Repair of Damaged Buildings. No wooden buildings within said fire limits shall be repaired and replaced when the same shall have been damaged by fire or otherwise, to the extent of fifty percent of the value thereof.

9.104. Moving Wooden Buildings into Fire Limits. No person shall move any wooden building or structure from any part, section or lot within or without said fire limits, to any part, section or lot within said fire limits.

9.105. Permission for Construction Required. No building shall be erected within the City without a permit obtained in writing from the Council. The written permission shall be granted by the clerk at the direction of the Council. The permit shall specify the location of said building, the time in which it is to be erected, a description of the size and a description of the materials to be used in constructing said building. Said permit shall not be construed to authorize the erection of any building in such a manner as to conflict with this ordinance.

9.106. Repair or Rebuilding at the Cost of the Builders. Any house, building, structure, chimney replaced, removed, built or repaired contrary to the provisions of this ordinance shall be torn down and moved by and under the direction of the Council and the costs of such tearing down and removal shall be charged against the owner and/or builder thereof. Said costs may be recovered in civil action against both or either of them.

9.107. Commercial Buildings. No commercial buildings (except apartment houses) shall be constructed in any residential area.

9.108. Residential Area Defined. A residential area is any area of the City completely surrounded by residential homes.

9.109. Mobile Homes. No mobile homes shall be located in any residential area of the City as defined in Section 9.108 unless permission is first obtained from the City Council. Prior to issuance of permission, the City Council may in its discretion first hold a public hearing on the matter and if a hearing is to be held it shall be preceded by two weeks published notice. The notice shall give the name of the applicant, location of the property, brief description of its intended use and the date, time and place of the hearing.

9.110. Moving, Razing or Relocation of Buildings in the City.

A. Application. In addition to the other required information to be furnished in the application for a building permit required under this Ordinance, the applicant shall provide the approximate size and weight of the structure or building proposed to be moved, razed or demolished, together with the places from and to which it is proposed to move the same, and the route to be followed.

B. Bond Required. Before any permit is granted, a bond, approved by the corporate counsel and in such amount as the City Council may require based on its estimated valuation, shall be deposited with the City Clerk conditioned to indemnify the City for damage to any street or other public property, and in the case of razing or demolition, completion of the work within the time specified in the permit, which work will include filling any pit, basement or other excavation and the complete sodding thereof. In lieu of the bond, the applicant may submit a certified check for the amount of the bond payable to the City of Lucan, which amount shall be returned upon the successful completion of the work in accordance with the terms of the application and permission granted.

C. Subdivision Application. This Subdivision applies whether the building or other structure proposed to be moved starts from a point of origin within or without the City and is to a point of destination within or without the City, or whether the movement is merely through the City with both a point of origin and destination without the City.

D. Open Pits, Basements and Other Excavations. It is unlawful for any person owning or in control of real estate to have any pit, basement, well, septic tank, cesspool, swimming pools or other excavation on said premises open and without protection for the public, except drainage ditches or park ponds.

a. If such excavation is open for seventy-two (72) hours or less, it shall be protected by use of flares or lights at night and a railing or other temporary protection during the day.

b. If it shall be permanently installed, it shall be protected with a chain link fence of at least 48 inches high, night and day.

9.111. Violations and Penalties. Any person violating any provision of this Ordinance shall be guilty of a petty misdemeanor and upon conviction thereof may be subject to a fine not to exceed the maximum fine permitted by law. Each day that a violation continues shall be considered a separate offense.