

City of Ramsey
Agenda
Personnel Committee
Tuesday August 27, 2013

5:30 p.m.
Lake Itasca Room, 7550 Sunwood Drive NW

- 1. Call to Order**
- 2. Citizen Input**
- 3. Approve Agenda**
- 4. Committee Business**
 1. Review Process for the City Administrator's Annual Performance Evaluation
 2. Resolution to End a Part-time Building Maintenance Worker's Probation
 3. Resolution to Hire a Building Official and to Continue Working with the City of St. Francis
 4. Resolution to Recruit for an Engineering Technician III
- 5. Adjournment**

Personnel Committee

4. 1.

Meeting Date: 08/27/2013**By:** Colleen Lasher, Administrative Services**Title:**

Review Process for the City Administrator's Annual Performance Evaluation

Background:

The purpose of this discussion is to consider broadening the City Administrator's performance evaluation by inviting key community partners to participate in the City Administrator's annual 360 degree performance evaluation. As per Mr. Ulrich's Employment Agreement with the City, a 360 degree performance evaluation is completed each year. The upcoming performance evaluation will cover September 18, 2012 through September 17, 2013.

To date, all of Mr. Ulrich's performance evaluations have included feedback from 1) the City Council, 2) direct reports, and 3) Mr. Ulrich. However, Mayor Strommen suggested that the Personnel Committee consider broadening the performance evaluation to include input from key community partners. This may be a good way to get feedback from outside the organization-especially with regard to the various essential functions that relate more specifically to the community rather than within the organization.

The Committee may want to consider inviting key community partners from groups such as the Quad City Cable Commission, civic groups, the school district, the Anoka Area Chamber of Commerce, Ramsey business owner(s), or others.

Notification:

Staff is currently seeking input regarding this proposal from other cities; this information will be shared at the Personnel Committee meeting.

Observations/Alternatives:

Option #1: Revise the process for the City Administrator's upcoming performance evaluation to include input from key community partners; specifics to be determined based on discussion. Pros: Additional performance related feedback from another perspective. Cons: Additional administrative resources.

Option #2: Do not revise the current process, hence, keeping the current participants as they are now (1) the City Council, 2) direct reports, and 3) Mr. Ulrich.

Option #3: The Personnel Committee may approve, reject or modify this proposal as desired.

Recommendation:

If the Committee so desires, staff recommends option #1, with a maximum addition of three or four new participants. If option #1 is selected, staff recommends that the Committee provide advance direction with regard to participation being either limited to three or four new participants specifically identified; or, to three or four new participants based upon a predetermined list--selected in order of availability and desire to participate.

Motion by the Personnel Committee to direct staff to to revise the process for the City Administrator's upcoming performance evaluation to include input from key community partners; participants to be determined based on discussion.

Funding Source:

There is no funding needed.

Council Action:

Not applicable.

Form Review

Inbox

Kurt Ulrich

Reviewed By

Kurt Ulrich

Date

08/22/2013 03:02 PM

Form Started By: Colleen Lasher

Started On: 08/16/2013 10:19 AM

Final Approval Date: 08/22/2013

Personnel Committee

4. 2.

Meeting Date: 08/27/2013

By: Colleen Lasher, Administrative Services

Title:

Resolution to End a Part-time Building Maintenance Worker’s Probation

Background:

Mr. Jeff Strelow was hired for the position of part-time Building Maintenance Worker on February 26, 2013 and was subject to a six-month probationary period. Mr. Strelow has successfully completed the required six-month probationary period. Staff recommends retaining Mr. Strelow as a regular part-time employee.

Notification:

This case will appear on the regular agenda of tonight's City Council meeting as part of the Report from the Personnel Committee.

Observations/Alternatives:

Recommendation:

To remove Mr. Strelow from probation effective August 27, 2013 and retain him as part-time Building Maintenance Worker.

Funding Source:

There are no additional funds required to remove Mr. Stelow from probation.

Council Action:

Motion to adopt resolution 13-08-142 which confirms the recommendation of the Personnel Committee to remove Mr. Jeff Strelow from probation and retain him as a part-time regular Building Maintenance Worker.

Attachments

Resolution

Form Review

Inbox
Kurt Ulrich

Reviewed By
Kurt Ulrich

Date

08/22/2013 08:39 AM

Form Started By: Colleen Lasher

Started On: 08/16/2013 10:21 AM

Final Approval Date: 08/22/2013

Councilmember introduced the following resolution and moved for its adoption:

RESOLUTION #13-08-142

**RESOLUTION TO END A PART-TIME BUILDING MAINTENANCE
WORKER'S PROBATION**

WHEREAS, Mr. Jeff Stelow began working as a part-time Building Maintenance Worker on February 27, 2013, and was subject to a six-month probationary period; and

WHEREAS, Mr. Stelow has successfully completed the required six-month probationary period; and

WHEREAS, staff recommends removing Mr. Stelow from probation effective August 27, 2013, and retaining him as a part-time Building Maintenance Worker.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

Motion to adopt resolution 13-08-0142 confirming the recommendation of the Personnel Committee to end the probationary period for Jeff Stelow, effective August 27, 2013 and retain him as the part-time regular Building Maintenance Worker. .

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember , and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 27th day of August, 2013.

Personnel Committee

4. 3.

Meeting Date: 08/27/2013**By:** Colleen Lasher, Administrative Services

Title:

Resolution to Hire a Building Official and to Continue Working with the City of St. Francis

Background:

On May 28, 2013, the City Council directed staff to end contracted Building Official services and to recruit for a City Building Official. Staff conducted this recruitment and received twenty-seven applications, sixteen of which met the minimum position requirements and eight candidates were interviewed. At this time, staff recommends hiring Mr. Rick Jarson, effective on or near September 16, 2013, at \$31.23 per hour (step 1 of the 2013 wage scale) with a credit of 10 vacation days. Mr. Jarson has successfully passed the City's background check, reference checks, physical and drug screen, as well as the work-style assessment.

Due to a spike in Building Division activity, staff found it necessary to utilize the services of neighboring cities and found the Saint Francis Chief Building Official to be particularly beneficial with a high level of expertise. Staff proposes continuing this relationship with Saint Francis by utilizing Mr. Andy Schreder for Chief Building Official services--limited to ten to twelve hours per week to provide additional expertise and to serve as a back-up Building Official during times of leave, etc.

Staff anticipates the hours necessary to contract with Saint Francis (St. Francis would invoice the City of Ramsey) would be offset by a reduction in hours provided by Inspectron, Inc. The City would likely experience a cost savings under this scenario due to a lower hourly rate contracting with Saint Francis. Inspectron Inc. would continue to be available in order to meet customer needs during times of spikes in activity levels. Staff feels that this proposal provides the City with a great degree of flexibility in moving forward.

As a side note, in the future, there may be an opportunity to develop a mutually beneficial shared services agreement for specialty inspection services such as mechanical inspections or plumbing inspections; this will be brought forward for City Council consideration at a later date.

Notification:

This case will appear on the regular agenda of tonight's City Council meeting as part of the Report from the Personnel Committee.

The May 14, 2013 Personnel Committee case and draft minutes are attached for review. The case was unanimously approved by the City Council on May 28, 2013.

Observations/Alternatives:

Option #1: Hire Mr. Rick Jarson as the City's new Building Official and to continue limited shared services with the Saint. Francis Chief Building Official. The pros on this option include having a non-contracted full-time Building Official on staff, providing the City and staff with the greatest flexibility in meeting customer' needs, and having a trained back-up Building Official to cover leaves, etc. The cons are that the City would be adding to its fixed staff costs, however, as the May presentation on this topic indicated, the activity level for now and the foreseeable future, make this the most practical and cost-effective option.

Option #2: Hire Mr. Rick Jarson as the City's new Building Official and discontinue limited services with the Saint Francis Chief Building Official. The pros to this option are having a non-contracted full-time Building Official on staff. The cons would include less flexibility in meeting customers' needs and a lack of a trained back-up Building

Official. Inspectron could also be used as a back-up, but at a higher price than utilizing St. Francis.

Option #3: Hire Mr. Rick Jarson as the City's new Building Official and direct staff based on discussion.

Recommendation:

To make a motion, which upon City Council approval, will authorize staff to move ahead with option #1 above to: Hire Mr. Rick Jarson as the City's new Building Official, effective on September 16, 2013, at \$31.23 per hour (step 1 of the 2013 wage scale) with a credit of 10 vacation days and to continue limited services with the Saint Francis Chief Building Official, as needed, but not to exceed an average of ten to twelve hours per week.

Funding Source:

The Building Official position is a component of the General Fund. Expenses of the Building Division are paid by Building Permit revenue collected when Building Permits are issued. Assuming revenue projections in the 2013 budget are met, the costs of the position would already be covered as part of the current Professional Services Line Item. In response to revenue projections, the base permit levels are currently exceeding those year to date in 2012. The estimated 2013 budgetary impact, assuming a mid-September start date, is approximately \$26,540 to \$30,876. This excludes the required buy-out payment (i.e., 10% of the first year's salary) which would be due to Inspectron, Inc.

Council Action:

Motion to approve resolution #13-08-145, which confirms the recommendation of the Personnel Committee to hire Mr. Rick Jarson as the City's new Building Official, effective on September 16, 2013, at \$31.23 per hour (step 1 of the 2013 wage scale) with a credit of 10 vacation days and to continue limited services with the Saint Francis Chief Building Official, as needed, but not to exceed an average of ten to twelve hours per week.

Attachments

PC Case from 05-14-13

PC Draft Minutes from 05-14-13

Resolution

Form Review

Inbox	Reviewed By	Date
Tim Gladhill	Tim Gladhill	08/21/2013 03:08 PM
Colleen Lasher (Originator)	Colleen Lasher	08/21/2013 03:42 PM
Kurt Ulrich	Kurt Ulrich	08/22/2013 08:49 AM
Form Started By: Colleen Lasher		Started On: 08/16/2013 10:22 AM
	Final Approval Date: 08/22/2013	

Personnel Committee

4. 3.

Meeting Date: 05/14/2013

Submitted For: Tim Gladhill

By: Colleen Lasher, Administrative Services

Title:

Consider Authorization to End Contracted Building Official Services and Recruit a Regular, Full-Time Building Official

Background:

Staff is seeking authorization to end contracted Building Official services and to recruit for a regular, full-time Building Official. Per Minnesota State Building Code, the City is required to have a Building Official, whom is responsible for the local administration of the code, in some capacity. The City currently chooses to contract for professional services for this role. This is more of a leadership role for the Building Division compared to solely building inspection and plan review services. By recruiting a regular, full-time Building Official, that position can take a more active role in the daily management of the division, thus reducing the workload of existing staff, allowing time for other important tasks. The City's approach to delivering inspection and plan review services by way of contracted employee would not change.

In December of 2011, the City began contracting for Building Official services due to a vacancy in the position. The City had already been contracting for building inspection and plan review services. As part of this restructuring, it was determined that the Building Official role would be evaluated in six (6) months to determine a long term solution to this role. On July 10, 2012, the City Council discussed the potential to recruit a Building Official in Work Session. At that time, City Council chose to continue to contract for Building Official services. The 2013 Strategic Plan identifies a potential recruitment of a Building Official.

The Building Division is currently comprised of a Building Official (contract services-40 hours per week), a Building Inspector (contracted services-10 to 40 hours per week), a Permit Technician, and is supervised by the Development Services Manager. As part of the expense analysis of the Building Division, Staff recommends that the Building Official is needed 40 hours per week in order to provide timely response to plan review, inspections, customer service inquiries, administrative projects, and code enforcement throughout the year. This analysis is based on current and trending permit levels. It should be noted that a portion of the Building Official's time is spent on activities that are not directly tied to an active Permit review or inspection (such as administrative tasks and code enforcement activities). Some of these activities are delayed during peak permit levels to allow Staff to focus on administration of active permits.

The current contracted services provided by Inspectron, Inc. have been positive and have provided good customer service in a timely manner. Staff would recommend to retain Inspectron for the remainder of the services, such as building inspection, currently provided by this firm.

Notification:

No notification is required.

Observations/Alternatives:

Strategic Goals

As part of the 2013 City Council Strategic Goals, Staff has been analyzing expenses related to the administration of building permits, as well as the most cost effective way to deliver these services while providing continuity and stability in an efficient manner. The 2013 Strategic Plan notes a recruitment of a Building Official, a position that is currently being served by contracted services. After a full calendar year of analysis of contracting for Building Official services, it appears that recruiting a Building Official as a full-time, regular City employee remains fairly budget neutral. In addition, Staff is currently exploring ways to effectively and efficiently deliver these services.

Staff is currently exploring such things as ePermits, electronic/wireless field data entry, and streamlined/automated reporting; many of which have already been implemented.

The current rate for contracted services with Inspectron is \$50 per hour. Current service levels have required 40 hours per week of Building Official services and 20-30 hours per week of building inspection and plan review services. Specific to the Building Official function (not base inspection and plan review), it is assumed that the need is 2,000 hours of work hours required for the Building Official. The potential annual budgetary impacts are estimated at \$100,000. However, in 2012, the budgetary impact was \$91,000. Note: Due to the fact that the original contract was to provide building inspection and plan review services, and did not include providing Building Official services, it is anticipated that the contract may need to be revised to reflect the actual services provided in the future. Staff would recommend that the City remain with contract services for building inspection and plan review services on an as needed basis. Contracted services allow the City to respond better to seasonal variations in service level needs. In addition, the contracted services provide access to additional areas of expertise and review.

However, contracted services for the Building Official role presents the possibility of disruption in the continuity of delivery of services. There are two (2) options to consider for providing Building Official services, depending on the level of guaranteed coverage the City Council is comfortable in providing. Option 1 would be to hire a Building Official as a regular, full-time employee of the City. This option would appear to be the preferred option if the City Council decides 40 hours of coverage per week is necessary year round. However, Option 2 would be to continue with contracted services for the Building Official. This option would be acceptable if the City Council is comfortable in assuming that the Building Official hours could be reduced in the non-peak times, thus creating some gaps in coverage.

The City does not have full control over assignments directed by the contracted services. The contracted service could decide to re-assign its staff over time to other locations resulting in the loss of expertise and know how specific to Ramsey. As each community has slightly different processes, rates, and permit software, it is necessary to provide the individual contractor with professional development related to the City's unique features and culture. Naturally, there are direct and indirect costs involved in contractor development and staff is concerned with potential turnover.

Staff would recommend an external recruitment to hire a full-time regular Building Official. Given the current fees paid for contracted Building Official services and the City's current Building Official pay scale, the net savings to the City could be approximately \$16,000 the first year with continued savings in years 2, 3, 4, 5. Year 6 (step 6---top of the scale) would be the only year when costs would be slightly more than the contracted rate (approximately \$1,972.00 more). These calculations include salary and benefits, are based on the 2012 pay scale, and are estimates only. The current contract for services is for \$50 per hour. Since the City does not pay vacation time to the contracted employee, the maximum number of hours paid for a full-time equivalent is 2,000 hours (\$50 x 2,000 hours = \$100,000). Savings would still be realized in monitoring contracted inspection hours and using only as needed. Finally, it is anticipated that the rate may increase slightly if the City chooses to continue to contract for Building Official services, which is in addition to the original scope of the contract. The current supervision structure is proposed to remain in place, with the Development Services Manager leading the Planning Division and the Building Division.

Note: The two (2) individuals currently serving Ramsey in contracted services would not be eligible for an internal recruitment. It is important to note that the contract with Inspectron includes a 'buy-out' clause if the City chooses to hire a current employee of Inspectron within one (1) of said employee providing service to the City. Said buy-out would be 10% of the employee's first year annual salary with the City.

Alternatives

Alternative #1 - Recruit for a full-time, regular employee to serve as the Building Official. Based on the size of the City, size of the organization and department, and sustained permit levels, Staff recommends that the City recruit a full-time regular Building Official. Based on the Development Services Manager's observations over the past two (2) years, this appears to be the most efficient way for the City to deliver the services of administering the Building Code. Staff is comfortable making this recommendation, as it appears to be fairly budget neutral in the early

stages of the pay scale of the position. In terms of long-range goals for the Community Development Department, Staff recommends that this is the most logical way to deliver the services in an efficient, consistent, and quality manner.

Alternative #2 - Remain with the current contracted employee arrangement for Building Official services. For reasons already mentioned above, Staff does not recommend this alternative at this time. That being said, the current arrangement has worked in an effective manner. Staff would be comfortable in continuing this arrangement if the City Council is comfortable with the current service levels and potential for more frequent turnover in the position.

Recommendation:

Staff recommends that the City Council authorize Staff to begin a recruitment to hire a regular, full-time Building Official.

Funding Source:

The Building Official position, whether a regular, full-time employee or contracted services, is a component of the General Fund. Expenses of the Building Division are paid by Building Permit revenue collected when Building Permits are issued. Assuming revenue projections in the 2013 budget are met, the costs of the position would already be covered as part of the current Professional Services Line Item. In response to revenue projections, the base permit levels are currently exceeding those year to date in 2012.

Council Action:

Motion to recommend that the City Council authorize Staff to begin a recruitment to hire a regular, full-time Building Official.

Attachments

Building Inspection Services Contract

Minnesota Rules Chapter 1300 (Administration of Building Code)

Building Permit Trends

2012 Building Permit Revenue

2013 Building Permit Revenue Year to Date

Form Review

Inbox	Reviewed By	Date
Colleen Lasher (Originator)	Colleen Lasher	05/08/2013 05:44 PM
Diana Lund	Diana Lund	05/09/2013 07:40 AM
Kurt Ulrich	Kurt Ulrich	05/09/2013 11:32 AM
Form Started By: Colleen Lasher		Started On: 05/07/2013
	Final Approval Date: 05/09/2013	

BUILDING INSPECTION SERVICES AGREEMENT

This agreement (this "Agreement") is entered into this 22 day of January 2010 by and between Inspectron, Inc., a Minnesota corporation with its principle place of business located at 15120 Chippendale Ave., Rosemount, MN, 55068 ("Inspectron") and the City of Ramsey an incorporated Minnesota city with its principle offices located at 7550 Sunwood Dr. N.W. Ramsey MN 56043 ("City").

WHEREAS, the City has adopted the Minnesota Building code (the "Code");

WHEREAS, the City requires building inspection services to ensure compliance with the Code;

WHEREAS, the City desires to enter into an agreement for the purchase of building inspection services with Inspectron; and

WHEREAS, Inspectron desires to provide such services to the City,

NOW THEREFORE, upon adequate consideration, the receipt and sufficiency of which is acknowledged, the parties hereto agree as follows:

1. **Inspection services.** During the term of this agreement, Inspectron agrees to perform inspection services as outlined in the proposal dated November 13, 2009 (attached hereto as Exhibit A).
2. **Condition of Inspection Services.**
 - a) City agrees to provide Inspectron with access to pertinent information, records, systems and data, as determined necessary in the discretion of Inspectron. The city shall provide all required forms. Inspectron shall assist in the responsibilities of administration and enforcement of the City's zoning ordinance by reviewing, as directed by the city, certain building permits for final zoning approval and land use. City shall hold Inspectron harmless and indemnify Inspectron from any and all claims that arise or may arise from zoning, land use, ordinances or incomplete or incorrect information on the permit application, except in the case of gross negligence by Inspectron. Such indemnification and hold harmless shall specifically include damages, claims costs and reasonable attorney fees.
 - b) Inspectron shall perform the services under this Agreement at such location and at such times as Inspectron deems appropriate while providing the coverage requested by the City.
 - c) Inspectron shall provide all tools, and communication devices it deems necessary to carry out the field services of this Agreement. The City shall provide an inspection vehicle and appropriate desk space for use by Inspectron employees for plan review, in the event plan review services are requested by the City.

- d) All employees of Inspectron performing services hereunder shall be certified State of Minnesota building inspectors.
- e) Inspectron agrees to proceed diligently and in accordance with its usual course and manner of business in providing the services requested by the city herein. Inspectron may at its discretion retain subcontractors in the performance of this agreement. Inspectron shall notify the City in the event a sub-contractor will be used. Inspectron is contractually responsible for all service provided including any subcontracted labor. Inspectron agrees to perform additional services, to which the parties agree during the term of this contract under the terms and conditions of this agreement.

3. **Term of Agreement.** This Agreement is effective commencing January 25, 2010 and shall consist of a period of six months of service. This Agreement may be automatically extended upon such terms and conditions as contained herein.

4. **Non-exclusive Agreement.** Inspectron acknowledges that the City is not granting it by this Agreement, the exclusive right to perform all of the City's commercial and residential building inspections and or plan reviews. The services performed by Inspectron shall be only those specifically directed by the City's Building Official.

5. **Payment.** In consideration of such consulting work, the City agrees to pay to Inspectron under the following schedule:

- a). Commercial and Residential inspections performed by qualified employees: \$50 hour
- b) Commercial and Residential Plan Review performed by qualified employees: \$50 hour

Hourly charges are inclusive of equipment charges, communication charges and overhead.

Work will be billed on a monthly basis and shall be due and payable upon receipt of such billing. The City upon receipt of such billing shall pay within 30 days.

Payments more than 30 days delinquent shall accrue a 1.5 percent monthly finance charge.

6. Notwithstanding the Agreement terms outlined in the November 13, 2009 "Proposal to the City of Ramsey", the City does not by this Agreement, contract with Inspectron for a minimum number of hours per week. The number of hours required of Inspectron shall be at the sole discretion of the City.

7. **Confidentiality.** Subject to compliance by the City with the State of Minnesota data practices laws, the City agrees that it will not reveal divulge or make known to any person, firm, or corporation any secret or confidential information during or after the term of this agreement. Confidential information shall be defined as knowledge, systems,

practices or other information submitted in writing or other tangible form designated as confidential by Inspectron. The City shall use such confidential information for the limited purposes of this agreement.

8. **No Employment Relationship.** Nothing in this Agreement shall be construed to create an employment, partnership, joint venture, license or agency relationship between the parties hereto and neither party shall have the right or authority to bind the other. For purposes of this Agreement, Inspectron shall be deemed an independent contractor. Inspectron's employees shall not be entitled to any employment benefits customarily given to City employees.

9. **Inspectron Employees.** The City agrees that it will not hire any of Inspectron's employees, who have provided services under this agreement, during the term of this contract or for a period of one year after the expiration or termination of this agreement, without the express written consent of Inspectron. In the event the City hires such Inspectron employee(s) (with or without express written consent of Inspectron); the City shall notify Inspectron and pay a fee of ten (10%) percent of the employee's 1st year annual salary with the City. Such payment shall be due upon the commencement of employment with the City.

10. **Termination.** This Agreement may be terminated by either party without cause upon forty-five (45) days written notice. Such termination shall not affect the rights and obligations of the parties accrued prior to the termination date or rights under paragraphs 3 and 4 above.

11. **Assignability.** This Agreement is not assignable by either party without the prior written consent of the non-assigning party.

12. **Law.** This Agreement shall be governed by the law of the State of Minnesota. The parties agree that the venue of any legal action arising under this Agreement shall be Anoka County, Minnesota. The parties further agree that in the event either party brings an action against the other to enforce any condition or covenant of this Agreement the prevailing party shall be entitled to recover its court costs and reasonable attorney fees in the judgment rendered in such action.

13. **Severability.** If any provision of this Agreement shall be held by any court of competent jurisdiction to be illegal, invalid or unenforceable, such provision shall be construed and enforced as if it had been more narrowly drawn so as to be legal, valid or enforceable. Such illegality, invalidity or unenforceability shall not have effect upon or impair the enforceability of any other provision of this Agreement.

14. **Indemnification.** Any and all claims that arise or may arise against Inspectron, its agents, servants or employees as a consequence of any act or omission on the part of Inspectron or its agents, servants, or employees while engaged in the performance of this Agreement shall in no way be the obligation or responsibility of the City. Inspectron shall indemnify, hold harmless and defend the City, its officers and employees against any and all liability, loss, costs, damages, expenses, claims or actions, including

attorney's fees which the City, its officers or employees may hereafter sustain, incur or be required to pay, arising out of or by reason of any act or omission of Inspectron, its agents, servants or employees, in the execution, performance, or failure to adequately perform Inspectron's obligations pursuant to this Agreement.


Inspectron shall further indemnify the City against all liability and loss in connection with, and shall assume full responsibility for, payment of all federal, state and local taxes or contributions imposed or required under employment insurance, social security and income tax laws, with respect to Inspectron employees engaged in performance of this Agreement.

15. Entire Agreement. This Agreement constitutes the entire agreement between the parties. This Agreement may be amended only by written agreement of both the City and Inspectron.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year first written above.

City

Inspectron, Inc.

By: 
Its: Mayor

By: 
Its: President.

ATTEST:

By: 
Its: City Administrator

"Exhibit A"

INSPECTRON INC.

**Proposal for Building Inspection and Related Services for
City of Ramsey**

**Attention:
Mick Kaehler, Building Official
7550 Sunwood Drive NW
Ramsey, MN 55303**

November 13, 2009

Proposal to City of Ramsey MN

Scope of Services

Inspectron, Inc. proposes to provide part time building inspection and related services to the City of Ramsey. This service is intended to include inspecting properties and enforcing the Minnesota State Building Code under the direction of the City Building Official. This service will be provided for both residential and commercial projects.

Building Inspection

Inspectron Inc. will inspect properties and enforce the Minnesota State Building Code under the direction of the City Building Official.

Plumbing Code

Inspectron Inc. will provide enforcement and administration of the Minnesota State Plumbing Code and plumbing plan review services.

Rental Housing Inspection

Inspectron Inc. will be responsible for inspecting and enforcing the City's Rental Housing Ordinance, including but not limited to inspecting rental housing for license renewal, responding to complaint inspections and performing administrative tasks associated with the enforcement of the Rental Housing Ordinance.

Additional Duties:

Work regarding the above referenced codes and ordinances involves responsibility for plan review, scheduling, and inspection of residential and commercial buildings and other structures in regard to conformity with code requirements and technical standards, any administrative work in support of those duties assigned herein and enforcement. Work also involves determining building permit valuations for inspected construction projects and providing the City with Code revisions that are either desirable or required. These duties also include complaint investigations, hazardous building inspections and assistance with the prosecution of building code and hazardous building violations.

Other Services

Inspectron Inc. is also willing and able to provide the following services at the request of the City:

On-site Sewage Disposal Systems

Inspectron Inc. will provide On-site Sewage Disposal System review and inspections with its staff of MPCA certified inspectors. This would include review of new system designs, inspection of new and replacement installations and compliance inspections as necessary. All system installations will be documented with a record as built form.

Zoning Enforcement Scope of Services

At the request of the City, Inspectron Inc. will also enforce junk and other public nuisance complaints through thorough investigation, notification and assistance to the City Attorney with prosecution as necessary. Inspectron will provide fair and consistent nuisance enforcement that will include written inspection reports and necessary correspondence to the violator. Violation citations will be issued for all non-responsive, uncooperative violators.

Terms

Inspectron will have personnel available as needed 15-20 hours per week to cover the inspection services outlined in the Scope of Services. This schedule can be increased as necessary to meet the needs of the City.

Inspectron, Inc. will provide effective, efficient and expedient service by utilizing its team of inspectors and plan review staff for inspections and plan reviews. A designated inspector will be assigned but the full staff of Inspectron Inc. will be available. Ron Wasmund will serve as the Project Manager.

Inspectron, Inc. will provide the services listed in the Scope of Services at the hourly rate of \$50.00/per hour. Services will be billed to the City on a monthly basis.

Inspectron, Inc. will provide the services listed in the Onsite Sewage Disposal Systems Scope of Work at the hourly rate of \$50.00/per hour. Services will be billed to the City on a monthly basis.

Inspectron, Inc. will provide the services listed in the Zoning Enforcement Scope of Services at the hourly rate of \$65.00/per hour and will be added to the monthly invoice.

All communication, tools and insurance costs will be the direct responsibility of Inspectron, Inc. A Certificate of Insurance indicating all required insurance will be provided upon execution of a service agreement.

Inspections requested outside of normal business hours, M-F 8:00 a.m. to 4:30 p.m. will be billed \$75.00 per hour. A 1-hour minimum will apply.

Statement of Understanding

We/I have read the City's Request for Proposal (RFP) for part-time consulting services and fully understand its intent. We/I certify that we have adequate personnel, equipment and facilities to provide the City's requested services. We/I have thoroughly examined the RFP requirements, and our proposed fees cover all the services that we have indicated we can provide.

Respectfully Submitted,

Ron Wasmund
President
Inspectron Inc.

MINNESOTA RULES, CHAPTER 1300

ADMINISTRATION OF THE STATE BUILDING CODE

1300.0010 ADMINISTRATION.

This chapter provides administrative provisions for all Minnesota State Building Code rule chapters identified in part 1300.0050. If specific administrative provisions are provided in a statute or rule chapter, the specific administrative provisions apply.

Chapter 1315 shall be administered according to chapter 3800, and the Minnesota Electrical Act, Minnesota Statutes, sections 326.01, and 326.241 to 326.248. Provisions of this chapter that do not conflict with the Minnesota Electrical Act also apply.

1300.0020 TITLE.

The chapters listed in part 1300.0050, including the standards they adopt by reference, are the Minnesota State Building Code and may be cited as or referred to as the "code."

1300.0030 PURPOSE AND APPLICATION.

Subpart 1. **Purpose.** The purpose of this code is to establish minimum requirements to safeguard the public health, safety, and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

The purpose of the code is not to create, establish, or designate a particular class or group of persons who will or should be especially protected or benefited by the terms of the code.

Subp. 2. **Application.**

A. The code applies statewide except as provided in Minnesota Statutes, sections 16B.72 and 16B.73, and supersedes the building code of any municipality. The code does not apply to agricultural buildings except with respect to state inspections required or rulemaking authorized by Minnesota Statutes, sections 103F.141, subdivision 8, and 326.2441.

B. The codes and standards referenced in a rule chapter are considered part of the requirements of the code to the prescribed extent of each reference. If differences occur between provisions of the code and referenced codes and standards, the provisions of the code apply.

C. In the event that a new edition of the code is adopted after a permit has been issued, the edition of the code current at the time of permit application shall remain in effect throughout the work authorized by the permit.

1300.0040 SCOPE.

The code applies to the construction, alteration, moving, demolition, repair, and use of any building, structure, or building service equipment in a municipality, except work located primarily in a public way, public utility towers and poles, mechanical equipment not specifically regulated in the code, and hydraulic flood control structures. Structures classified under part 1300.0070, subpart 12a, as IRC 1, IRC 2, IRC 3, and IRC 4 occupancies not more than three stories above grade plane in height with separate means of egress shall comply with chapter 1309 and other applicable rules. Other buildings and structures and appurtenances connected or attached to them shall comply with chapter 1305 and other applicable rules.

Exception: The following structures that meet the scope of chapter 1305 shall be

designed to comply with Minnesota Rules, chapter 1311:

- (1) existing buildings undergoing repair, alteration, or change of occupancy; and
- (2) historic buildings.

If different provisions of the code specify different materials, methods of construction, or other requirements, the most restrictive provision governs. If there is a conflict between a general requirement and a specific requirement, the specific requirement applies.

If reference is made in the code to an appendix, the provisions in the appendix do not apply unless specifically adopted by the code. Optional appendix chapters of the code identified in part 1300.0060 do not apply unless a municipality has specifically adopted them.

1300.0050 CHAPTERS OF MINNESOTA STATE BUILDING CODE.

The Minnesota State Building Code adopted under Minnesota Statutes, section 16B.61, subdivision 1, includes the following chapters:

- A. 1300, Minnesota Building Code Administration;
- B. 1301, Building Official Certification;
- C. 1302, State Building Code Construction Approvals;
- D. 1303, Special Provisions;
- E. 1305, Adoption of the International Building Code;
- F. 1306, Special Fire Protection Systems;
- G. 1307, Elevators and Related Devices;
- H. 1309, Adoption of the International Residential Code;
- I. 1311, Minnesota Conservation Code for Existing Buildings;
- J. 1315, Adoption of the National Electrical Code;
- K. 1325, Solar Energy Systems;

- L. 1335, Floodproofing Regulations;
- M. 1341, Minnesota Accessibility Code;
- N. 1346, Minnesota Mechanical Code;
- O. 1350, Manufactured Homes;
- P. 1360, Prefabricated Structures;
- Q. 1361, Industrialized/Modular Buildings;
- R. 1370, Storm Shelters (Manufactured Home Parks);
- S. 4715, Minnesota Plumbing Code; and
- T. 7670, 7672, 7674, 7676, and 7678, Minnesota Energy Code.

1300.0060 OPTIONAL ADMINISTRATION.

The following chapters of the code are not mandatory but may be adopted without change by a municipality which has adopted the code:

- A. chapter 1306, Special Fire Protection Systems;
- B. grading, IBC appendix chapter J; and
- C. chapter 1335, Floodproofing Regulations, parts 1335.0600 to 1335.1200.

1300.0070 DEFINITIONS.

Subpart 1. **Scope; incorporation by reference.** The definitions in this part apply to parts 1300.0010 to 1300.0250. For terms that are not defined through the methods authorized by this chapter, the Merriam-Webster Collegiate Dictionary, available at www.m-w.com, shall be considered as providing ordinarily accepted meanings. The dictionary is incorporated by reference, is subject to frequent change, and is available through the Minitex interlibrary loan system.

Subp. 2. **Administrative authority.** "Administrative authority" means a municipality's governing body or its assigned administrative authority.

Subp. 3. **Adult day care center.** "Adult day care center" means a facility that provides adult day care to functionally impaired adults on a regular basis for periods of less than 24 hours a day in a setting other than a participant's home or the residence of the facility operator.

A. "Class E" means any building or portion of a building used for adult day care purposes, by more than five occupants, for those participants who are capable of taking appropriate action for self-preservation under emergency conditions as determined according to part 9555.9730, and must meet Group E occupancy requirements.

B. "Class I" means any building or portion of a building used for adult day care purposes, by more than five occupants, for those participants who are not capable of taking appropriate action for self-preservation under emergency conditions as determined according to part 9555.9730, and must meet Group I, Division 4 occupancy requirements.

Subp. 4. **Agricultural building.** "Agricultural building" means a building that meets the requirements of Minnesota Statutes, section 16B.60, subdivision 5.

Subp. 5. **Building official.** "Building official" means the municipal building code official certified under Minnesota Statutes, section 16B.65, subdivisions 2 and 3.

Subp. 6. **Building service equipment.** "Building service equipment" refers to the plumbing, mechanical, electrical, and elevator equipment, including piping, wiring, fixtures, and other accessories, that provides sanitation, lighting, heating, ventilation, cooling, refrigeration, firefighting, and transportation facilities essential to the occupancy of the building or structure for its designated use and occupancy.

Subp. 7. **City.** "City" means a home rule charter or statutory city.

Subp. 8. **Code.** "Code" means the Minnesota State Building Code adopted under Minnesota Statutes, section 16B.61, subdivision 1, and includes the chapters identified in part 1300.0020.

Subp. 9. **Commissioner.** "Commissioner" means the commissioner of administration.

Subp. 10. **Designate.** "Designate" means the formal designation by a municipality's administrative authority of a certified building official accepting responsibility for code administration.

Subp. 10a. **Family adult day services.** "Family adult day services" means a program providing services for up to eight functionally impaired adults for less than 24 hours per day in the license holder's primary residence according to Minnesota Statutes, section 245A.143. This includes programs located in residences licensed by the Department of Human Services for adult foster care, provided that not more than eight adults, excluding staff, are present in the residence at any time.

Subp. 11. **Family day care home.** "Family day care home" means a residence or portion of a residence licensed by the Department of Human Services under chapter 9502 for no more than ten children at one time of which no more than six are under school age, and must meet Group R, Division 3 occupancy requirements.

Subp. 12. **Group day care home.** "Group day care home" means any residence or portion of a residence licensed by the Department of Human Services under chapter 9502 for no more than 14 children at any one time, and must meet Group R, Division 3 occupancy requirements.

Subp. 12a. **International residential code (IRC) occupancy classifications.** International residential code (IRC) occupancy classifications are as follows:

IRC 1 single family dwellings;

- IRC 2 two family dwellings;
- IRC 3 townhouses; and
- IRC 4 accessory structures:
 - A. garages;
 - B. storage sheds; and
 - C. similar structures.

Subp. 13. **Mandatory terms.** "Mandatory terms" include "must" and "shall," which have the same meaning.

Subp. 14. **Manufactured home.** "Manufactured home" has the meaning given in Minnesota Statutes, section 327.31, subdivision 3, and for the purpose of determining occupancy separations, is considered a Group IRC 1 occupancy.

Subp. 15. **Master plan.** "Master plan" is a plan that has been reviewed for code compliance by the building official and stamped "Reviewed for Code Compliance."

Subp. 16. **Mayor and city council.** "Mayor" and "city council" mean governing body whenever they appear in the code.

Subp. 17. **Municipality.** "Municipality" means a city, county, or town; the University of Minnesota; or the state of Minnesota for public buildings and state licensed facilities.

Subp. 18. **Outpatient clinic.** "Outpatient clinic" means a building or part of a building used to provide, on an outpatient basis, surgical treatment requiring general anesthesia, kidney dialysis, or other treatment that would render patients incapable of unassisted self-preservation under emergency conditions. "Outpatient clinic" includes outpatient surgical centers, but does not include doctors' and dentists' offices or clinics for the practice of medicine or the delivery of primary care. Outpatient clinics must meet Group B occupancy requirements.

Subp. 19. **Performance-based design.** An engineering approach to design elements of a building based on agreed upon performance goals and objectives, engineering analysis, and quantitative

assessment of alternatives against the design goals and objectives, using accepted engineering tools, methodologies, and performance criteria.

Subp. 20. **Recyclable materials.** "Recyclable materials" means materials that are separated from mixed municipal solid waste for the purpose of recycling, including paper, glass, plastic, metals, automobile oil, and batteries. Refuse-derived fuel or other material that is destroyed by incineration is not a recyclable material.

Subp. 21. **Recycling.** "Recycling" means the process of collecting and preparing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.

Subp. 22. **Residential hospice facility.** "Residential hospice facility" means a facility located in a residential area that directly provides 24 hour residential and support services in a home like setting for one to 12 persons who have been diagnosed as terminally ill with a probable life expectancy of under one year. A residential hospice facility must meet IBC Group R 4 occupancy requirements.

Subp. 23. **Supervised living facility.** "Supervised living facility" means a facility in which there is provided supervision, lodging, meals, and according to the rules of the Minnesota Department of Human Services and the Minnesota Department of Health, counseling and developmental habilitative or rehabilitative services to persons who are mentally retarded, chemically dependent, adult mentally ill, or physically disabled.

A. "Class A-1 supervised living facility" means a supervised living facility for ambulatory and mobile persons who are capable of taking appropriate action for self-preservation under emergency conditions as determined by program licensure provisions

for six or fewer persons, and must meet Group R, Division 3 occupancy requirements.

B. "Class A-2 supervised living facility" means a supervised living facility for ambulatory and mobile persons who are capable of taking appropriate action for self-preservation under emergency conditions as determined by program licensure provisions for seven to 16 persons, and must meet Group R, Division 4 occupancy requirements. Facilities with more than 16 persons must meet Group I-1 occupancy requirements.

C. "Class B-1 supervised living facility" means a supervised living facility for ambulatory, nonambulatory, mobile, or nonmobile persons who are not mentally or physically capable of taking appropriate action for self-preservation under emergency conditions as determined by program licensure provisions for six or fewer persons, and must meet Group R, Division 3 occupancy requirements.

D. "Class B-2 supervised living facility" means a supervised living facility for ambulatory, nonambulatory, mobile, or nonmobile persons who are not mentally or physically capable of taking appropriate action for self-preservation under emergency conditions as determined by program licensure provisions for seven to 16 persons, and must meet Group R, Division 4 occupancy requirements.

E. "Class B-3 supervised living facility" means a supervised living facility for ambulatory, nonambulatory, mobile, or nonmobile persons who are not mentally or physically capable of taking appropriate action for self-preservation under emergency conditions as determined by program licensure provisions for over 16 persons, and must meet Group I, Division 2 occupancy requirements.

Subp. 24. **State building official.** "State building official" means the person who,

under the direction and supervision of the commissioner, administers the code.

Subp. 25. **State licensed facilities.** "State licensed facilities" means a building and its grounds that are licensed by the state as a hospital, nursing home, supervised living facility, free-standing outpatient surgical center, or correctional facility.

Subp. 26. **State-owned buildings.** "State-owned buildings" means buildings and structures financed in whole or in part by state funds that are under the exclusive jurisdiction and custodial control of one or more state department or agency.

1300.0080 CODE ADOPTION AND AMENDMENTS.

Under Minnesota Statutes, section 16B.61, the code is adopted and periodically updated to include current editions of national model codes in general use and existing statewide specialty codes and their amendments.

Under Minnesota Statutes, section 16B.64, subdivisions 5 and 6, amendments to the code may be proposed and initiated by any interested person. Proposed amendments must be submitted in writing on a form provided by the commissioner.

1300.0090 DEPARTMENT OF BUILDING SAFETY.

Subpart 1. **Creation of enforcement agency.** There is hereby established in the municipality a code enforcement agency and the official in charge is the designated building official. The agency is referred to in the code as the "Department of Building Safety."

Subp. 2. **Appointment.** The building official shall be designated by the municipality according to Minnesota Statutes, section 16B.65.

1300.0100 [Repealed, 19 SR 1340]

1300.0110 DUTIES AND POWERS OF BUILDING OFFICIAL.

Subpart 1. **General.** The building official shall enforce the code. The building official may render interpretations of the code and adopt policies and procedures in order to clarify its application. The interpretations, policies, and procedures shall be in conformance with the intent and purpose of the code. The policies and procedures shall not have the effect of waiving requirements specifically provided for in the code.

Subp. 2. **Deputies.** According to the prescribed procedures of the municipality and with the concurrence of the appointing authority, the building official may designate a deputy building official and related technical officers, inspectors, plan examiners, and other employees. The employees have the powers delegated by the building official.

Subp. 3. **Applications and permits.** The building official shall receive applications, review construction documents, and issue permits for the erection, alteration, demolition, moving, and repair of buildings and structures, including all other equipment and systems regulated by the code. The building official shall inspect the premises for which the permits have been issued and enforce compliance with the code.

Subp. 4. **Notices and orders.** The building official shall issue all necessary notices and orders to ensure compliance with the code. Notices and orders shall be in writing unless waived by the permit applicant, contractor, owner, or owner's agent. Notices and orders shall be based on the edition of the code under which the permit has been issued.

Subp. 5. **Inspections.** The building official shall make all of the required inspections or accept reports of inspection by approved agencies or individuals. Results of inspections shall be documented on the job site inspection card and in the official records of the municipality, including type of

inspection, date of inspection, identification of the responsible individual making the inspection, and comments regarding approval or disapproval of the inspection. The building official may engage expert opinion necessary to report upon unusual technical issues that arise.

Subp. 6. **Identification.** The building official and deputies shall carry proper identification when inspecting structures or premises in the performance of duties under the code.

Subp. 7. **Right of entry.** If it is necessary to make an inspection to enforce the code or if the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition contrary to or in violation of the code that makes the structure or premises unsafe, dangerous, or hazardous, the building official or designee may enter the structure or premises at reasonable times to inspect or to perform the duties imposed by the code, provided that if the structure or premises is occupied, credentials must be presented to the occupant and entry requested. If the structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

Subp. 8. **Department records.** The building official shall be responsible for official records of applications received, plans, specifications, surveys, plot plans, plan reviews, permits and certificates issued, reports of inspections, and notices and orders issued. The records shall be retained for the period required for the retention of public records under Minnesota Statutes, section 138.17. Department records shall be maintained by the municipality and readily available for review according to Minnesota Statutes, section 13.37.

Subp. 9. **Liability.** The building official, member of the Board of Appeals, or employee charged with the enforcement of the code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by the code or other pertinent laws or ordinances, is not rendered personally liable and is relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate is not liable for cost in any action, suit, or proceeding that is instituted in pursuance of the code.

Subp. 10. **Approved materials and equipment.** Materials, equipment, and devices approved by the building official shall be constructed and installed in the approved manner.

Subp. 11. **Used material and equipment.** The use of used materials that meet the requirements of the code for new materials is permitted. Used equipment and devices shall not be reused unless approved by the building official.

Subp. 12. **Modifications.** If there are practical difficulties involved in carrying out the provisions of the code, the building official may grant modifications for individual cases, upon application by the owner or owner's representative, provided the building official finds that special individual reason makes the strict letter of the code impractical, the modification is in compliance with the intent and purpose of the code, and the modification does not lessen health, life, and fire safety or structural requirements. The details of action granting modifications

shall be recorded and entered in the files of the Department of Building Safety.

Subp. 13. **Alternative materials, design, and methods of construction and equipment.** The code is not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by the code, provided that any alternative has been approved. An alternative material, design, or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the code, and that the material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed in the code in quality, strength, effectiveness, fire resistance, durability, and safety. The details of any action granting approval of an alternate shall be recorded and entered in the files of the Department of Building Safety.

Subp. 14. **Performance-based fire and life safety design.** The code official may approve performance-based fire and life safety designs if the code official finds that the proposed design has been conducted by an approved method. Approved performance-based designs are evidence of compliance with the intent of the code. Approvals under this subpart are subject to the approval of the building code official whenever the design involves matters regulated by the building code.

A. Design goals, objectives, and performance criteria shall be approved by the code official before submission of a performance-based design report, calculations, or analysis results. As a minimum, an approved performance-based design shall address the following objectives:

- (1) life safety of occupants;
- (2) firefighter safety;
- (3) property protection;

- (4) continuity of operations; and
- (5) safeguarding of the environment.

B. To determine the acceptability of a performance-based design, the code official may require the owner or agent to provide, without charge to the jurisdiction, a technical opinion and report. The code official may require the technical opinion and report to be prepared by, and bear the stamp of, a licensed design professional.

C. Performance-based designs shall be prepared by, and bear the stamp of, a licensed design professional competent in the area of work. The design professional shall provide written confirmation to the code official before a certificate of occupancy is issued that the performance-based design has been properly implemented, the operation or use of the building is within the limitations of the design, and adequate controls are in place to maintain compliance with the conditions of the design throughout the life of the building.

Subp. 15. **Tests.** If there is insufficient evidence of compliance with the code, or evidence that a material or method does not conform to the requirements of the code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the municipality. Test methods shall be as specified in the code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of the tests shall be retained by the building official.

1300.0120 PERMITS.

Subpart 1. **Required.** An owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any gas,

mechanical, electrical, plumbing system, or other equipment, the installation of which is regulated by the code; or cause any such work to be done, shall first make application to the building official and obtain the required permit.

Subp. 2. **Annual permit.** In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical, or plumbing installation, the building official may issue an annual permit upon application for the permit to any person, firm, or corporation regularly employing one or more qualified trade persons in the building, structure, or on the premises owned or operated by the applicant for the permit.

Subp. 3. **Annual permit records.** The person to whom an annual permit is issued shall keep a detailed record of alterations made under the annual permit. The building official shall have access to the records at all times or the records shall be filed with the building official as designated.

Subp. 4. **Work exempt from permit.** Exemptions from permit requirements of the code do not authorize work to be done in any manner in violation of the code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

A. Building:

(1) one-story detached accessory structures, used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet (11.15 mm²);

(2) fences not over six feet (1,829 mm) high;

(3) oil derricks;

(4) retaining walls that are not over four feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or III-A liquids;

(5) water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1;

(6) sidewalks and driveways that are not part of an accessible route;

(7) decks and platforms not more than 30 inches (762 mm) above adjacent grade and not attached to a structure with frost footings and which is not part of an accessible route;

(8) painting, papering, tiling, carpeting, cabinets, countertops, and similar finish work;

(9) temporary motion picture, television, and theater stage sets and scenery;

(10) prefabricated swimming pools installed entirely above ground accessory to dwelling units constructed to the provisions of the International Residential Code or R 3 occupancies constructed to the provisions of the International Building Code, which do not exceed both 5,000 gallons in capacity (18,925 L) and a 24 inch (610 mm) depth;

(11) window awnings supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support, when constructed under the International Residential Code or Group R 3 and Group U occupancies constructed to the provisions of the International Building Code;

(12) movable cases, counters, and partitions not over five feet, nine inches (1,753 mm) in height;

(13) agricultural buildings as defined in Minnesota Statutes, section 16B.60, subdivision 5; and

(14) swings and other playground equipment.

Unless otherwise exempted, plumbing, electrical, and mechanical permits are required for subitems (1) to (14).

B. Gas:

(1) portable heating, cooking, or clothes drying appliances;

(2) replacement of any minor part that does not alter approval of equipment or make the equipment unsafe; and

(3) portable fuel cell appliances that are not connected to a fixed piping system and are interconnected to a power grid.

C. Mechanical:

(1) portable heating appliances;

(2) portable ventilation appliances and equipment;

(3) portable cooling units;

(4) steam, hot, or chilled water piping within any heating or cooling equipment regulated by this code;

(5) replacement of any part that does not alter approval of equipment or make the equipment unsafe;

(6) portable evaporative coolers;

(7) self contained refrigeration systems containing ten pounds (4.5 kg) or less of refrigerant or that are actuated by motors of one horsepower (0.75 kW) or less; and

(8) portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

D. Plumbing: See chapter 4715 for plumbing work that is exempt from a permit.

E. Electrical: an electrical permit is not required if work is inspected by the State Board of Electricity or is exempt from inspection under Minnesota Statutes, section 326.244. Obtaining a permit from the Board of Electricity does not exempt the work from other Minnesota State Building Code requirements relating to electrical equipment, its location, or its performance.

Subp. 5. **Emergency repairs.** If equipment replacements and repairs must be

performed in an emergency situation, the permit application shall be submitted to the building official within the next working business day.

Subp. 6. **Repairs.** Application or notice to the building official is not required for ordinary repairs to structures. The repairs shall not include the cutting away of any wall, partition, or portion of a wall or partition, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement, or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring, or mechanical or other work affecting public health or general safety.

Subp. 7. **Application for permit.** To obtain a permit, the applicant shall file an application in writing on a form furnished by the Department of Building Safety for that purpose. The application shall:

A. identify and describe the work to be covered by the permit for which application is made;

B. describe the land on which the proposed work is to be done by legal description, street address, or similar description that will readily identify and definitely locate the proposed building or work;

C. indicate the use and occupancy for which the proposed work is intended;

D. indicate the type of construction;

E. be accompanied by construction documents and other information as required by the code;

F. state the valuation of the proposed work;

G. be signed by the applicant, or the applicant's authorized agent; and

H. give other data and information required by the building official.

Subp. 8. **Action on application.** The building official shall examine or cause to be examined applications for permits and amendments within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject the application and notify the applicant of the reasons. The building official shall document the reasons for rejecting the application. The applicant may request written documentation of the rejection and the reasons for the rejection. When the building official is satisfied that the proposed work conforms to the requirements of the code and applicable laws and ordinances, the building official shall issue a permit.

Subp. 9. **Time limitation of application.** An application for a permit for any proposed work shall be considered abandoned 180 days after the date of filing, unless the application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Subp. 10. **Validity of permit.** The issuance or granting of a permit or approval of plans, specifications, and computations, shall not be construed to be a permit for any violation of the code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of the code or other ordinances of the jurisdiction are not valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official may also prevent occupancy

or use of a structure that violates the code or any other ordinance of this jurisdiction.

Subp. 11. **Expiration.** Every permit issued shall become invalid unless the work authorized by the permit is commenced within 180 days after its issuance, or if the work authorized by the permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official may grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Subp. 12. **Suspension or revocation.** The building official may suspend or revoke a permit issued under the code if the permit is issued in error; on the basis of incorrect, inaccurate, or incomplete information; or in violation of any ordinance or regulation or the code.

Subp. 13. **Placement of permit.** The building permit or a copy shall be kept on the site of the work until the completion of the project.

Subp. 14. **Responsibility.** Every person who performs work for the installation or repair of building, structure, electrical, gas, mechanical, or plumbing systems, for which the code is applicable, shall comply with the code.

1300.0130 CONSTRUCTION DOCUMENTS.

Subpart 1. **Submittal documents.** Construction documents, special inspection and structural observation programs, and other data shall be submitted in one or more sets with each application for a permit.

Exception: The building official may waive the submission of construction documents and other data if the nature of the work applied for is such that reviewing of construction documents is

not necessary to obtain compliance with the code.

The building official may require plans or other data be prepared according to the rules of the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design, chapter 1800, and Minnesota Statutes, sections 326.02 to 326.15, and other state laws relating to plan and specification preparation by occupational licenses. If special conditions exist, the building official may require additional construction documents to be prepared by a licensed design professional.

Subp. 2. **Information on construction documents.** Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and show in detail that it will conform to the code and relevant laws, ordinances, rules, and regulations, as determined by the building official.

Subp. 3. **Manufacturer's installation instructions.** When required by the building official, manufacturer's installation instructions for construction equipment and components regulated by the code, shall be available on the job site at the time of inspection.

Subp. 4. **Site plan.** The construction documents submitted with the application for permit shall be accompanied by a site plan drawn to scale, showing the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades, and the proposed finished grades, and it shall be drawn according to an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site

or plot. The building official may waive or modify the requirement for a site plan if the application for permit is for alteration or repair or when otherwise warranted.

Subp. 5. Examination of documents. The building official shall examine or cause to be examined the accompanying construction documents to ascertain whether the construction indicated and described complies with the requirements of the code and other pertinent laws and ordinances.

Subp. 6. Approval of construction documents. If the building official issues a permit, the construction documents shall be approved in writing or by a stamp, stating "Reviewed for Code Compliance," dated, and signed by the building official or an authorized representative. One set of the construction documents that were reviewed shall be retained by the building official. The other set shall be returned to the applicant, kept at the site of the work, and open to inspection by the building official or an authorized representative.

Subp. 7. Previous approvals. The code in effect at the time of application shall be applicable.

Subp. 8. Phased approval. The building official may issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of the code. The holder of the permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

Subp. 9. Design professional in responsible charge.

A. The building official may require the owner to engage and designate on the building permit application a licensed design professional who shall act as the licensed design professional in responsible charge. If the circumstances require, the owner shall designate a substitute licensed design professional in responsible charge who shall perform the duties required of the original licensed design professional in responsible charge. The building official shall be notified in writing by the owner if the licensed design professional in responsible charge is changed or is unable to continue to perform the duties.

The licensed design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

When structural observation is required by the code, the inspection program shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

B. For the purposes of this part, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have the prior approval of the building official. The licensed design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official.

Submittal documents for deferred submittal items shall be submitted to the licensed design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance

with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

C. Work regulated by the code shall be installed according to the reviewed construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

1300.0140 VIOLATIONS.

It is unlawful for any person, firm, or corporation to erect, construct, alter, extend, repair, move, remove, demolish, or occupy any building, structure, or equipment regulated by the code, or cause any of those actions, in conflict with or in violation of the code. The building official may serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition, or occupancy of a building or structure in violation of the code, or in violation of a permit or certificate issued under the code. The order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

1300.0150 VIOLATIONS, PENALTY.

A violation of the code is a misdemeanor under Minnesota Statutes, section 16B.69.

1300.0160 FEES.

Subpart 1. **Schedule of permit fees.** The applicant for a permit for a building; structure; or electrical, gas, mechanical, or plumbing system or alterations requiring a permit shall pay the fee set forth by a fee schedule adopted by the municipality.

When submittal documents are required to be submitted by this chapter, a plan review fee shall be required. The plan review fee shall be established by the fee schedule adopted by the municipality.

Exception: The fee schedule adopted by the municipality may exempt minor work from plan review fees.

Subp. 2. **Fees commensurate with service.** Fees established by the municipality must be by legal means and must be fair, reasonable, and proportionate to the actual cost of the service for which the fee is imposed.

Subp. 3. **Building permit valuations.** The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of all construction work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment, and permanent systems. Building permit valuation shall be set by the building official.

Exceptions: Building permit valuations for the following structures shall be based on the valuation of on-site work only:

A. manufactured homes containing a Housing and Urban Development (HUD) certification label;

B. prefabricated buildings with a Minnesota Building Codes and Standards Division prefabrication label; and

C. industrialized/modular buildings with an Industrialized Building Commission (IBC) label.

Subp. 4. **Building permit fees.** Building permit fees shall be based on valuation.

Exceptions:

A. one- and two-family dwelling maintenance permits for roofing, siding, windows, doors, or other minor projects may be charged a fixed fee;

B. permits for plumbing, mechanical, electrical, or other building service equipment systems may be based on valuation or charged a fixed fee; and

C. replacement of a residential fixture or appliance cannot exceed the permit fee limitation established by Minnesota Statutes, section 16B.665.

Subp. 5. Plan review fees for similar plans. When submittal documents for similar plans are approved under subpart 6, plan review fees shall not exceed 25 percent of the normal building permit fee established and charged by the jurisdiction for the same structure.

Subp. 6. Plan review of similar plans.

A. Any number of similar buildings may be built from a master plan if:

(1) plan review fees have been paid for the master plan;

(2) a code change has not occurred that impacts the design of a master plan;

(3) the similar building has the same physical dimensions and structural design as the master plan;

Exception: The following modifications to the master plan are not considered to be significant modifications, according to Minnesota Statutes, section 16B.61, subdivision 1, and are permitted for dwelling units and their accessory structures built to the International Residential Code, and residential occupancies built to the International Building Code that are three stories or less in height and their accessory structures:

(a) foundation types to include walkout, lookout, and full basement;

(b) foundation materials to include poured concrete, masonry units, and wood;

(c) garage dimensions;

(d) roof design changed by a revised truss plan approved by the building official;

(e) bays or cantilevered floor areas;

(f) decks and porches; and

(g) other modifications approved by the building official;

(4) occupancy groups other than those identified in the exceptions listed in part 1300.0160, subpart 6, item A, subitem (3), must be the same type of construction and occupancy classification and must have the same exit system;

Exception: Minor changes to the exit access; and

(5) the similar plan is based on a master plan for which the municipality has issued a permit within the last 12 months.

B. Plan review fees for similar building plans must be based on the costs commensurate with the direct and indirect cost of the service, but must not exceed 25 percent of the normal building permit fee established and charged by the municipality for the same structure.

C. The plan review fee charged for similar building plans applies to all buildings regulated by the code regardless of occupancy classification including industrialized/modular buildings constructed under a program specified in Minnesota Statutes, section 16B.75.

D. The applicant must submit a new plan set and other information as required by the building official for each building reviewed as a similar building.

Subp. 7. Payment of fees. A permit shall not be issued until the fees prescribed by the municipality have been paid.

Subp. 8. Work commencing before permit issuance. If work for which a permit is required by the code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for the work. An investigation fee established by the municipality shall be collected and is in addition to the required permit fees, but it may not exceed the permit fee.

Subp. 9. **Fee refunds.** The municipality shall establish a permit and plan review fee refund policy.

Subp. 10. **State surcharge fees.** All municipal permits issued for work under the code are subject to a surcharge fee. The fees are established by Minnesota Statutes, section 16B.70. Reports and remittances by municipalities must be filed with the commissioner, directed to the attention of the state building official.

Surcharge fees imposed by the state are in addition to municipal permit fees. Surcharge report forms and information may be obtained by writing the commissioner, to the attention of the state building official.

1300.0170 STOP WORK ORDER.

If the building official finds any work regulated by the code being performed in a manner contrary to the provisions of the code or in a dangerous or unsafe manner, the building official may issue a stop work order.

The stop work order shall be in writing and issued to the owner of the property involved, to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

1300.0180 UNSAFE BUILDINGS OR STRUCTURES.

A building or structure regulated by the code is unsafe, for purposes of this part, if it is structurally unsafe, not provided with adequate egress, a fire hazard, or otherwise dangerous to human life.

Building service equipment that is regulated by the code is unsafe, for purposes of this part, if it is a fire, electrical, or health hazard; an unsanitary condition; or otherwise dangerous to human life. Use of a building, structure, or building service equipment

constituting a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage, or abandonment is, for the purposes of this part, an unsafe use. Parapet walls, cornices, spires, towers, tanks, statuary, and other appendages or structural members that are supported by, attached to, or a part of a building and that are in deteriorated condition or otherwise unable to sustain the design loads that are specified in the code are unsafe building appendages.

The building official may order any building or portion of a building to be vacated if continued use is dangerous to life, health, or safety of the occupants. The order shall be in writing and state the reasons for the action.

All unsafe buildings, structures, or appendages are public nuisances and must be abated by repair, rehabilitation, demolition, or removal according to Minnesota Statutes, sections 463.15 to 463.26.

1300.0190 TEMPORARY STRUCTURES AND USES.

Subpart 1. **General.** The building official may issue a permit for temporary structures and temporary uses. The permit shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official may grant extensions for demonstrated cause.

Subp. 2. **Conformance.** Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation, and sanitary requirements of the code as necessary to ensure the public health, safety, and general welfare.

Subp. 3. **Termination of approval.** The building official may terminate the permit for a temporary structure or use and order the temporary structure or use to be discontinued if the conditions required in this part have not been complied with.

1300.0200 [Repealed, 19 SR 1340]

1300.0210 INSPECTIONS.

Subpart 1. **General.** Construction or work for which a permit is required is subject to inspection by the building official and the construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection is not approval of a violation of the code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of the code or of other ordinances of the jurisdiction are not valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction is liable for expense entailed in the removal or replacement of any material required to allow inspection.

Subp. 2. **Preliminary inspection.** Before issuing a permit, the building official may examine, or cause to be examined, buildings, structures, and sites for which an application has been filed.

Subp. 3. **Inspection record card.** The building official shall identify which inspections are required for the work requiring a permit. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder has posted or otherwise made available an inspection record card that allows the building official to conveniently make all required entries regarding inspection of the work. This card shall be maintained and made available by the permit holder until final approval has been granted by the building official.

Subp. 4. **Inspection requests.** The building official shall provide the applicant with policies, procedures, and a timeline for requesting inspections. The person doing the work authorized by a permit shall notify the building official that the work is ready for inspection. The person requesting an

inspection required by the code shall provide access to and means for inspection of the work.

Subp. 5. **Approval required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed or notify the permit holder or an agent of the permit holder of any failures to comply with the code. Any portion that does not comply shall be corrected and the portion shall not be covered or concealed until authorized by the building official.

Subp. 6. **Required inspections.** The building official, upon notification, shall make the inspections in this part. In addition to the inspections identified in this subpart, see applicable rule chapters in part 1300.0050 for specific inspection and testing requirements.

A. Footing inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. Materials for the foundation shall be on the job, except that concrete need not be on the job if the concrete is ready mixed according to approved nationally recognized standards.

B. Foundations:

(1) Foundation inspections for poured walls shall be made after all forms are in place with any required reinforcing steel and bracing is in place, and prior to pouring concrete.

(2) All foundation walls shall be inspected prior to backfill for specific code requirements.

(3) The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment.

C. Concrete slab and under floor inspections shall be made after in slab or under floor reinforcing steel and building service equipment, conduit, piping accessories, and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

D. Rough in inspection of plumbing, mechanical, gas, and electrical systems shall be made before covering or concealment, before fixtures or appliances are set or installed, and before framing inspection.

E. Inspection of framing and masonry construction shall be made after the roof, masonry, framing, firestopping, draftstopping, and bracing are in place and after the plumbing, mechanical, and electrical rough inspections are approved.

F. Energy efficiency inspections shall be made to determine compliance with Minnesota Energy Code requirements.

G. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, are in place, but before any plastering is applied or before gypsum board joints and fasteners are taped and finished.

Exception: Gypsum board that is not part of a fire resistive assembly or a shear assembly.

H. Protection of joints and penetrations in fire resistance rated assemblies shall not be concealed from view until inspected and approved.

I. Installation of manufactured homes (mobile homes) shall be made after the installation of the support systems and all utility service connections are in place, but before any covering material or skirting is in place. Evaluation of an approved anchoring system is part of the installation inspection.

J. Fireplaces must be inspected for compliance with applicable requirements of

the code and the manufacturer's installation instructions.

K. A final inspection shall be made for all work for which a permit is issued.

L. Special inspections shall be as required by the code.

M. In addition to the inspections in items A to K, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the code and other laws that are enforced by the Department of Building Safety.

Subp. 7. **Inspection agencies.** The building official is authorized to accept inspection reports by approved agencies.

1300.0220 CERTIFICATE OF OCCUPANCY.

Subpart 1. **Use and occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building, structure, or portion of a building or structure shall be made until the building official has issued a certificate of occupancy for the building or structure under this part. Issuance of a certificate of occupancy is not approval of a violation of the code or other ordinances of the municipality. Certificates presuming to give authority to violate or cancel the code or other ordinances of the municipality are not valid.

Exception: A municipality has the option of requiring certificates of occupancy for:

- A. "U" occupancies constructed under the International Building Code;
- B. accessory structures constructed under the International Residential Code; or
- C. used manufactured homes moved into or within a jurisdiction.

Subp. 2. **Existing structures.** The legal occupancy of any structure existing on the date of adoption of the code shall be

permitted to continue without change except as specifically required in chapter 1311.

Subp. 3. **Change in use.** Changes in the character or use of an existing structure shall not be made except as specified in chapter 1311.

Subp. 4. **Moved buildings.** Buildings or structures moved into or within a jurisdiction shall comply with the provisions of the code for new buildings or structures.

Exception: A residential building relocated within or into a municipality need not comply with the Minnesota Energy Code or Minnesota Statutes, section 326.371.

Subp. 5. **Certificate issued.** After the building official inspects a building or structure and finds no violations of the code or other laws that are enforced by the Department of Building Safety, the building official shall issue a certificate of occupancy containing the following:

- A. the building permit number;
- B. the address of the structure;
- C. the name and address of the owner;
- D. a statement that the described portion of the structure has been inspected for compliance with the requirements of the code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified;
- E. the name of the building official;
- F. the edition of the code under which the permit was issued;
- G. the use and occupancy classification;
- H. the type of construction;
- I. if an automatic sprinkler system is provided; and
- J. any special stipulations and conditions of the building permit.

Subp. 6. **Temporary occupancy.** The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that the portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

Subp. 7. **Revocation.** The building official may issue a written suspension or revocation of a certificate of occupancy issued under the code if the certificate is issued in error or on the basis of incorrect information supplied, or if the building or use of the building, structure, or portion of the building or structure is in violation of any ordinance or regulation or a provision of the code.

1300.0230 BOARD OF APPEALS.

Subpart 1. **Local board of appeals.** In order to hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The building official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be designated by the governing body. Appeals hearings must occur within ten working days from the date the municipality receives a properly completed application for appeal. If an appeals hearing is not held within this time, the applicant may appeal directly to the State Building Code Appeals Board.

The board shall adopt rules of procedures for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official and to the state building official within five working days of the decision. For jurisdictions without a board of appeals, the appellant may appeal to an appeals board assembled by the state of Minnesota,

Department of Labor and Industry's Construction Codes and Licensing Division.

Subp. 2. **Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the affected jurisdiction.

Subp. 3. **Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

Subp. 4. **Final interpretive authority.** The state building official has final interpretive authority for all codes adopted as part of the code except for the plumbing code when enforced by the Commissioner of Health and the electrical code when enforced by the State Board of Electricity. A request for final interpretation must come from a local or state level building code board of appeals. The procedures for final interpretations by the state building official are as established in Minnesota Statutes, section 16B.63.

1300.0240 DISCLAIMER CLAUSE.

The inclusion of specific requirements relative to the manner of installation of any building or portion of any building or building equipment in one or more parts of the code does not limit this procedure to any particular type of installer or provide a basis upon which determination of the right to perform a procedure shall be made. The authority for this determination is in the various licensing statutes or ordinances for each type of installer who performs the work.

1300.0250 SEVERABILITY.

The invalidity of any provision of the Minnesota State Building Code does not

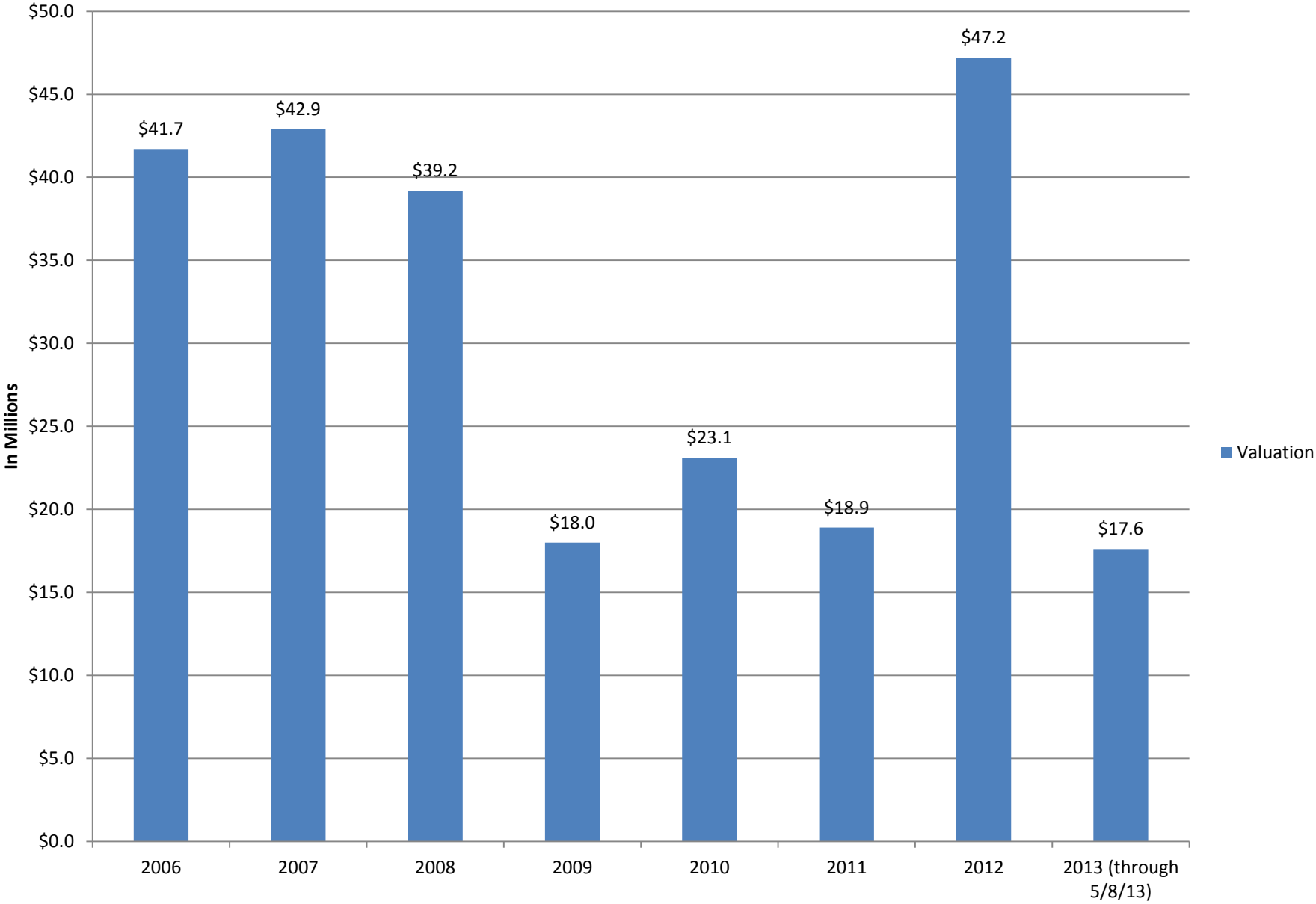
affect any other provisions of the code that can be given effect without the invalid provision and, to this end, the provisions of the code are declared to be severable.

Minn. Rules repealed, etc. in chapter 1300

- 1300.0100 [Repealed, 19 SR 1340]
- 1300.0200 [Repealed, 19 SR 1340]
- 1300.0300 [Repealed, 19 SR 1340]
- 1300.0400 [Repealed, 19 SR 1340]
- 1300.0500 [Repealed, 19 SR 1340]
- 1300.0600 [Repealed, 19 SR 1340]
- 1300.0700 [Repealed, 19 SR 1340]
- 1300.0800 [Repealed, 19 SR 1340]
- 1300.0900 [Repealed, 19 SR 1340]
- 1300.0940 [Repealed, 19 SR 1340]
- 1300.0942 [Repealed, 19 SR 1340]
- 1300.0944 [Repealed, 19 SR 1340]
- 1300.0946 [Repealed, 19 SR 1340]
- 1300.0948 [Repealed, 19 SR 1340]
- 1300.1000 [Repealed, 19 SR 1340]
- 1300.1100 [Repealed, 19 SR 1340]
- 1300.1150 [Repealed, 11 SR 1405]
- 1300.1200 [Repealed, 19 SR 1340]
- 1300.1300 [Repealed, 19 SR 1340]
- 1300.1400 [Repealed, 19 SR 1340]
- 1300.1500 [Repealed, 19 SR 1340]
- 1300.1600 [Repealed, 19 SR 1340]
- 1300.1700 [Repealed, 19 SR 1340]
- 1300.1800 [Repealed, 19 SR 1340]
- 1300.1900 [Repealed, 19 SR 1340]
- 1300.2000 [Repealed, 19 SR 1340]
- 1300.2050 [Repealed, 27 SR 1471]
- 1300.2100 [Repealed, 27 SR 1471]
- 1300.2300 [Repealed, 27 SR 1471]
- 1300.2400 [Repealed, 27 SR 1471]
- 1300.2500 [Repealed, 27 SR 1471]
- 1300.2600 [Repealed, 27 SR 1471]
- 1300.2700 [Repealed, 27 SR 1471]
- 1300.2800 [Repealed, 27 SR 1471]
- 1300.2900 [Repealed, 27 SR 1471]
- 1300.3000 [Repealed, 27 SR 1471]
- 1300.3100 [Repealed, 27 SR 1471]
- 1300.3900 [Repealed, 27 SR 1471]
- 1300.4100 [Repealed, 27 SR 1471]
- 1300.4300 [Repealed, 27 SR 1471]
- 1300.4500 [Repealed, 27 SR 1471]
- 1300.4700 [Repealed, 27 SR 1471]

1300.4900 [Repealed, 27 SR 1471]
1300.5100 [Repealed, 27 SR 1471]
1300.5300 [Repealed, 27 SR 1471]
1300.5500 [Repealed, 27 SR 1471]
1300.5700 [Repealed, 27 SR 1471]
1300.5900 [Repealed, 27 SR 1471]
1300.6100 [Repealed, 27 SR 1471]
1300.6300 [Repealed, 27 SR 1471]

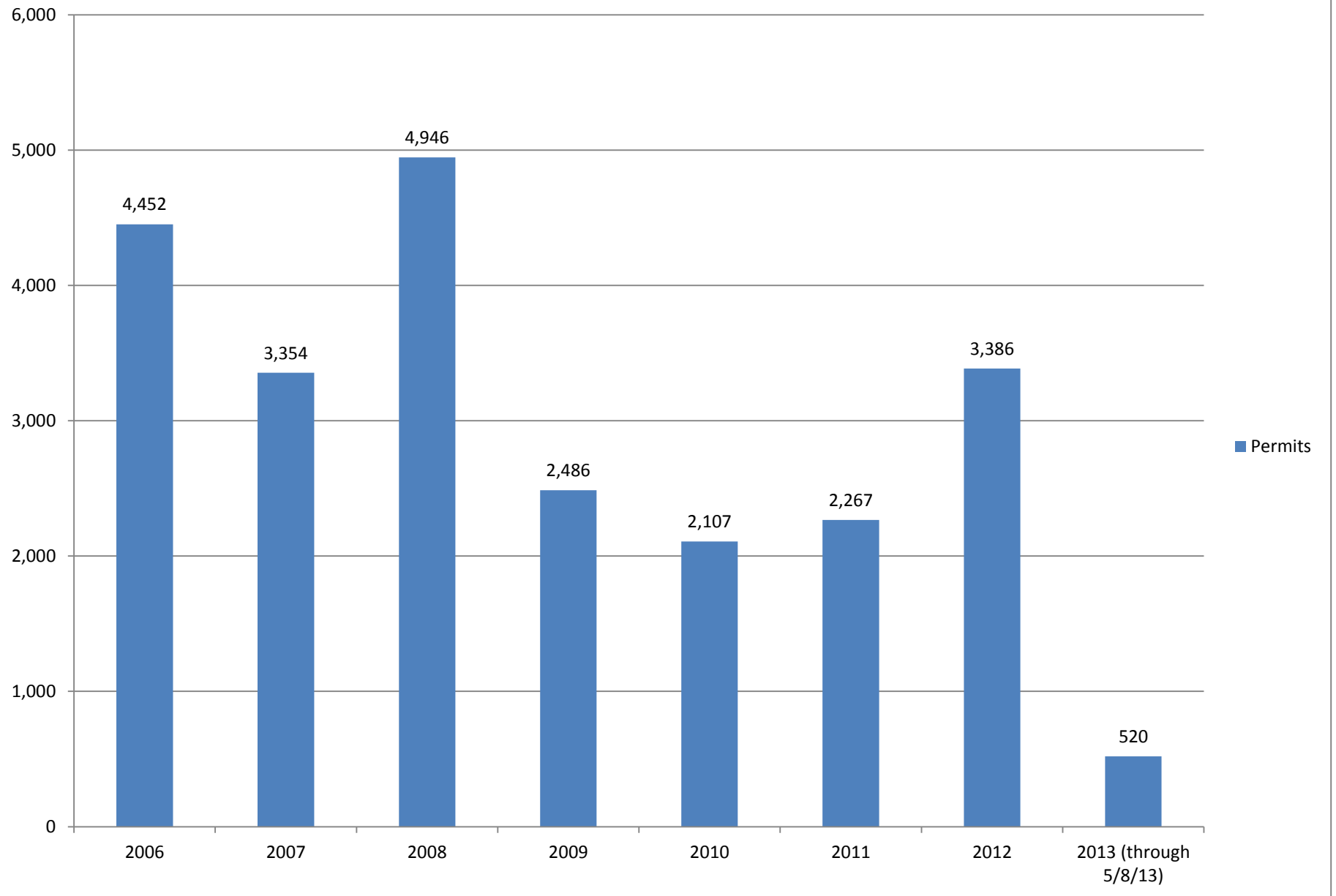
Building Permit Valuation



Valuation

2006	\$41.7
2007	\$42.9
2008	\$39.2
2009	\$18.0
2010	\$23.1
2011	\$18.9
2012	\$47.2
2013 (throi	\$17.6

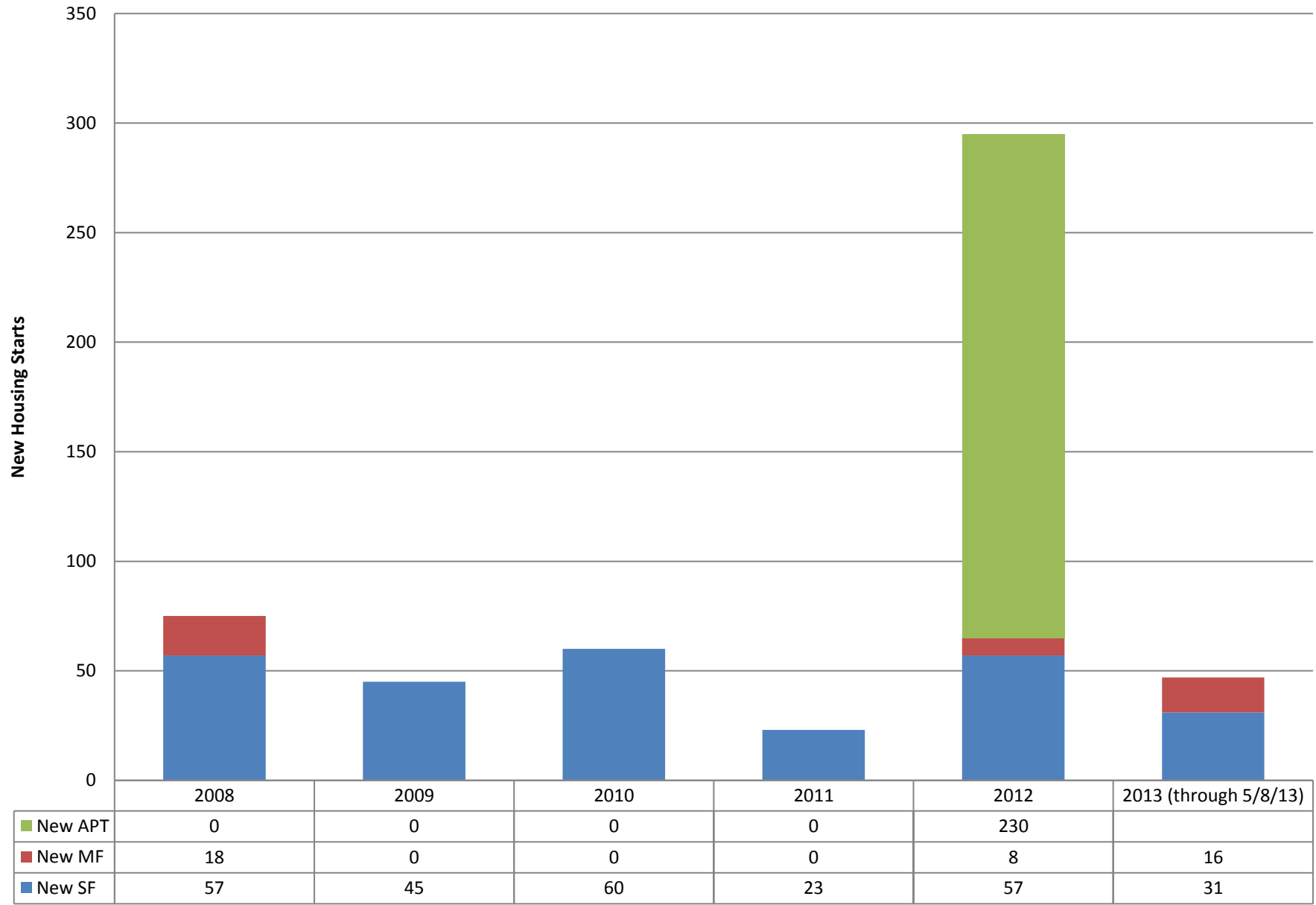
Total # of Building Permits



Permits

2006	4,452
2007	3,354
2008	4,946
2009	2,486
2010	2,107
2011	2,267
2012	3,386
2013 (throi	520

New Housing Starts



	New SF	New MF	New APT
2008	57	18	0
2009	45	0	0
2010	60	0	0
2011	23	0	0
2012	57	8	230
2013 (throi	31	16	

City of Ramsey Fees by Revenue Code

<u>Description</u>	<u>Fee Amount</u>	<u>Permit Count</u>
Non-ePermits		
Code:		
5 Pumping Permits	\$50.00	1
Double fee per Pete	\$80.00	1
Total for :	\$130.00	2
Code: 9101.2081		
Surcharge - Based on Valuation	\$13,845.31	165
Surcharge - Fixed Fee "One Year"	\$5,910.00	1182
Surcharge - Fixed Fee Plumbing/Mech "One Y	\$650.00	65
Surcharge - Fixed Fee S/W "One Year"	\$630.00	63
Total for 9101.2081:	\$21,035.31	1475
Code: 9101.4171		
BL - Investigation Fee	\$1,369.25	9
Total for 9101.4171:	\$1,369.25	9
Code: 9101.4205		
Basement Finish	\$6,063.00	43
BL - Demolition	\$1,316.00	14
BL - License Verification	\$325.00	65
BL - Renewal Fee	\$94.00	2
Deck Permit	\$5,217.00	56
Fireplace	\$940.00	10
LMC 2003 - base fee	\$256,594.25	158
Reinspection Fee	\$47.00	1
Replacement Windows	\$12,502.00	133
Residential Roofing	\$6,298.00	67
Siding	\$5,311.00	57
Swimming Pool-Above Ground	\$750.00	6
Swimming Pool-Below Ground	\$125.00	1
Total for 9101.4205:	\$295,582.25	613
Code: 9101.4206		
PL - Plumbing-New	\$13,000.00	65
PL - RPZ / Vacuum Breaker - Comm.	\$180.00	3
PL - Water Heater	\$2,397.00	51
PL - Water Softener	\$930.00	62
PL- RPZ / Vacuum Breaker - Res.	\$94.00	2
Plbg Permit Commercial 1% of Value	\$16,300.00	2
Plbg Rem/Add Commercial 1% Value	\$1,198.68	8
Plumbing Items	\$235.00	5
Plumbing-Remodel	\$1,974.00	21
Underground Irrigation/Residential	\$282.00	6
Total for 9101.4206:	\$36,590.68	225

City of Ramsey Fees by Revenue Code

Non-ePermits	<u>Description</u>	<u>Fee Amount</u>	<u>Permit Count</u>
Code: 9101.4208			
	ME - Mechanical Permit-New Construction	\$9,750.00	65
	Mech -Comm Permit 1% of Value	\$12,503.00	3
	Mechanical Items	\$7,473.00	159
	Mechanical Permit-Remodel/Addition R	\$1,034.00	11
	Mech-Comm Remodel/Add. 1% of Value	\$5,261.25	15
	Total for 9101.4208:	\$36,021.25	253
Code: 9101.4211			
	Sign -Permanent	\$1,425.00	19
	Sign Permit Application	\$475.00	19
	Sign Permit -Temporary	\$525.00	21
	Total for 9101.4211:	\$2,425.00	59
Code: 9101.4213			
	Commercial Fire Alarm 2009	\$503.65	5
	Commercial Fire Sprinkler 2009	\$4,739.90	9
	Fire Permit - Residential	\$25.00	1
	Residential Sprinkler 2009	\$551.75	2
	Total for 9101.4213:	\$5,820.30	17
Code: 9101.4214			
	Electrical Order For Payment	\$3,482.00	62
	Electrical Permit - 1 Trip	\$10,529.25	236
	Electrical Permit - 2 Trips	\$15,200.50	125
	Electrical Permit - Apartment	\$3,500.00	1
	Electrical Permit - Single Family Dwelling	\$8,700.00	58
	Total for 9101.4214:	\$41,411.75	482
Code: 9101.4220			
	UD - Pumping Permit	\$18,820.00	107
	UD - Septic New Commercial	\$500.00	2
	UD - Septic Residential New	\$7,697.00	52
	Total for 9101.4220:	\$27,017.00	161
Code: 9101.4221			
	City Sewer Connection	\$4,725.00	63
	Total for 9101.4221:	\$4,725.00	63
Code: 9101.4222			
	City Water Connection	\$4,725.00	63
	Total for 9101.4222:	\$4,725.00	63

City of Ramsey Fees by Revenue Code

<u>Description</u>	<u>Fee Amount</u>	<u>Permit Count</u>
Non-ePermits		
Code: 9101.4230		
BL - Certificate of Occupancy	\$8.00	2
Escrow Administration	\$100.00	1
Fire Works Permit Inside	\$100.00	1
Fire Works Permit Outside	\$350.00	1
Tent/membrane	\$100.00	2
Total for 9101.4230:	\$658.00	7
Code: 9101.4306		
ZO - Zoning Permit	\$1,375.00	55
Total for 9101.4306:	\$1,375.00	55
Code: 9101.4307		
BL - Plan Review - 25%	\$10,330.75	25
BL - Plan Review - 65%	\$135,943.29	114
Commercial Plan Review - 65%	\$9,288.11	10
Plan Review Fire Alarm 65% - 2009	\$298.34	4
Plan Review Fire Sprinkler 65% - 2009	\$3,400.10	9
Total for 9101.4307:	\$159,260.59	162
Code: 9101.4327		
Fla.,/Combust Tank Removal -Res	\$30.00	1
Total for 9101.4327:	\$30.00	1
Code: 9101.4329		
Open Burning	\$1,045.00	42
Total for 9101.4329:	\$1,045.00	42
Code: 9252.1155.1		
Landscape Escrow	\$51,500.00	9
Total for 9252.1155.1:	\$51,500.00	9
Code: 9601.2082		
PL - 2" Irr. Water Meter Sales Tax	\$50.52	1
PL - 4" Water Meter Sales Tax	\$236.52	1
PL - 5/8" Water Meter Sales Tax	\$1,234.17	63
Total for 9601.2082:	\$1,521.21	65
Code: 9601.3421		
WAC	\$490,360.00	66
Total for 9601.3421:	\$490,360.00	66
Code: 9601.4655		
PL - Water Meter Install	\$9,100.00	65
Total for 9601.4655:	\$9,100.00	65

City of Ramsey Fees by Revenue Code

Non-ePermits	<u>Description</u>	<u>Fee Amount</u>	<u>Permit Count</u>
Code: 9601.4656			
	PL - 2" Water Meter Irrigation Only	\$709.00	1
	PL - 4" Compound Water Meter	\$3,319.64	1
	PL - 5/8" Meter w/Horn	\$17,325.00	63
	Total for 9601.4656:	\$21,353.64	65
Code: 9602.2083			
	SAC - Apartments-100%	\$543,950.00	2
	SAC - Commercial/Institutional	\$94,600.00	3
	SAC - Single Family House	\$127,710.00	55
	SAC - Townhouses	\$18,920.00	8
	Total for 9602.2083:	\$785,180.00	68
Code: 9602.3421			
	Sac Handling Fee	\$1,650.00	66
	Total for 9602.3421:	\$1,650.00	66
Code: 9804.1155.1			
	Erosion Control Escrow	\$90,000.00	60
	Total for 9804.1155.1:	\$90,000.00	60
	Totals for Non-ePermits:	\$2,089,886.23	4153
	Report Totals:	\$2,089,886.23	4153

City of Ramsey Fees by Revenue Code

Non-ePermits	<u>Description</u>	<u>Fee Amount</u>	<u>Permit Count</u>
Code: 9101.2081			
	Surcharge - Based on Permit Fee	\$5.00	1
	Surcharge - Based on Valuation	\$4,844.92	74
	Surcharge - Fixed Fee "One Year"	\$1,720.00	344
	Surcharge - Fixed Fee Plumbing/Mech "One Y	\$470.00	47
	Surcharge - Fixed Fee S/W "One Year"	\$450.00	45
	Total for 9101.2081:	\$7,489.92	511
Code: 9101.4171			
	BL - Investigation Fee	\$60.75	1
	Total for 9101.4171:	\$60.75	1
Code: 9101.4205			
	Basement Finish	\$3,243.00	23
	BL - Demolition	\$376.00	4
	BL - License Verification	\$145.00	29
	Deck Permit	\$752.00	8
	Fireplace	\$470.00	5
	LMC 2003 - base fee	\$81,452.00	71
	Replacement Windows	\$3,008.00	32
	Residential Roofing	\$376.00	4
	Siding	\$1,034.00	11
	Total for 9101.4205:	\$90,856.00	187
Code: 9101.4206			
	PL - Plumbing-New	\$9,400.00	47
	PL - Water Heater	\$893.00	19
	PL - Water Softener	\$585.00	39
	PL- RPZ / Vacuum Breaker - Res.	\$47.00	1
	Plbg Permit Commercial 1% of Value	\$514.00	1
	Plumbing-Remodel	\$470.00	5
	Underground Irrigation/Commercial	\$60.00	1
	Underground Irrigation/Residential	\$47.00	1
	Total for 9101.4206:	\$12,016.00	114
Code: 9101.4208			
	ME - Mechanical Permit-New Construction	\$7,050.00	47
	Mech -Comm Permit 1% of Value	\$440.00	2
	Mechanical Items	\$2,397.00	51
	Mechanical Permit-Remodel/Addition R	\$376.00	4
	Mech-Comm Remodel/Add. 1% of Value	\$2,054.67	3
	Total for 9101.4208:	\$12,317.67	107

City of Ramsey Fees by Revenue Code

<u>Description</u>	<u>Fee Amount</u>	<u>Permit Count</u>
Non-ePermits		
Code: 9101.4211		
Sign -Permanent	\$375.00	5
Sign Permit Application	\$125.00	5
Sign Permit -Temporary	\$200.00	8
Total for 9101.4211:	\$700.00	18
Code: 9101.4213		
Commercial Fire Sprinkler 2009	\$427.25	4
Fire Alarm Devices 2009	\$593.25	1
Total for 9101.4213:	\$1,020.50	5
Code: 9101.4214		
Electrical Order For Payment	\$1,235.00	26
Electrical Permit - 1 Trip	\$3,681.75	66
Electrical Permit - 2 Trips	\$3,438.00	42
Electrical Permit - Apartment	\$8,750.00	1
Electrical Permit - Single Family Dwelling	\$3,600.00	24
Electrical Reinspection Fee	\$35.00	1
Total for 9101.4214:	\$20,739.75	160
Code: 9101.4220		
UD - Pumping Permit	\$1,770.00	7
UD - Septic Residential New	\$600.00	4
Total for 9101.4220:	\$2,370.00	11
Code: 9101.4221		
City Sewer Connection	\$3,375.00	45
Total for 9101.4221:	\$3,375.00	45
Code: 9101.4222		
City Water Connection	\$3,375.00	45
Total for 9101.4222:	\$3,375.00	45
Code: 9101.4306		
ZO - Zoning Permit	\$300.00	12
Total for 9101.4306:	\$300.00	12
Code: 9101.4307		
BL - Plan Review - 25%	\$7,944.80	20
BL - Plan Review - 65%	\$58,363.72	46
Commercial Plan Review - 65%	\$1,375.19	3
Plan Review Fire Alarm 65% - 2009	\$385.61	1
Plan Review Fire Sprinkler 65% - 2009	\$262.43	3
Total for 9101.4307:	\$68,331.75	73
Code: 9101.4327		
Surface Mount Lock Box	\$215.00	1
Total for 9101.4327:	\$215.00	1

City of Ramsey Fees by Revenue Code

<u>Description</u>	<u>Fee Amount</u>	<u>Permit Count</u>
Non-ePermits		
Code: 9101.4329		
Open Burning	\$375.00	15
Total for 9101.4329:	\$375.00	15
Code: 9252.1155.1		
Landscape Escrow	\$143,700.00	22
Total for 9252.1155.1:	\$143,700.00	22
Code: 9601.2082		
PL - 1 1/2" Water Meter Sales Tax	\$38.62	1
PL - 5/8" Water Meter Sales Tax	\$881.55	45
Total for 9601.2082:	\$920.17	46
Code: 9601.3421		
WAC	\$52,808.00	46
Total for 9601.3421:	\$52,808.00	46
Code: 9601.4655		
PL - Water Meter Install	\$6,440.00	46
Total for 9601.4655:	\$6,440.00	46
Code: 9601.4656		
PL - 1 1/2" Water Meter	\$542.00	1
PL - 5/8" Meter w/Horn	\$12,375.00	45
Total for 9601.4656:	\$12,917.00	46
Code: 9602.2083		
SAC - Commercial/Institutional	\$2,435.00	1
SAC - Single Family House	\$58,440.00	24
SAC - Townhouses	\$51,135.00	21
Total for 9602.2083:	\$112,010.00	46
Code: 9602.3421		
Sac Handling Fee	\$1,150.00	46
Total for 9602.3421:	\$1,150.00	46
Code: 9804.1155.1		
Erosion Control Escrow	\$46,500.00	31
Total for 9804.1155.1:	\$46,500.00	31
Totals for Non-ePermits:	\$599,987.51	1634
Report Totals:	\$599,987.51	1634

**PERSONNEL COMMITTEE
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

The Personnel Committee conducted a regular meeting on Tuesday, May 14, 2013, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Acting Chairperson Mark Kuzma
 Councilmember Randy Backous
 Mayor Sarah Strommen (Alternate)

Member Absent: Chairperson Jason Tossey

Also Present: City Administrator Kurtis Ulrich
 Human Resources Manager Colleen Lasher
 Finance Director Diana Lund
 Fire Chief Dean Kapler
 Police Chief James Way
 Police Captain Jeff Katers
 Public Works Superintendent Grant Riemer
 City Engineer Bruce Westby
 Development Services Manager Timothy Gladhill
 Assistant to the City Administrator Patrick Brama
 Councilmember John LeTourneau
 Councilmember Chris Riley

1. CALL TO ORDER

Acting Chairperson Kuzma called the regular meeting of the Personnel Committee to order at 5:30 p.m.

2. CITIZEN INPUT

There was none.

3. APPROVE AGENDA

Motion by Mayor Strommen, seconded by Councilmember Backous, to approve the agenda as submitted.

Motion carried. Voting Yes: Vice Chairperson Kuzma, Mayor Strommen, and Councilmember Backous. Voting No: None. Absent: Chairperson Tossey.

4. COMMITTEE BUSINESS

4.01: Resolution to Extend the Recruitment for an Economic Development Manager and to Hire One Additional Administrative Intern

Human Resources Manager Lasher reviewed the staff report and recommendation to authorize staff to extend the recruitment process for an Economic Development Manager and to hire one additional Administrative Intern at an estimated cost of \$9,305 that would be funded from savings as a result in the delay in hiring the Economic Development Manager. The maximum annual funding required for the Economic Development Manager position is estimated to be approximately \$87,210 and staff recommends the extended recruitment process remain at that wage but staff would like latitude to increase it to \$101,000, if needed.

Mayor Strommen asked if the employment of the additional Administrative Intern would extend beyond the hiring of the Economic Development Manager.

Human Resources Manager Lasher stated she does not foresee that position ending when the new Economic Development Manager is hired due to the current heavy workload. She explained that the additional Administrative Intern will also assist with non-confidential human resources projects, special election support, and clerical projects.

City Administrator Ulrich stated he would also like to focus on the strategic plan to assure that stays on track.

Mayor Strommen asked if his focus would be the strategic plan and the additional Administrative Intern would provide administrative support.

City Administrator Ulrich answered in the affirmative.

Councilmember Backous asked what the revised hiring process is.

Human Resources Manager Lasher stated the plan is to propose a new policy that staff would follow that addresses how to avoid three categories of conflict of interest and its resolution. It will also address the forming of an interview panel.

Councilmember Backous stated as HRA Chairperson and since the HRA is paying 60% of the Development Manager's salary, he would like to be part of the interview panel.

Mayor Strommen supported discussion on what position is appropriate to have a Council or Commissioner involved with the interview panel. She stated she wants to assure precedence is not established if Council is involved in the interview panel.

Motion by Councilmember Backous, seconded by Mayor Strommen, to recommend that the City Council adopt Resolution #13-05-085 to Authorize Staff to Extend the Recruitment for an Economic Development Manager and to hire one additional Administrative Intern.

Motion carried. Voting Yes: Acting Chairperson Kuzma, Councilmember Backous, and Mayor Strommen. Voting No: None. Absent: Chairperson Tossey.

4.02: Consider Authorization to Hire a Building Inspection Intern

Development Services Manager Gladhill reviewed the staff report and described the increase in permit activity and resulting impact in meeting the ten-day plan review and addressing the septic program. It was noted staff is recommending to increase the current Septic Pumping Permit of \$10 to \$20 to cover the City's costs. Development Services Manager Gladhill assured the Committee that staff has done everything possible to make the most of every hour but is still not able to meet work demands. He recommended staff be authorized to recruit and hire a Temporary Building Inspection Intern from the existing intern pool, or if necessary conduct a new recruitment. It was noted the hiring range is \$9.00 to \$11.00 per hour depending on qualifications.

Councilmember Backous asked why the Septic Pumping Permit has not been increased previously.

Development Services Manager Gladhill stated the City's costs have increased over time and staff levels have been reduced so a contracted Building Official has been used. He stated it is time to review fees and recommended it occur as part of the 2014 budget discussions.

Councilmember Backous asked about the range of Septic Pumping Permit fees in other communities.

Development Services Manager Gladhill reviewed surrounding fees, noting one is already at \$20 and indicated that Ramsey has one of the highest number of septic tanks in the State.

Mayor Strommen asked if the City will be able to meet State requirements if these recommendations are approved.

Development Services Manager Gladhill answered in the affirmative.

Councilmember Backous asked if the Intern pool has qualified candidates.

Human Resources Manager Lasher reviewed the intern recruitments already conducted and indicated there have been highly qualified candidates. She stated the Administrative Intern job classification would still fit and using the pool would result in a savings. Human Resources Manager Lasher stated two recent graduates were targeted and staff would be looking for proficiency in MicroSoft Office Suite software and data entry.

Motion by Councilmember Backous, seconded by Mayor Strommen to recommend that the City Council authorize staff to recruit and hire a Temporary Building Intern from the existing intern pool, or if necessary conduct a new recruitment, with a hiring range of \$9.00 to \$11.00 per hour depending on qualifications.

Motion carried. Voting Yes: Acting Chairperson Kuzma, Councilmember Backous, and Mayor Strommen. Voting No: None. Absent: Chairperson Tossey.

4.03: Consider Authorization to End Contracted Building Official Services and Recruit a Regular, Full-Time Building Official

Development Services Manager Gladhill reviewed the staff report and recommendation that staff be authorized to begin a recruitment to hire a regular, full-time Building Official. It was noted the City currently contracts with Inspectron, Inc. for professional services for this role at \$50 per hour. The contract with Inspectron, Inc. includes a 'buy-out' clause if the City chooses to hire a current employee at 10% of the employee's first year annual salary with the City.

Councilmember Backous asked if it would be revenue neutral even with the 10% buyout.

Development Services Manager Gladhill stated it would not but he could reach out to Inspectron to work out those details.

Councilmember Backous asked if staff is satisfied with the current contracted Building Official.

Development Services Manager Gladhill answered in the affirmative.

Councilmember Backous advocated to not waste time by going through a recruitment process and just hire this person.

Human Resources Manager Lasher stated this would be a non-union position that falls under the City's internal Personnel Policy and under the current policy, the Inspectron employee is not eligible for an internal recruitment. She explained that not recruiting may offset the cost of the 10% buyout.

Acting Chairperson Kuzma asked if the Personnel Policy should be revised to allow this exception.

Councilmember Backous stated he does not support making exceptions but would like to avoid the recruitment process if it is the intention to hire the Inspectron inspector.

Development Services Manager Gladhill suggested staff ask for a legal opinion to assure there is no conflict prior to Council consideration of this item on May 28, 2013.

Mayor Strommen stated she is comfortable with making a single exception and then looking at whether it makes sense, more broadly, to change the Personnel Policy to address contract employees.

City Administrator Ulrich stated it is a common practice in the private sector for a contractor to work into a permanent position so he would support considering a revision to the Personnel Policy. He stated there is funding in the budget and work that needs to be done so he supports staff's recommendation.

Motion by Mayor Strommen, seconded by Councilmember Backous, to recommend that the City Council authorize staff to begin a recruitment to hire a regular, full-time Building Official.

Motion carried. Voting Yes: Acting Chairperson Kuzma, Mayor Strommen, and Councilmember Backous. Voting No: None. Absent: Chairperson Tossey.

4.04: Title of the Command Position Created by a Recent Resignation within the Police Department

Police Chief Way reviewed the staff report and recommendation to keep the current command structure that was in place at the time of the Police Captain's resignation as it allows the Captains to be trained in both command areas and for a seamless transition to each duty. In addition, it would continue with the compound command structure with easily identifiable Supervisors of the Department.

Councilmember Backous asked if it is an issue of pay.

Police Chief Way explained they did not want to go from Sergeant to Captain, as some Departments have a position in between.

City Administrator Ulrich stated they would be comparable positions with equal rank but a different scope of duties.

Police Chief Way noted the cost will be less than \$2,000, possibly \$1,000.

Motion by Councilmember Backous, seconded by Mayor Strommen, to recommend that the City Council keep the current command structure that was in place at the time of the Police Captain's resignation

Motion carried. Voting Yes: Acting Chairperson Kuzma, Councilmember Backous, and Mayor Strommen. Voting No: None. Absent: Chairperson Tossey.

COMMITTEE INPUT

None.

ADJOURNMENT

Motion by Councilmember Backous, seconded by Mayor Strommen, to adjourn the regular meeting of the Personnel Committee.

Motion carried.

The regular meeting of the Personnel Committee adjourned at 6:03 p.m.

Respectfully submitted,

Colleen Lasher
Human Resources Manager

ATTEST:

Jo Ann M. Thieling
City Clerk

Drafted by Carla Wirth
TimeSaver Off Site Secretarial, Inc.

Councilmember introduced the following resolution and moved for its adoption:

RESOLUTION #13-08-145

RESOLUTION TO HIRE A BUILDING OFFICIAL AND TO CONTINUE WORKINGS WITH THE CITY OF ST. FRANCIS

WHEREAS, at the May 28, 2013, City Council meeting, staff was authorized to conduct a recruitment process to fill the Building Official position; and

WHEREAS, a recruitment process was conducted and eight candidates were interviewed; and

WHEREAS, Mr. Rick Jarson has been selected as the top candidate for the Building Official position; and

WHEREAS, staff has completed the necessary background checks and is recommending that Mr. Rick Jarson be hired as the Building Official at \$31.23 per hour, effective on or near September 16, 2013, with a credit of ten vacation days; and

WHEREAS, staff recommends continuing limited services with the City of St. Francis' Chief Building Official, as needed, but not to exceed an average of ten to twelve hours per week.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

Confirms the recommendation of the Personnel Committee to do the following:

Motion to approve resolution #13-08-145, to hire Mr. Rick Jarson as the City's new Building Official, effective on or near September 16,, 2013, at \$31.23 per hour with a credit of ten vacation days and to continue limited services with the City of St. Francis' Chief Building Official, as needed, but not to exceed an average of ten to twelve hours per week.

The motion for the adoption of the foregoing resolution was duly seconded by Council Member, , and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 27th day of August, 2013.

Personnel Committee

4. 4.

Meeting Date: 08/27/2013

By: Colleen Lasher, Administrative Services

Title:

Resolution to Recruit for an Engineering Technician III

Background:

The City has had the Engineering Technician III position slated for recruitment and in the budget since January 1, 2013. The request to recruit has been put off due to the many changes in the Engineering Division and the desire to get Bruce Westby, our new City Engineer, acclimated and in-tune the the business needs of the division. Mr. Westby, in cooperation with City Administrator Ulrich, have determined that hiring an Engineering Technician III will allow the City to better meet its engineering needs and will better utilize current staffing time and talents.

The Engineering Technician III would be primarily involved with:

- Preparing construction plans, specifications and engineer's estimates
- Preparing as-built plans
- Providing primary and/or back-up construction inspection
- Providing primary and/or back-up topsoil inspections
- Providing primary and/or back-up stormwater infrastructure inspections for compliance with the city's Stormwater Pollution Prevention Program (SWPPP)
- Providing primary and/or back-up grading inspections (if adopted)

The rationale for hiring this position is described in the attached *Evaluation Criteria for Vacant and New Positions* form, along with a draft job description.

Once the recruitment is complete, staff will bring a case forward asking for authorization to hire.

Notification:

This case will appear on the regular agenda of tonight's City Council meeting as part of the Report from the Personnel Committee.

Observations/Alternatives:

Option #1: Authorize staff to begin a recruitment for an Engineering Technician III based on the available funding as described below. The pros to this option include: 1) supporting the City's financial well-being by providing in-house engineering services, 2) supporting the strategic initiative "Enhancing the State, County and City's transportation system," (i.e. if this position is not filled, the city will further delay the development and implementation of a long-term road maintenance plan and policy), 3) providing additional in-house resources to support the Engineering Division's work, 4) providing back-up when the Engineering Tech IV or Engineering Tech II are out of the office. The cons to this option include recruitment costs, which are minimal; and training costs.

Option #2: Direct staff to contract this function out. Staff feels that the pros to this option are limited to reduced hiring costs and reduced training costs. The cons to this option include less control over the process and work-product, possible high turnover, possible loss of knowledge if/when contractor leaves, and and a higher annual cost--estimated at \$100,000 to \$140,000.

Option #3: Direct staff to act based on discussion.

Recommendation:

To make a motion, which upon City Council approval, will authorize staff to move ahead with option #1 above to Authorize staff to begin a recruitment for an Engineering Technician III, which includes posting the position's full pay scale.

Funding Source:

The funding required for this position, based on a January 1, 2014, start date is budgeted at \$72,358 (wages, benefits, taxes). This figure assumes hiring at step 1 of the 2014 wage scale. The full wage scale is as follows:

January 1, 2014 through June 30, 2014 = \$24.17 to \$30.23 per hour
July 1, 2014 through December 31, 2014 = \$24.42 to \$30.53 per hour

Based on the outcome of the candidate pool, staff would like the latitude to competitively negotiate a starting wage based on the 2014 wage scale; subject to available funding within the Division.

The position is funded as follows:

- 40% - Engineering
- 30% - Street Maintenance
- 10% - Water
- 10% - Sewer
- 10% - Storm Water

Council Action:

Motion to approve resolution #13-08-146, which confirms the recommendation of the Personnel Committee to authorize staff to begin a recruitment for an Engineering Technician III, posted at the position's full pay scale.

Attachments

- Evaluation Criteria Form
 - Resolution
 - Draft Job Description
-

Form Review

Inbox	Reviewed By	Date
Bruce Westby	Bruce Westby	08/21/2013 03:17 PM
Bruce Westby	Bruce Westby	08/21/2013 03:17 PM
Kurt Ulrich	Colleen Lasher	08/21/2013 03:43 PM
Colleen Lasher (Originator)	Colleen Lasher	08/21/2013 03:50 PM
Bruce Westby	Bruce Westby	08/22/2013 02:12 PM
Kurt Ulrich	Kurt Ulrich	08/22/2013 03:29 PM
Form Started By: Colleen Lasher		Started On: 08/16/2013 10:22 AM
	Final Approval Date: 08/22/2013	

Evaluation Criteria for Vacant and New Positions

1. Is the position essential?

Essential positions are those that provide core public health and safety services; emergency and disaster assistance; and preservation of the essential elements of the City's financial activities.

This position is essential from the City's financial perspective by allowing the Engineering Department to complete the following tasks in-house:

- *Preparing construction plans, specifications and engineer's estimates*
- *Preparing as-built plans*
- *Providing primary and/or back-up construction inspection*
- *Providing primary and/or back-up topsoil inspections*
- *Providing primary and/or back-up stormwater infrastructure inspections for compliance with the city's Stormwater Pollution Prevention Program (SWPPP)*
- *Providing primary and/or back-up grading inspections (if adopted)*

2. Is the position critical?

Critical positions are positions that are, for example, one-position job classes or positions with duties that cannot be modified, reassigned or eliminated. Detailed responses to the following questions will be required in determining whether or not a position is "critical" to providing high-quality services to residents, business owners and/or employees:

- Explain how this position is key to achieving the strategic goals identified by the City Council.
 - *This position is identified as being essential to allowing the city to meet the "Enhancing the State, County and City's transportation system" Strategic Initiative.*
- Can the duties be re-engineered or automated? Please explain.
 - *The duties assigned to this position cannot be automated.*
- Can the duties be reassigned temporarily or permanently? Please explain.
 - *The duties assigned to this position cannot be reassigned without negatively impacting the city's ability to meet the Strategic Initiative identified above, and without negatively impacting the ability of the Civil Engineer II to complete the duties assigned to them.*
- Can the position remain unfilled temporarily or permanently? Please explain.
 - *If this position remains unfilled the city will not be able to meet the Strategic Initiative identified above. In addition, the Civil*

Engineer II position will need to neglect many of their assigned duties while completing some of the duties that would have been assigned to this new position.

- Can the position be filled internally?
 - *This position very likely cannot be filled internally without providing CAD training to existing staff. This of course assumes that a current employee is interested in being reassigned to this position.*
- What is the impact (i.e., to residents, business owners, employees, and/or operations) if the position is not filled?
 - *If this position is not filled, the city will not be able to meet the Strategic Initiative identified above meaning the development and implementation of a long-term road maintenance plan and policy will be further delayed.*
- Can the service provided be reduced, eliminated, or contracted out?
 - *The duties assigned to this position could be contracted out to engineering consulting firms, though the costs to do so would likely be greater than filling this position.*
- What is the budgetary impact if the position is not filled (e.g., additional overtime/compensatory time off costs)?
 - *If this position is not filled, their assigned duties would remain with existing staff requiring additional hours to be worked and/or the hiring of consultants to complete the assigned tasks.*
- What are the circumstances that warrant the creation of this new position?
 - *Filling this position will allow the city to meet the Strategic Initiative identified above, and will allow the Civil Engineer II position to complete and catch up on some of their assigned duties that were neglected while completing CAD drafting on numerous public improvement projects in recent years.*

3. What is the total annual cost of the position (e.g., salary, taxes, benefits, equipment, etc.)?

Assuming a January 1st start date, the salary and benefits for this position for 2014 would total \$72,358.00. This includes purchasing another AutoCAD license, which would total an estimated \$1,135.00.

Councilmember introduced the following resolution and moved for its adoption:

RESOLUTION #13-08-146

RESOLUTION TO RECRUIT FOR AN ENGINEERING TECHNICIAN III

WHEREAS, the City Engineer and City Administrator have determined that an Engineering Technician III will allow the City to better meet the goals of the Strategic Plan, its engineering needs, and will better utilize current staffing' time and talents; and

WHEREAS, the City has had the Engineering Technician III position slated for recruitment and in the budget since January 1, 2013; and

WHEREAS, there are many advantages to having an Engineering Technician III on staff; and

WHEREAS, staff has requested authorization to begin the recruitment process for an Engineering Technician III.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

Confirms the recommendation of the Personnel Committee to do the following:

Motion to approve resolution #13-08-146 to authorize staff to begin a recruitment for an Engineering Technician III, posted at the position's full pay scale.

The motion for the adoption of the foregoing resolution was duly seconded by Council Member, , and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 27th day of August, 2013.

CITY OF RAMSEY POSITION ANALYSIS

POSITION TITLE: Engineering Technician III

DEPARTMENT: Public Works - Engineering

POSITION TITLE OF IMMEDIATE SUPERIOR: City Engineer

FLSA STATUS: Non-Exempt

PRIMARY OBJECTIVE OF POSITION:

The primary objective of this position is to perform routine and complex technical engineering related work for environmental, water, sewer, street, and other public works projects and programs. Working under the general guidance and direction of the City Engineer, this position will assist in the application of principles, methods, and techniques of civil engineering technology. This position will also perform complex administrative and technical computer-aided and drafting work and assist in the maintenance of the City of Ramsey's GIS database.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

- A. Prepares construction plans, specifications and engineer's estimates.
- B. Prepares as-built plans.
- C. Observes the construction of engineering projects.
- D. Inspects site grading and topsoil installations.
- E. Inspects stormwater infrastructure for compliance with the city's Stormwater Pollution Prevention Program (SWPPP).
- F. Performs other duties as assigned at the verbal or written direction of a Supervisor.

MINIMUM QUALIFICATIONS

- Must be at least 18 years of age and possess a valid Class D Minnesota Driver's License with a good driving record.
- Must possess a high school diploma or equivalent.
- Graduate of a vocational/technical college in engineering technology, civil engineering, or closely related field.
- Advanced training in drafting and Computer-Aided Design (CAD).
- Minimum of 4 years related experience.
- MnDOT Level II Certifications in Concrete and Bituminous.
- MnDOT Certifications in Grading and Base, and Erosion Control Inspector/Installer.

DESIRABLE QUALIFICATIONS

- Advanced knowledge of civil engineering principles, practices, and methods as applicable to a municipal setting.
- Working knowledge of construction techniques related to grading, sewer, water, storm sewer and street construction.

KNOWLEDGE, SKILLS, AND ABILITIES

- Knowledgeable and skilled in the use of computers, plotters, printers and scanners.
- Advanced knowledge of AutoCAD computer-aided drafting software.
- Ability to learn and use other design software programs as required.
- Knowledgeable and skilled in the use of civil engineering principles, practices, and methods as applicable to a municipal setting.
- Ability to communicate effectively (both orally and written) in English.
- Ability to develop and maintain effective working relationships with staff, supervisors, contractors, developers, and the general public.
- Ability to work in a variety of weather conditions.
- Ability to work independently with general supervision.
- Ability to work in a team environment.

JOB ACTIVITY REQUIREMENTS

	Very Important (Mandatory - you must do it to perform job)	Important (Usually required for the job but not mandatory)	Slightly Important (Sometimes needed to perform job)	Not Important (Do not need it to perform job)
Physical Activities:				
1. Standing	X			
2. Sitting	X			
3. Walking	X			
4. Lifting	X			
5. Pushing/Pulling	X			
6. Carrying	X			
7. Climbing			X	
8. Kneeling (bending leg at knee and resting on knee)		X		
9. Crawling (moving about on hands and knees)			X	
10. Crouching (bending at knees)	X			
11. Bending at waist	X			
12. Reaching (extending hands and arms in any direction)	X			
13. Handling objects (grasping, turning or otherwise using hands or hand)	X			
14. Repetitive hand motion			X	

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|--|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| 15. Use of arm muscles over extended periods | <u> </u> | <u> </u> | <u> </u> | <u> </u> |
| 16. Use of leg muscles over extended periods | <u> </u> | <u> </u> | <u> </u> | <u> </u> |
| 17. Overhead work (over shoulder height) | <u> </u> | <u> </u> | <u> </u> | <u> </u> |
| 18. Stationary desk or bench work with neck bent forward | <u> </u> | <u> </u> | <u> </u> | <u> </u> |

Are the following weights lifted? If yes, describe.

- 0 - 10 pounds X
- 11 - 24 pounds X
- 25 - 34 pounds X
- 35 - 50 pounds X
- 51 - 74 pounds
- 75 - 100 pounds

What object(s) are lifted:

Manuals, books, files.

From what height to what height?

1 to 3 feet.

Are the following weights carried? If yes, describe.

- 0 - 10 pounds X
- 11 - 24 pounds X
- 25 - 34 pounds X
- 35 - 50 pounds X
- 51 - 74 pounds
- 75 - 100 pounds

How far are these weights carried?

1 foot to 100 feet.

Job requires:

- | | | | | |
|---|---------------|-----|---------------|----|
| Working outdoors? | <u> X </u> | Yes | <u> </u> | No |
| Working indoors? | <u> X </u> | Yes | <u> </u> | No |
| Operating forklifts, dangerous machinery or vehicles? | <u> </u> | Yes | <u> X </u> | No |
| Supervising other employees? | <u> </u> | Yes | <u> X </u> | No |
| Working with chemicals? | <u> </u> | Yes | <u> X </u> | No |
| Working near fumes/vapors? | <u> X </u> | Yes | <u> </u> | No |

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