

**ORDINANCE NO. 2023-490**

**Motion By:** Bottema  
**Seconded By:** McKee

**AN ORDINANCE AMENDING THE TEXT OF TITLE VIII OF THE CORCORAN CITY CODE RELATED TO PROPERTY MAINTENANCE. (CITY FILE 22-046)**

**THE CITY OF CORCORAN ORDAINS:**

**SECTION 1.** Amendment of the City Code. The text of Title VII of the Corcoran City Code is hereby amended by adding the underlined material as follows:

**CHAPTER 87: PROPERTY MAINTENANCE CODE**

**87.01: ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE**

The 2021 International Property Maintenance Code (IPMC), as promulgated by the International Code Council, Inc., is adopted by reference and incorporated in the City Code in whole as if it was set out in full, subject to the amendments contained in this Chapter.

**87.02: AMENDMENTS TO INTERNATIONAL PROPERTY MAINTENANCE CODE**

- A. Section 101.1 Title. These regulations shall be known as the Property Maintenance Code of the City of Corcoran, hereinafter referred to as “this code.”
- B. Section 102.1 General Applicability. Where there is a conflict between a general requirement and a specific requirement, the specific requirements shall govern. Where differences occur between provisions of this Code and the referenced standards, the provisions of this code shall apply. Where there are conflicts with this code and other provisions of the City Code, the City Code provisions will prevail. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.
- C. Section 102.3 Application of Other Codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Minnesota State Building Code (MSBC), established pursuant to Minnesota Statutes 16B.59 – 16B.75, as amended from time to time, and as adopted by the City. Nothing in this Code shall be construed to cancel, modify, or set aside any provision of the MSBC or the City of Corcoran City Code.
- D. Section 102.8 Referenced Code and Standards. The codes and standards referenced in this code shall be those listed in Chapter 8 of the IPMC and shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and the MSBC, the most restrictive shall apply.

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- E. Section 103.1 Creation of Agency. The Zoning and Land Use Division is hereby created and the official in charge thereof shall be known as the Code Compliance Official, hereinafter referred to as the “code official.” The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.
- F. Section 104.1 Fees. The fees for activities and services performed in carrying out responsibilities under this code shall be in amounts set forth by the City Council.
- G. Section 107.1 General Means of Appeal. In order to hear and decide appeals of orders, decisions, or determinations made by the code official relative to the application and interpretation of this code, the City Council shall serve as the Board of Appeals and Adjustments and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the code official.
- H. Section 107.3 Qualifications. Not adopted.
- I. Section 108.1 Membership of Board. Not adopted.
- J. Section 109.4 Violation Penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day a violation continues after due notice has been served may be deemed a separate offense.
- K. Section 111.9 Restoration or Abatement. The structure or equipment determined to be unsafe by the code official is permitted to be restored to a safe condition. The owner, owner’s authorized agent, operator or occupant of a structure, premises or equipment deemed unsafe by the code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition, or other approved corrective action. To the extent that repairs, alterations, or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions, or change of occupancy shall comply with the requirements of the MSBC.
- L. Section 201.3 Terms Defined in Other Codes. Where terms are not defined in this code and are defined in the MSBC, Minnesota State Fire Code (MSFC), Minnesota Fuel Gas Code, Minnesota Mechanical Code, Minnesota Plumbing Code, International Residential Code, International Zoning Code, or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes.
- M. Section 201.4 Terms Not Defined. Where terms are not defined through the methods authorized by this section, the Merriam-Webster’s Collegiate Dictionary Tenth Edition shall be used to define such terms.



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- N. Section 202 Code Official Definition. The City's Code Compliance Official will serve as the code official as defined in this code. The code official is charged with the administration and enforcement of this code, or any duly authorized representative.
- O. Section 302.4 Weeds. Not adopted.
- P. Section 302.7 Motor Vehicles. Not adopted.
- Q. Section 303.2 Enclosures. Not adopted.
- R. Section 304.14 Insect Screens. Every door, window, and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.
1. Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.
- S. Section 306.1.1 Component Serviceability Unsafe Conditions. Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the MSBC as required for existing buildings:
1. Soils that have been subjected to any of the following conditions:
    - 1.1 Collapse of footing or foundation system.
    - 1.2 Damage to footing, foundation, concrete or other structural element due to soil expansion.
    - 1.3 Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil.
    - 1.4 Inadequate soil as determined by a geotechnical investigation.
    - 1.5 Where the allowable bearing capacity of the soil is in doubt.
    - 1.6 Adverse effects to the footing, foundation, concrete, or other structural element due to the ground water table.
  2. Concrete that has been subjected to any of the following conditions:
    - 2.1 Deterioration.
    - 2.2 Ultimate deformation.
    - 2.3 Fractures.
    - 2.4 Fissures.
    - 2.5 Spalling.
    - 2.6 Exposed reinforcement.
    - 2.7 Detached, dislodged or failing connections.

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3. Aluminum that has been subjected to any of the following conditions:
  - 3.1 Deterioration.
  - 3.2 Corrosion.
  - 3.3 Elastic deformation.
  - 3.4 Ultimate deformation.
  - 3.5 Stress or strain cracks.
  - 3.6 Joint fatigue.
  - 3.7 Detached, dislodged or failing connections.
  
4. Masonry that has been subjected to any of the following conditions:
  - 4.1 Deterioration.
  - 4.2 Ultimate deformation.
  - 4.3 Fractures in masonry or mortar joints.
  - 4.4 Fissures in masonry or mortar joints.
  - 4.5 Spalling.
  - 4.6 Exposed reinforcement.
  - 4.7 Detached, dislodged or failing connections.
  
5. Steel that has been subjected to any of the following conditions:
  - 5.1 Deterioration.
  - 5.2 Elastic deformation.
  - 5.3 Ultimate deformation.
  - 5.4 Metal fatigue.
  - 5.5 Detached, dislodged or failing connections.
  
6. Wood that has been subjected to any of the following conditions:
  - 6.1 Ultimate deformation.
  - 6.2 Deterioration.
  - 6.3 Damage from insects, rodents, and other vermin.
  - 6.4 Fire damage beyond charring.
  - 6.5 Significant splits and checks.
  - 6.6 Horizontal shear cracks.
  - 6.7 Vertical shear cracks.
  - 6.8 Inadequate support.
  - 6.9 Detached, dislodged or failing connections.
  - 6.10 Excessive cutting and notching.
  
7. Exceptions:
  - 7.1 Where substantiated otherwise by an approved method.
  - 7.2 Demolition of unsafe conditions shall be permitted where approved by the code official.



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- T. Section 308.1: Accumulation of Rubbish or Garbage. Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage pursuant to the nuisance provisions of the City Code.
- U. Section 502.5: Public Toilet Facilities. Public toilet facilities shall be maintained in a safe, sanitary, and working condition in accordance with the Minnesota Plumbing Code. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy of the premises.
- V. Section 505.1: General Water System. Every sink, lavatory, bathtub or shower, drinking fountain, water closet, or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. Kitchen sinks, lavatories, laundry facilities, bathtubs, and showers shall be supplied with hot or tempered and cold running water in accordance with the Minnesota Plumbing Code.
- W. Section 602.3: Heat Supply. Every owner and operator of any building who rents, leases, or lets one or more dwelling units or sleeping units on terms either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to April 30 to maintain a minimum temperature of 68-degrees Fahrenheit (20-degrees Celsius) in all habitable rooms, bathrooms, and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in the Minnesota Plumbing Code.
  2. In areas where the average monthly temperature is above 30-degrees Fahrenheit (-1-degree Celsius), a minimum temperature of 65-degrees Fahrenheit (18-degrees Celsius) shall be maintained.
- X. Section 602.4: Occupiable Work Spaces. Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to April 30 to maintain a minimum temperatures of 65-degree Fahrenheit (18-degree Celsius) during the period the spaces are occupied.

Exceptions:

1. Processing, storage, and operation areas that require cooling or special temperature conditions.
  2. Areas in which persons are primarily engaged in vigorous physical activities.
- Y. Section 604.3.1.1 Electrical Equipment. Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault

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circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the MSBC.

Exception: The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or approved manufacturer's representative indicates that the equipment has not sustained damage that requires replacement:

1. Enclosed switches, rated not more than 600 volts or less.
2. Busway, rated not more than 600 volts.
3. Panelboards, rated not more than 600 volts.
4. Switchboards, rated not more than 600 volts.
5. Fire pump controllers, rated not more than 600 volts.
6. Manual and magnetic motor controllers.
7. Motor control centers.
8. Alternating current high-voltage circuit breakers.
9. Low-voltage power circuit breakers.
10. Protective relays, meters, and current transformers.
11. Low- and medium-voltage switchgear.
12. Liquid-filled transformers.
13. Cast-resin transformers.
14. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water.
15. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water.
16. Luminaires that are listed as submersible.
17. Motors.
18. Electronic control, signaling, and communication equipment.

- Z. Section 604.3.2.1: Electrical Equipment. Electrical switches, receptacles, and fixtures, including furnace, water, heating, security system and power distribution circuits, that have been exposed to fire, shall be replaced in accordance with the provisions of the MSBC.

Exception: Electrical switches, receptacles, and fixtures that shall be allowed to be repaired where an inspection report from the equipment manufacturer or approved manufacturer's representative indicates that the equipment has not sustained damage that requires replacement.

- AA. Section 701.2: General Means of Egress. A safe, continuous, and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the MSBC.

- BB. Section 702.2: Aisles. The required width of aisles in accordance with the Minnesota State Fire Code shall be unobstructed.



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- CC. Section 702.3: Locked Doors. Means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the MSBC.
- DD. Section 702.4: Emergency Escape and Rescue Openings. Required emergency escape and rescue openings shall be maintained in accordance with the code in effect at the time of construction, and both of the following:
1. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools.
  2. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided that the minimum net clear opening size complies with the code that was in effect at the time of construction and the unit is equipped with smoke alarms installed in accordance with the MSBC. Such devices shall be releasable or removable from the inside without the use of a key, tool, or force greater than that which is required for normal operation of the escape and rescue opening.
- EE. Section 703.2: Unsafe Conditions Fire-Resistance Ratings. Where any components are not maintained and do not function as intended or do not have the fire resistance required by the code under which the building was constructed or altered, such components or portions thereof shall be deemed unsafe conditions in accordance with the MSFC. Components or portions thereof determined to be unsafe shall be repaired or replaced to conform to that code under which the building was constructed or altered. Where the condition of components is such that any building, structure, or portion thereof presents an imminent danger to the occupants of the building, structure, or portion thereof, the fire code official shall act in accordance with the MSFC.
- FF. Section 703.7 Vertical Shafts. Interior vertical shafts, including stairways, elevator hoistways, and service and utility shafts, which connect two or more stories of a building shall be enclosed or protected as required in the MSFC. New floor openings in existing buildings shall comply with the MSBC.
- GG. Section 704.1 Inspection, Testing and Maintenance. Fire Protection and life safety systems shall be maintained in accordance with the MSFC in an operative condition at all times, and shall be replaced or repaired where defective.
- HH. Section 704.1.2 Required Fire Protection and Life Safety Systems. Fire protection and life safety systems required by this code, the MSFC or the MSBC shall be installed, repaired, operated, tested, and maintained in accordance with this code. A fire protection and life safety system for which a design option, exception, or reduction to the provisions of this code, the MNFC or the MNBC has been granted shall be considered to be a required system.

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- II. Section 704.1.3 Fire Protection Systems. Fire protection systems shall be inspected, maintained, and tested in accordance with the following MSFC requirements:
1. Automatic sprinkler systems, see Section 903.5.
  2. Automatic fire-extinguishing systems protecting commercial cooking systems, see Section 904.12.
  3. Automatic water mist extinguishing systems, see Section 904.11.
  4. Carbon dioxide extinguishing systems, see Section 904.8.
  5. Carbon monoxide alarms and carbon monoxide detection systems, see Section 915.6.
  6. Clean-agent extinguishing systems, see Section 904.10.
  7. Dry-chemical extinguishing systems, see Section 904.6.
  8. Fire alarm and fire detection systems, see Section 907.8.
  9. Fire department connections, see Sections 912.4 and 912.7.
  10. Fire pumps, see Section 913.5.
  11. Foam extinguishing systems, see Section 904.7.
  12. Halon extinguishing systems, see Section 904.9.
  13. Single- and multiple-station smoke alarms, see Section 907.10.
  14. Smoke and heat vents and mechanical smoke removal systems, see Section 910.6.
  15. Smoke control systems, see Sections 909.3 and 909.20.
  16. Wet-chemical extinguishing systems, see Section 904.5.
- JJ. Section 704.4.2 Removal of Existing Occupant-Use Hose Lines. The fire code official is authorized to permit the removal of existing occupant-use hose lines where all the following apply:
1. The installation is not required by the MSFC or MSBC.
  2. The hose line would not be utilized by trained personnel or the fire department.
  3. The remaining outlets are compatible with local fire department fittings.
- KK. Section 704.4.3 Termination of Monitoring Service. For fire alarm systems required to be monitored by the MSFC, notice shall be made to the fire code official whenever alarm monitoring services are terminated. Notice shall be made in writing by the provider of the monitoring service being terminated.
- LL. Section 704.5.1 Fire Department Connection Access. Ready access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls, or any other fixed or movable object. Access to fire department connections shall be approved by the fire chief.  
Exception: Fences, where provided with an access gate equipped with a sign complying with the legend requirements of Section 912.5 of the MSFC and a means of emergency operation. The gate and the means of emergency operation shall be approved by the fire chief and maintained operational at all times.



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MM. Section 704.6.4 Smoke Detection System. Smoke detectors listed in accordance with UL 268 and provided as part of the building's fire alarm system shall be an acceptable alternative to single- and multiple-station smoke alarms and shall comply with the following:

1. The fire alarm system shall comply with all applicable requirements in Section 907 of the MSFC.
2. Activation of a smoke detector in a dwelling or sleeping unit shall initiate alarm notification in the dwelling or sleeping unit in accordance with Section 907.5.2 of the MSFC.
3. Activation of a smoke detector in a dwelling or sleeping unit shall not activate alarm notification appliances outside of the dwelling or sleeping unit, provided that a supervisory signal is generated and monitored in accordance with Section 907.6.6 of the MSFC.

NN. Section 705.1 General Carbon Monoxide Alarms and Detection. Carbon monoxide alarms shall be installed in dwellings in accordance with Section 1103.9 of the MSFC.

OO. Section 8 – ICC Referenced Standards.

ICC referenced standards were replaced with the following Minnesota standards:

<u>MSBC-20</u>	<u>Minnesota State Building Code</u>
<u>MSFC-20</u>	<u>Minnesota State Fire Code</u>
<u>MFGC-22</u>	<u>Minnesota Fuel Gas Code</u>
<u>MMC-20</u>	<u>Minnesota Mechanical Code</u>
<u>MPC-20</u>	<u>Minnesota Plumbing Code</u>

PP. Section A101 Boarding Standard. Appendix A of the International Property Maintenance Code is adopted by reference and incorporated in the City Code in whole as if it was set out in full, subject to the following amendments:

1. Section A102.1 Boarding Sheet Material. Boarding sheet material shall be minimum ½-inch thick (12.7 mm) wood structural panels complying with the MSBC.
2. Section A102.2 Boarding Framing Material. Boarding framing materials shall be minimum nominal 2-inch by 4-inch (51 mm by 102 mm) solid sawn lumber complying with the MSBC.
3. Section A102.3 Boarding Fasteners. Boarding fasteners shall be a minimum strength and size to adequately affix the material to the building while preventing entry.
4. Section A103 Installation. Not adopted.
5. Section A104 Referenced Standard. Not adopted.

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**QQ. Section B101 Board of Appeals. Appendix B of the International Property Maintenance Code is adopted by reference and incorporated in the City Code in whole as if it was set out in full, subject to the following amendments:**

1. Section B101.1 Scope. The City of Corcoran’s Board of Appeals and Adjustments will serve as the board of appeals for the purpose of hearing application for modification of this code pursuant to the provisions of Section 107 (Means of Appeals). The board shall operate in accordance with this section, and shall be authorized to hear evidence from appellants and the code official pertaining to the application and intent of this code for the purpose of issuing orders pursuant to these provisions.
2. Section B101.2 Application for Appeal. Any person shall have the right to appeal a decision of the code official to the board. A written appeal request shall be based on a claim that the intent of this code or the rules legally adopted hereunder 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 written request shall be filed with the code official within 30 days after the notice was mailed.
3. Section B101.3 Membership of The Board. Not adopted.

**SECTION 2. Effective Date**

This Ordinance shall be in full force and effect upon its adoption.

**ADOPTED** by the City Council on the 22<sup>nd</sup> day June 2023.

**VOTING AYE**

- McKee, Tom
- Bottema, Jon
- Nichols, Jeremy
- Schultz, Alan
- Vehrenkamp, Dean

**VOTING NAY**

- McKee, Tom
- Bottema, Jon
- Nichols, Jeremy
- Schultz, Alan
- Vehrenkamp, Dean

  
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Tom McKee - Mayor

**ATTEST:**

  
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Michelle Friedrich – City Clerk

*City Seal*