

BUILDING PERMIT AND CERTIFICATE OF USE EXEMPTIONS



Mille Lacs County administers the State Building Code (Minnesota Rules 1300), as amended from time to time. Administration of the State Building Code includes the issuance of permits and inspection of construction as required by the rule. Work that is exempt from permit requirements of the code must be performed in a manner that does not violate the code or any other applicable laws/ordinances.

Minnesota Rule 1300.0120, Subp. 4, provides that building permits shall not be required for the following list of work. (This same work is exempt from a Certificate of Use from the county; however, setbacks and/or height requirements of the underlying zoning district must be met.)

1. One-story detached accessory structures, used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed two hundred (200) square feet;
2. Fences not over seven (7) feet high;
3. Oil derricks;
4. Retaining walls that are not over four (4) feet 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 five thousand (5,000) gallons and the ratio of height to diameter or width does not exceed two to one (2 to 1);
6. Sidewalks and driveways that are not part of an accessible route;
7. Decks and platforms not more than thirty (30) inches 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 five thousand (5,000) gallons in capacity and a twenty-four (24)-inch depth;
11. Window awnings supported by an exterior wall that do not project more than fifty-four (54) inches 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 (5) feet, nine (9) inches in height; and
13. Swings and other playground equipment.

Agricultural Buildings

Per Minnesota Statutes 326B.121, Subd. 1(c), the State Building Code does not apply to agricultural buildings, with limited exceptions. While a building permit is not required for compliant agricultural buildings, Mille Lacs County does require a no-cost agricultural building certification for the structure.

Agricultural building¹: means a structure on agricultural land as defined in Minnesota Statutes 273.13, Subd. 23, designed, constructed, and used to house farm implements, livestock, or agricultural produce or products used by the owner, lessee, and sub lessee of the building and members of their immediate families, their employees, and persons engaged in the pickup or delivery of agricultural produce or products.

¹ Definition taken from Minnesota Department of Labor & Industry memo dated September 24, 2003 explaining the agricultural building exemption in the state building code.