

Steele County Building Permit Ordinance and Regulations

Adopted By

Steele County Board of Commissioners



**Hereby Adopted and Enacted this 7th Day of
February, 2017**

Steele County Building Permit Ordinance and Regulations

ARTICLE I: INTRODUCTION

1.1 Title

These regulations shall be known, and may be cited and referred to as the Steele County, North Dakota Building Permit Regulations.

1.2 Purpose and Intent

- 1.2.1 These building permit regulations are herein set forth to direct and guide the development of Steele County; to promote the health, safety, and well-being of the citizens of Steele County; and to promote the sound and desirable use of the lands of Steele County.
- 1.2.2 These building permit regulations are not to be misconstrued as zoning regulations already set forth by Steele County. The regulations herein are to be interpreted as regulations for the administration of building permits only.

1.3 Authorization

These Regulations were developed and enacted under authority granted in N.D.C.C. Ch. 11-33 which states: *“For the purpose of promoting health, safety, morals, public convenience, general prosperity, and public welfare, the board of county commissioners of any county may regulate and restrict within the county, subject to section 11-33-20 and chapter 54-21.3, the location and the use of buildings and structures and the use, condition of use, or occupancy of lands for residence, recreation, and other purposes.”*

ARTICLE II: GENERAL PROVISIONS

2.1 Jurisdiction

These regulations shall apply to all areas of Steele County, except:

- 2.1.1 Townships which have not relinquished the power to enact building permit regulations to the county.
- 2.1.2 Lands within tribal boundaries
- 2.1.3 Federal Land

2.2 Compliance with Ordinances, Statutes and Regulations

These regulations shall be held to be minimum requirements adopted for promotion of purposes cited in Section 1.2. Whenever the requirements of these regulations are at variance with the requirements of other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, the most restrictive shall govern unless otherwise specifically stated.

2.3 Exceptions

- 2.3.1 These regulations will not apply to acts deemed “ordinary maintenance” of the outside of a structure, such as, but not limited to: graveling of driveway, new shingles, new siding, planting grass, window(s) or door(s) replacement.
- 2.3.2 These regulations will not apply to acts deemed “ordinary maintenance” of the inside of a structure, such as, but not limited to: trim work, new appliance(s).
- 2.3.3 Uses specifically exempted from County jurisdiction according to N.D.C.C.

2.4 Building Permit Requirements

- 2.4.1 Building permits shall be necessary to any new structures or any changes in the current footprint of the structure in question.
- 2.4.2 Building permits shall be necessary for all structures, including those that are considered “farm exempt.”
 - 2.4.2.1 The application for property tax exemption of a farm residence must be filed by February 1st of the year in which the exemption is being requested as indicated by N.D.C.C. 57-02-08.
 - 2.4.2.2 If the requirements are met for the property to be considered “farm exempt” then the building permit will be retained for reference and no valuations will be placed on the structure that the permit was filed for.

2.5 Severability

If any part or provision of these regulations or the application thereof to any person, property, or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its effect to that part, provision, section or application directly involved in the controversy and expressly adjudged invalid and shall not affect or impair the integrity or validity of the remainder of these regulations or its application to other person, property, or circumstances.

2.6 Repeal

All previous Building Permit Regulations made by Steele County are hereby repealed and replaced with these regulations.

ARTICLE III: DEFINITIONS

3.1 Definitions

- 3.1.1 “Farm Exempt” means any farm property that has on file with the Steele County Director of Tax Equalization an application certifying exemption status in accordance with N.D.C.C 57-02-08.
- 3.1.2 “Ordinary Maintenance” means any type of maintenance done to a structure to be able to utilize the structure over its expected life.
- 3.1.3 “Permit” means any written document issued by Steele County that grants permission to perform an act or service.
- 3.1.4 “Shall” is a mandatory word and not discretionary.
- 3.1.5 “Structure” means anything constructed or erected, the use of which requires permanent location on the ground including advertising signs and billboards.

ARTICLE IV: FEES AND PENALTIES

4.1 Fees

- 4.1.1 Fees and approved application shall be submitted to the Steele County Director of Tax Equalization.
- 4.1.2 Building permit fees shall be charged and collected **PRIOR** to the start of the project.
- 4.1.3 Fee Schedule

\$25 for any improvement under \$100,000

\$50 for any improvement above \$100,000

4.2 Penalties

- 4.2.1 Penalties will be charged for anyone in violation of these regulations of a fine of \$250.

ARTICLE V: APPEAL PROCEDURES

5.1 Appeal Procedures

- 5.1.1 Anyone who wishes to appeal the decision of the Township Assessor must file a written grievance with the appropriate Township Clerk/Treasurer. This appeal will be heard at the subsequent Township Board Meeting.
- 5.1.2 Anyone who wishes to appeal the decision of the Township Board or the Steele County Director of Tax Equalization must file a written grievance to the Steele County Board of Commissioners via the Steele County Auditor. This appeal will be heard at the subsequent Steele County Commission Meeting.
- 5.1.3 The decision of the Steele County Commission is hereby deemed to be the final decision of the matter except as indicated by law.

ARTICLE VI: AUTHORITY

It is under the authority of the Steele County Board of Commissioners that the Steele County Director of Tax Equalization Office and its appointees hereby maintain and uphold the regulations set forth herein.

These Building Permit Regulations are hereby approved on this 7th day of February, 2017.

STEELE COUNTY COMMISSION

BY: _____
Russell Walcker, Chairman

Written	09/06/2016
Revised	12/07/2016
Revised and First Reading	01/03/2017
Second Reading, Adopted and Enacted	02/07/2017