

## Policy for Rebuilds in Case of Destruction

To expedite the process for obtaining building permits to reconstruct buildings or structures destroyed by fire or other peril, the Township has adopted the following policy:

1. **Applications.** Applications for building permits shall be made to the Town Clerk as for an application for a new building or structure. The Town Clerk and Planning Commission Chair (or Vice Chair) will jointly review applications for buildings or structures being rebuilt after destruction by fire as soon as they are received. Incomplete applications will be returned within 15 days and must be resubmitted.
2. **Administrative review process.** If the building permit is for an **exact rebuild** of a conforming building or structure on its original foundation, **and** if the Clerk and the Planning Commissioner **agree the proposal meets Township Ordinances**, the Clerk may approve the permit, and applicants need not appear before the Planning Commission or Town Board. The Clerk will forward building plans to the Township Building Inspector, who will issue a permit per his/her usual procedure. Once a permit has been issued, applicants can obtain their permit from the Town Clerk after paying the appropriate permit fees. *No work shall begin on the project until the applicant has paid for and obtained the proper permits.*
3. **Normal review process.** Any one of the following will require that the application be forwarded to the Planning Commission and Town Board for review per the Township's standard procedures for reviewing permits:
  - The Clerk and the Planning Commissioner do not agree that the proposal meets Township Ordinances;
  - Changes to the foundation or footprint of the building or structure;
  - Changes to the location of the building or structure on the parcel;
  - Changes in the physical dimensions of the building or structure (square footage, height, etc.); or
  - Rebuilding a nonconforming building or structure.<sup>†</sup>

In such cases, the applicant must appear before the Planning Commission and Town Board at their next regularly scheduled meetings. *No work shall begin on the project until the applicant has paid for and obtained the proper permits.*

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<sup>†</sup> Minnesota Statutes state: "If a nonconforming building or structure is destroyed by fire or other peril to the extent of 50% of its market value, the board may impose reasonable conditions upon a building permit in order to mitigate any newly created impacts on adjacent property" (M.S. 394.36, Subd. D).