

# HOUSE RESEARCH

## Bill Summary

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Modifies the municipal enforcement provision of the state building code to say that a local ordinance must *not be in conflict* with any provision of the state building code. Current law says that a local ordinance cannot *be different* from the state building code.

Also provides that the statute does not prohibit a municipality from adopting an ordinance relating to property maintenance or rental licensing unless it conflicts with the state building code.

"Municipality" means a statutory or home rule charter city, county, or town, the University of Minnesota, or the state for public buildings and state licensed facilities. Minn. Stat. § 326B.103.

This statute has been an issue since the Minnesota Supreme Court decision in *City of Morris v. Sax Investments, Inc.*, 749 N.W.2d 1 (Minn. 2008), in which the court held that city ordinance provisions regulating certain items were building code provisions that differed from the state building code and were therefore prohibited.