



MN State Plumbing Board  
Attention: Chair John Parizek  
Department of Labor & Industry  
443 Lafayette Road North  
St. Paul, MN 55155

RECEIVED

February 19, 2013

FEB 25 2013

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Mr. Parizek:

I am the Building Official for the City of Maplewood and responsible for plumbing inspections in my community. I have been doing plumbing inspections for more than 25 years. In April of 2011, the MN State Plumbing Board decided to move forward with adopting a model code without a real review process involving the International Plumbing Code; it became clear that the Board intended to push the Uniform Plumbing Code as a code suited to the desires of people in the plumbing industry. The world of code development, adoption, interfacing and implementing is a lot bigger than the desires of our friends in the plumbing industry, and even though it may be difficult for the MN State Plumbing Board to consider retracting the UPC adoption, it would be for the best interests of our state that they do so.

In short, a UPC adoption will create much more trouble and costs to local governments than what I think the Board had anticipated. Let me list some of my concerns:

- Minnesota is an ICC state when it comes to construction codes. The codes were designed to be fair for industry and for the public, but they were also reflected to work with the other construction codes in regulatory harmony. The I Codes are built to inter-relate with each other, which makes it easier for builders, engineers, architects and code enforcement alike. The IPC fits easily into the landscape with the other I Codes.
- Because Minnesota is an ICC state, it reduces duplicative demands on time and money from local governments. If the UPC is adopted, local jurisdictions will need to be concerned about sending code officials to UPC classes in addition to the ICC classes they attend. If local government officials want a voice in the development of codes that are used in Minnesota, they will have to go to both the IAPMO conference as well as the ICC conference, or miss one of them. If UPC is adopted, ICC certification will be meaningless to plumbing inspectors who will have to be recertified, which generates another cost.

It's clear to me that a UPC adoption will generate some costly, unexpected consequences, which put it outside what Minnesota law says code adoptions should do. I can't imagine that a UPC adoption will easily pass legal review, especially in light of the rejection of weighing the benefits and value of an IPC adoption as the Minnesota State Plumbing Code.

If you wish to discuss my letter to be submitted in the public hearing process, please contact me by phone at 651-249-2320 or email: [dave.fisher@ci.maplewood.mn.us](mailto:dave.fisher@ci.maplewood.mn.us). Thank you for considering my views on this critically important issue.

Sincerely,

David Fisher  
Building Official



MN State Plumbing Board  
Attention: Chair John Parizek  
Department of Labor & Industry  
443 Lafayette Road North  
St. Paul, MN 55155

February 21, 2013

RECEIVED

FEB 25 2013

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Mr. Parizek:

I am a Building Inspector for the City of Maplewood and I inspect plumbing in my community. I have been doing plumbing inspections for about 5 years. In April of 2011, the MN State Plumbing Board decided to move forward with adopting a model code without a real review process involving the International Plumbing Code; it became clear that the Board intended to push the Uniform Plumbing Code as a code suited to the desires of people in the plumbing industry. The world of code development, adoption, interfacing and implementing is a lot bigger than the desires of our friends in the plumbing industry, and even though it may be difficult for the MN State Plumbing Board to consider retracting the UPC adoption, it would be for the best interests of our state that they do so.

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It's clear to me that a UPC adoption will generate some costly, unexpected consequences, which put it outside what Minnesota law says code adoptions should do. I can't imagine that a UPC adoption will easily pass legal review, especially in light of the rejection of weighing the benefits and value of an IPC adoption as the Minnesota State Plumbing Code.

If you wish to discuss my letter to be submitted in the public hearing process, please contact me by phone at 651-249-2324 or email: [Jason.brash@ci.maplewood.mn.us](mailto:Jason.brash@ci.maplewood.mn.us). Thank you for considering my views on this critically important issue.

Sincerely,

Jason Brash  
Building Inspector



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FEB 25 2013

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

MN State Plumbing Board  
Attention: Chair John Parizek

Department of Labor & Industry  
443 Lafayette Road North  
St. Paul, MN 55155

RE: Adoption of Minnesota State Plumbing Code

February 21, 2013

Dear Mr. Parizek,

Please consider this request to set the adoption of the plumbing code through a real review process involving all parties related and affected by this section of the State Building Code.

It is only by open meetings, public discussion and appropriate procedure that we as building inspectors can respect the codes entrusted to us to enforce.

Obviously, there are enough people and entities concerned with the way the current adoption process has transpired, that it will benefit everyone affected to commence opening the discussions and thereby creating a mutual consensus of all parties.

Evidently, there must be some apprehension to inviting more groups into the process of adopting the State Plumbing Code. Many are questioning the way the process has proceeded and they have objected to the closed door meetings, unseen documentation, and unknown interests.

It's clear to all of us that adoption of the UPC without due diligence in the process is just wrong.

Please allow fair and balanced deliberation of the IPC, and give consideration to the reasoning of the entities entrusted to enforce our Building Codes.

Respectfully,

David Swan, CBO #BO0002410  
Building Inspector  
City of Maplewood, Minnesota



MN State Plumbing Board  
Attention: Chair John Parizek  
Department of Labor & Industry  
443 Lafayette Road North  
St. Paul, MN 55155

RECEIVED February 15, 2013

FEB 25 2013

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Mr. Parizek:

I am the Assistant Building Official for the City of Maplewood and responsible for plumbing inspections in my community. I have been doing plumbing inspections for more than 28 years. In April of 2011, the MN State Plumbing Board decided to move forward with adopting a model code without a real review process involving the International Plumbing Code; it became clear that the Board intended to push the Uniform Plumbing Code as a code suited to the desires of people in the plumbing industry. The world of code development, adoption, interfacing and implementing is a lot bigger than the desires of our friends in the plumbing industry, and even though it may be difficult for the MN State Plumbing Board to consider retracting the UPC adoption, it would be for the best interests of our state that they do so.

In short, a UPC adoption will create much more trouble and costs to local governments than what I think the Board had anticipated. Let me list some of my concerns:

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- Because Minnesota is an ICC state, it reduces duplicative demands on time and money from local governments. If the UPC is adopted, local jurisdictions will need to be concerned about sending code officials to UPC classes in addition to the ICC classes they attend. If local government officials want a voice in the development of codes that are used in Minnesota, they will have to go to both the IAPMO conference as well as the ICC conference, or miss one of them. If UPC is adopted, ICC certification will be meaningless to plumbing inspectors who will have to be recertified, which generates another cost.

It's clear to me that a UPC adoption will generate some costly, unexpected consequences, which put it outside what Minnesota law says code adoptions should do. I can't imagine that a UPC adoption will easily pass legal review, especially in light of the rejection of weighing the benefits and value of an IPC adoption as the Minnesota State Plumbing Code.

If you wish to discuss my letter to be submitted in the public hearing process, please contact me by phone at 651-249-2321 or email: [nick.caver@ci.maplewood.mn.us](mailto:nick.caver@ci.maplewood.mn.us). Thank you for considering my views on this critically important issue.

Sincerely,

Nick Carver  
Assistant Building Official



## The Association of Minnesota Building Officials

Building Officials administrating the building, mechanical, plumbing & electrical codes, are committed to serving the public interest and the professionals that ensure safety in the building environment



# RECEIVED

FEB 21 2013

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

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ambo-icc.org  
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55369  
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City of Maple Grove

February 19, 2013

MN Plumbing Board  
Attn: Chair John Parizek  
Department of Labor & Industry  
443 Lafayette Road North, St Paul 55155

Dear Sir:

I have recently been asked for comments for the Uniform Plumbing Code (UPC) your Board is considering the adopting as a model plumbing code to replace the MN State Plumbing Code. I understand that the current code and product approvals are completed by your board and maintained through the rules process. As a local Building Official who also serves as a plumbing inspector I would like to encourage adoption of the International Plumbing Code (IPC) instead of the UPC.

Having firsthand experience with the issues arising from a local or state maintained code, I see great advantages in moving to a national model plumbing code in MN.

- **The adoption of a model code and product approvals facilitates interstate commerce.** Using a nationally accepted standard for methods and material makes it easier for manufacturers within MN to sell across state lines and for industries within MN to utilize a broader range of products. The local manufacturer and the local consumer benefit from the broad market access.
- **The adoption of a model code and standards conserves state government resources.** In order to maintain a current code and in order to recognize emerging materials and practices it is imperative that the codes are regularly updated and that product listings are regularly maintained. This process takes valuable time and resources. When a model code is adopted, this practice becomes an unnecessary repetitive exercise since it is already being completed at the national level.
- **The model codes are more comprehensive and regularly maintained.** Broader input is available on the national level for model code development so that a better code can be produced. Experts in regulation and industry from around the country participate in an open process that is less affected by local-political-agendas. This process occurs on a regular basis producing new codes every three years.
- **The local jurisdictions still participate effectively in the code development process.** Local officials and industry representatives can and are already participating in this process on the national level. If a model code is adopted, local jurisdictions can remain active in the national process. The jurisdiction benefits by having input into the code and by having officials that better understand the intent of the code.
- **The adopted model code must go through the MN rules process.** The adoption of a model code in MN is similar to the adoption of any other rule which should allow for the input of all stakeholders. We have not had the opportunity for fair input in choosing the plumbing model code nor have other stakeholders. Since there is a choice of model codes for this aspect of construction it is imperative that an open and fair process be used from the outset and with each adoption.

That said, I oppose the adoption of the UPC but instead support the adoption of the IPC as the model plumbing code in Minnesota because it aligns more closely with the intent of the statutory language that delineates the purpose and policies for construction codes in Minnesota and because the IPC is more easily integrated by local governments in our state.

**Executive Officer**  
Roger Axel  
763-531-5122

**Executive Secretary**  
Lisa Vieau  
763-494-6081

**Executive Treasurer**  
Larry Huff  
763-494-6080

State statute 326B.101 states that the purpose and policy for the adoption of the building codes in Minnesota shall:

*“... provide basic and uniform performance standards, establish reasonable safeguards for health, safety, welfare, comfort, and security of the residents of this state and provide for the use of modern methods, devices, materials, and techniques which will in part tend to lower construction costs. The construction of buildings should be permitted at the least possible cost consistent with recognized standards of health and safety.”*

Further, Minnesota Statute 326B.106 goes on to detail that model code adoption process and considerations shall:

*“... by rule and in consultation with the Construction Codes Advisory Council establish a code of standards for the construction, reconstruction, alteration, and repair of buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety, including design and construction standards regarding heat loss control, illumination, and climate control. The code must also include duties and responsibilities for code administration, including procedures for administrative action, penalties, and suspension and revocation of certification. The code must conform insofar as practicable to model building codes generally accepted and in use throughout the United States, including a code for building conservation. In the preparation of the code, consideration must be given to the existing statewide specialty codes presently in use in the state. Model codes with necessary modifications and statewide specialty codes may be adopted by reference. The code must be based on the application of scientific principles, approved tests, and professional judgment. To the extent possible, the code must be adopted in terms of desired results instead of the means of achieving those results, avoiding wherever possible the incorporation of specifications of particular methods or materials. To that end the code must encourage the use of new methods and new materials. Except as otherwise provided in sections”*

**The adoption of the International Plumbing Code encompasses the intents noted herein and should be the preferred model plumbing code for MN.**

- **“...must conform insofar as practicable to model building codes generally accepted and in use throughout the United States,”** The International Plumbing Code is part of the family of International codes that includes the International Building Code, the International Fire Code, the International Residential Code, the International Mechanical Code, the International Fuel Gas Code, the International Electrical Code, the International Energy Code, the International Existing Building Code and the recently developed International Green Construction Code. All of these codes are developed and coordinated at the national level and many of the International codes are adopted in virtually every state in the US. Additionally, the Federal Government uses the IPC as the plumbing code for HUD. This cannot be said of the Uniform Plumbing Code.
- **“...consideration must be given to the existing statewide specialty codes presently in use in the state”** Minnesota currently adopts many of the International codes. They include our fire code, building code, mechanical code, fuel gas code, energy code, residential code, and electrical code. Additionally the adoption of the International Green Code is currently under consideration. It is imperative that the construction codes in MN be coordinated for the benefit of local enforcement logistics which ultimately saves resources and provides better public safety. Adoption of the IPC complies with this requirement but the UPC does not.
- **“...must be adopted in terms of desired results instead of the means of achieving those results, avoiding wherever possible the incorporation of specifications of particular methods or materials.”** The International Codes are developed as public safety documents rather than how-to documents. It is wise to focus on the results and intent of public safety and sanitation in all codes rather than the prescriptive details that address only a portion of the stakeholders. The performance aspects of the IPC effectively and efficiently allow for designers, plumbers, and regulators to achieve the minimum sanitation standards necessary for public health in our ever changing construction industry. The development statement for the IPC includes this statement: *“This comprehensive plumbing code establishes minimum regulations for plumbing systems using prescriptive and performance-related provisions.*

Further, section 105 in the administration chapter of each of the International Codes is written specifically to include alternate acceptance criteria to achieve results not prescribed in the code: *“The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed alternative material, method or equipment complies with the intent of the provisions of this code and is at least the equivalent of that prescribed in this code.”*

The UPC is written as a prescriptive manual for the plumbing installer. It is preferred by plumbers because of its strong prescriptive design. This does not promote the use of alternate methods and hinders optional designs that can benefit business and industry.

**Executive Officer**  
Roger Axel  
763-531-5122

**Executive Secretary**  
Lisa Vieau  
763-494-6081

**Executive Treasurer**  
Larry Huff  
763-494-6080

- “...must encourage the use of new methods and new materials.” A comparison of the history of the adoption of new methods and materials in the model plumbing codes reveals a consistent lag in acceptance by the UPC as opposed to the IPC and its predecessors. Attached is a documentation of the more notable items. This lag causes barriers to interstate commerce and increases costs to local businesses that could take advantage of the new methods.

**The International Plumbing Code is more easily integrated into the local code administration and enforcement processes.** Aside from State licensed facilities, State-owned buildings, schools, and hospitals, local jurisdictions are tasked with the enforcement of the State Plumbing Code. Local jurisdictions prefer the adoption of the IPC over the UPC because it will provide significant advantages that will translate into cost savings and efficiencies that ultimately benefit the public; additionally they can continue to participate in a code development process that is open and transparent.

**Coordinated Code Imperative:** Whether a small single-inspector jurisdiction or a large multi-department agency, the coordination of all construction codes is paramount to efficient code enforcement and administration. Generally all of the codes contain overlapping language and requirements. When they differ it creates conflicts in enforcement and delays in construction. The International codes are coordinated in their national development process but this is to no avail if non-International codes are adopted in the state. To take full advantage of the coordination of codes, the State of MN should adopt the IPC.

**Code Development Cost Savings:** Minnesota code officials from various jurisdictions currently participate in the code development process for the International Codes. If the UPC is adopted it would require Minnesota jurisdictions additional fund cost to be involved with the UPC national code development process in order to be proactive in the development of future code editions. This is an unnecessary duplication of efforts.

**Inspector Certifications:** ICC is a credentialed provider of certifications and certification testing in the US. There are currently over 1,000 ICC certifications held by over 500 individual MN code officials. Those certified as MN plumbing inspectors are certified in a program designed to transition to the International codes. This certification was designed by ICC in partnership with the Association of MN Building Officials as part of a drive to improve inspector credentials throughout the state. These certifications have been designed to transfer directly to ICC nationally recognized certifications as plumbing inspectors for use of the IPC. If the UPC is selected it would disqualify this certification and add a burden to local governments to recertify their inspectors.

**Inspector and Trade Licensure Training:** ICC is a recognized provider of training and is regularly contracted to give training to Building Officials, inspectors and trade licensed individuals in Minnesota. Courses have been developed by ICC specifically for MN and the codes that have been adopted in our state. This same-source for training multi disciplines creates an environment for increased code coordination and understanding.

**Code Development by Governmental Consensus:** The IPC development process is controlled by public safety officials who act legislatively in an open and transparent process where all stakeholders actively participate. Minnesota code officials participate and influence the model codes that are then adopted and enforced in our state. The UPC development process is not a governmental consensus process. It is an industry developed standard.

**Spanish Code Documents:** ICC currently publishes a Spanish version of the International Plumbing Code. This is a great benefit for local jurisdictions that are experiencing a shift to a multi-cultural society and this availability encourages minority interest in the construction professions.

Adopting a model plumbing code in Minnesota only makes sense if it is coordinated with the construction codes already adopted in MN and that continues to promote opportunity for effective input in the development of future editions. This code should also exhibit the requirements of the MN statutes that address the adoption of state coordinated, nationally recognized, modern performance based codes. These attributes enhance local enforcement and ultimately improve public health and sanitation by lowering administration costs and improving enforcement efficiency and consistency. The best set of codes for achieving this high standard is the International Code including the International Plumbing Code.

I therefor request that the adoption of a model plumbing code begin with the proper evaluation of the International Plumbing Code and further that the Governors Construction Codes Advisory Council makes a recommendation regarding a model plumbing code before moving forward.

Sincerely,

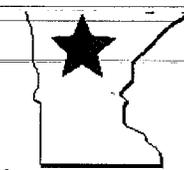


David Fisher,  
Chairman of the Association of Minnesota Building Officials

**Executive Officer**  
Roger Axel  
763-531-5122

**Executive Secretary**  
Lisa Vieau  
763-494-6081

**Executive Treasurer**  
Larry Huff  
763-494-6080



**10,000 LAKES CHAPTER**  
INTERNATIONAL CODE COUNCIL



**RECEIVED**

**FEB 25 2013**

**DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES**

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City of St Paul

February 20, 2013

Department of Labor & Industry  
MN Plumbing Board  
Attn: Chair John Parizek  
443 Lafayette Road North  
St Paul, MN 55155

Dear Sir:

The 10,000 Lakes Chapter of Building Officials is a non-profit organization representing individuals and municipalities with no financial interest in the content of construction regulations. Our interest is affordable public safety in the built environment and the efficient administration of construction codes.

Our mission is to ensure safety in the built environment through developing, recommending and promoting uniform regulations and legislation pertaining to the building environment; facilitating uniformity in construction code administration and enforcement; and by providing for the professional development of all code officials.

We support the adoption of a model plumbing code that includes performance oriented provisions, which is not overly prescriptive and inflexible, and which also is in accordance with both the administrative procedures act and the powers delegated to the commissioner of Labor and Industry to administer the state building code. We support the adoption of a model plumbing code that is consistent and coordinates with existing codes presently in use in the state in accordance with the statutory provisions governing the adoption of model codes.

The record shows that the MN state plumbing board instructed the Department of Labor and Industry to prepare the Uniform Plumbing Code (UPC) for adoption in MN without considering or discussing the positions of the MN chapters of the American Society of Plumbing Engineers, the American Society of Heating, Refrigerating and Air Conditioning Engineers, the Building Owners and Managers Association, the US Green Building Council, and the Target Corporation in support of adoption of the International Plumbing Code. The board took this action without reading materials that our association prepared and submitted that addressed the broad policy implications of the decision.

We have recently been asked for comments for the Uniform Plumbing Code (UPC) your Board is considering the adopting as a model plumbing code to replace the MN State Plumbing Code. We understand the current code and product approvals are completed by your board and maintained through the rules process. As a local Building Official who also serves as a plumbing inspector I would like to encourage adoption of the International Plumbing Code (IPC) instead of the UPC.

The 10,000 Lakes Chapter of the International Code Council is dedicated to promoting public health, safety and welfare in the built environment through professional education, uniform enforcement and consensus based code development.

Chapter Web Site [www.10klakes.org](http://www.10klakes.org)

Below are some of the issues arising from a local or state maintained code, we see great advantages in moving to a national model plumbing code in MN.

- **The adoption of a model code and standards conserves state government resources.** In order to maintain a current code and in order to recognize emerging materials and practices it is imperative that the codes are regularly updated and that product listings are regularly maintained. This process takes valuable time and resources. When a model code is adopted, this practice becomes an unnecessary repetitive exercise since it is already being completed at the national level.
- **The adoption of a model code and product approvals facilitates interstate commerce.** Using a nationally accepted standard for methods and material makes it easier for manufacturers within MN to sell across state lines and for industries within MN to utilize a broader range of products. The local manufacturer and the local consumer benefit from the broad market access.
- **The model codes are more comprehensive and regularly maintained.** Broader input is available on the national level for model code development so that a better code can be produced. Experts in regulation and industry from around the country participate in an open process that is less affected by local political agendas. This process occurs on a regular basis producing new codes every three years.
- **The local jurisdictions still participate effectively in the code development process.** Local officials and industry representatives can and are already participating in this process on the national level. If a model code is adopted, local jurisdictions can remain active in the national process. The jurisdiction benefits by having input into the code and by having officials that better understand the intent of the code.
- **The adopted model code must go through the MN rules process.** The adoption of a model code in MN is similar to the adoption of any other rule which should allow for the input of all stakeholders. We have not had the opportunity for fair input in choosing the plumbing model code nor have other stakeholders. Since there is a choice of model codes for this aspect of construction it is imperative that an open and fair process be used from the outset and with each adoption.

We are opposed to the adoption of the UPC but instead support the adoption of the IPC as the model plumbing code in Minnesota because it aligns more closely with the intent of the statutory language that delineates the purpose and policies for construction codes in Minnesota. Also the IPC is more easily integrated by local governments in our state.

State statute 326B.101 states that the purpose and policy for the adoption of the building codes in Minnesota shall:

*“... provide basic and uniform performance standards, establish reasonable safeguards for health, safety, welfare, comfort, and security of the residents of this state and provide for the use of modern methods, devices, materials, and techniques which will in part tend to lower construction costs. The construction of buildings should be permitted at the least possible cost consistent with recognized standards of health and safety.”*

Further, Minnesota Statute 326B.106 goes on to detail that model code adoption process and considerations shall:

*“... by rule and in consultation with the Construction Codes Advisory Council establish a code of standards for the construction, reconstruction, alteration, and repair of buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and*

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**The adoption of the International Plumbing Code encompasses the intents noted herein and should be the preferred model plumbing code for MN.**

- **“...must conform insofar as practicable to model building codes generally accepted and in use throughout the United States,”** The International Plumbing Code is part of the family of International codes that includes the International Building Code, the International Fire Code, the International Residential Code, the International Mechanical Code, the International Fuel Gas Code, the International Electrical Code, the International Energy Code, the International Existing Building Code and the recently developed International Green Construction Code. All of these codes are developed and coordinated at the national level and many of the International codes are adopted in virtually every state in the US. Additionally, the Federal Government uses the IPC as the plumbing code for HUD. This cannot be said of the Uniform Plumbing Code.
- **“...consideration must be given to the existing statewide specialty codes presently in use in the state”** Minnesota currently adopts many of the International codes. They include our fire code, building code, mechanical code, fuel gas code, energy code, residential code, and electrical code. Additionally the adoption of the International Green Code is currently under consideration. It is imperative that the construction codes in MN be coordinated for the benefit of local enforcement logistics which ultimately saves resources and provides better public safety. Adoption of the IPC complies with this requirement but the UPC does not.
- **“...must be adopted in terms of desired results instead of the means of achieving those results, avoiding wherever possible the incorporation of specifications of particular methods or materials.”** The International Codes are developed as public safety documents rather than how-to documents. The performance aspects of the IPC effectively and efficiently allow for designers, plumbers, and regulators to achieve the minimum sanitation standards necessary for public health in our ever changing construction industry. The development statement for the IPC includes this statement: *“This comprehensive plumbing code establishes minimum regulations for plumbing systems using prescriptive and performance-related provisions.”*

Further, section 105 in the administration chapter of each of the International Codes is written specifically to include alternate acceptance criteria to achieve results not prescribed in the code: *“The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed alternative material, method or equipment complies with the intent of the provisions of this code and is at least the equivalent of that prescribed in this code.”*

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hinders optional designs that can benefit business and industry. This is opposite of the rest of the codes we use in Minnesota.

- **“...must encourage the use of new methods and new materials.”** A comparison of the history of the adoption of new methods and materials in the model plumbing codes reveals a consistent lag in acceptance by the UPC as opposed to the IPC and its predecessors. This lag causes barriers to interstate commerce and increases costs to local businesses that could take advantage of the new methods.

**The International Plumbing Code is more easily integrated into the local code administration and enforcement processes.** Aside from State licensed facilities, State owned buildings, schools, and hospitals, local jurisdictions are tasked with the enforcement of the State Plumbing Code. Local jurisdictions prefer the adoption of the IPC over the UPC because it will provide significant advantages that will translate into cost savings and efficiencies that ultimately benefit the public; additionally they can continue to participate in a code development process that is open and transparent.

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**Coordinated Code Imperative:** Whether a small single-inspector jurisdiction or a large multi-department agency, the coordination of all construction codes is paramount to efficient code enforcement and administration. Generally all of the codes contain overlapping language and requirements. When they differ it creates conflicts in enforcement and delays in construction. The International codes are coordinated in their national development process but this is to no avail if non-International codes are adopted in the state. To take full advantage of the coordination of codes, the State of MN should adopt the IPC.

**Code Development Cost Savings:** Minnesota code officials from various jurisdictions currently participate in the code development process for the International Codes. If the UPC is adopted it would require Minnesota jurisdictions additional fund cost to be involved with the UPC national code development process in order to be proactive in the development of future code editions. This is an unnecessary duplication of efforts.

**Inspector Certifications:** ICC is a credentialed provider of certifications and certification testing in the US. There are currently over 1,000 ICC certifications held by over 500 individual MN code officials. Those certified as MN plumbing inspectors are certified in a program designed to transition to the International codes. This certification was designed by ICC in partnership with the Association of MN Building Officials as part of a drive to improve inspector credentials throughout the state. These certifications have been designed to transfer directly to ICC nationally recognized certifications as plumbing inspectors for use of the IPC. If the UPC is selected it would disqualify this certification and add a burden to local governments to recertify their inspectors.

---

**Inspector and Trade Licensure Training:** ICC is a recognized provider of training and is regularly contracted to give training to Building Officials, inspectors and trade licensed individuals in Minnesota. Courses have been developed by ICC specifically for MN and the codes that have been adopted in our state. This same-source for training multi disciplines creates an environment for increased code coordination and understanding.

**Code Development by Governmental Consensus:** The IPC development process is controlled by public safety officials who act legislatively in an open and transparent process where all stakeholders actively participate. Minnesota code officials participate and influence the model codes that are then adopted and enforced in our state. The UPC development process is not a governmental consensus process. It is an industry developed standard.

**Spanish Code Documents:** ICC currently publishes a Spanish version of the International Plumbing Code. This is a great benefit for local jurisdictions that are experiencing a shift to a multi-cultural society and this availability encourages minority interest in the construction professions.

The 10,000 Lakes Chapter of the International Code Council is dedicated to promoting public health, safety and welfare in the built environment through professional education, uniform enforcement and consensus based code development.

Chapter Web Site [www.10klakes.org](http://www.10klakes.org)

---

Adopting a model plumbing code in Minnesota only makes sense if it is coordinated with the construction codes already adopted in MN and that continues to promote opportunity for effective input in the development of future editions. This code should also exhibit the requirements of the MN statutes that address the adoption of state coordinated, nationally recognized, modern performance based codes. These attributes enhance local enforcement and ultimately improve public health and sanitation by lowering administration costs and improving enforcement efficiency and consistency. The best set of codes for achieving this high standard is the International Code including the International Plumbing Code.

We therefor request that the adoption of a model plumbing code begin with the proper evaluation of the International Plumbing Code and further that the Governors Construction Codes Advisory Council makes a recommendation regarding a model plumbing code before moving forward.

---

Sincerely,



James Williamette

President of 10,000 Lakes Chapter of Building Officials

11155 Robinson Drive  
Coon Rapids MN 55433  
Tel 763-755-2880  
Fax 763-767-6491  
www.coonrapidsmn.gov



February 18, 2013

MN State Plumbing Board  
Attention: Chair John Parizek  
Department of Labor & Industry  
443 Lafayette Road North  
St. Paul, MN 55155

RECEIVED

FEB 26 2013

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Mr. Parizek:

A couple years ago when the MN State Plumbing Board decided to move forward with adopting a model code without a real review process involving the International Plumbing Code, it became clear that the Board intended to push the Uniform Plumbing Code as a code suited to the desires of people in the plumbing industry. The world of code development, adoption, interfacing and implementing is a lot bigger than the desires of our friends in the plumbing industry, and even though it may be difficult for the MN State Plumbing Board to consider retracting the UPC adoption, it would be for the best interests of our state that they do so.

In short, a UPC adoption will create much more trouble and costs to local governments than what I think the Board had anticipated. Let me list some of my concerns:

- Minnesota is an ICC state when it comes to construction codes. The codes were designed to be fair for industry and for the public, but they were also reflected to work with the other construction codes in regulatory harmony. The I Codes are built to inter-relate with each other, which makes it easier for builders, engineers, architects and code enforcement alike. The IPC fits easily into the landscape with the other I Codes.
- Because Minnesota is an ICC state, it reduces duplicative demands on time and money from local governments. If the UPC is adopted, local jurisdictions will need to be concerned about sending code officials to UPC classes in addition to the ICC classes they attend. If local government officials want a voice in the development of codes that are used in Minnesota, they will have to go to both the IAPMO conference as well as the ICC conference, or miss one of them. If UPC is adopted, ICC certification will be meaningless to plumbing inspectors who will have to be recertified, which generates another cost.

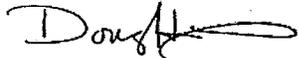
It's clear to me that a UPC adoption will generate some costly, unexpected consequences, which put it outside what Minnesota law says code adoptions should do. I can't imagine that a UPC adoption will easily pass legal review, especially in light of the rejection of weighing the benefits and value of an IPC adoption as the Minnesota State Plumbing Code.

---

If you wish to discuss my letter to be submitted in the public hearing process, please contact me. Thank you for considering my views on this critically important issue.

**I personally have attended the ICC Code hearings in Dallas, Texas. Most of the IPC amendments proposed were to coordinate it with the ICC family of codes. From my observations the only people voting on IPC code changes were plumbing officials. It would be foolish to try to keep the UPC up to date with the other ICC codes by state amendments.**

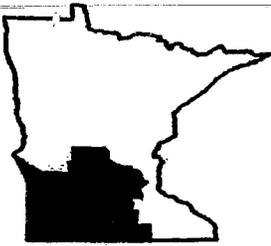
Respectfully,



---

Douglas K. Whitney, P.E.  
Chief Building Official, City of Coon Rapids

---



## *Southwest Minnesota Chapter*

International Code Council of Building Officials



RECEIVED

February 27, 2013

MN Plumbing Board  
Attn: Chair John Parizek  
Department of Labor & Industry  
443 Lafayette Road North, St Paul 55155

MAR 04 2013

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Sir:

We have recently been informed that your Board is considering the adoption of a model plumbing code to replace the MN State Plumbing Code and most recently the request for comments to the Uniform Plumbing Code (UPC). We understand that the current code and product approvals are completed by your board and maintained through the rules process. As local Code Officials who also serve as plumbing inspectors we would like to encourage adoption of the International Plumbing Code (IPC) instead of the UPC.

Having firsthand experience with the issues arising from a local or State maintained code, we see great advantages in moving to a national model plumbing code in MN.

- **The adoption of a model code and product approvals facilitates interstate commerce.** Using a nationally accepted standard for methods and material makes it easier for manufacturers within MN to sell across state lines and for industries within MN to utilize a broader range of products. The local manufacturer and the local consumer benefit from the broad market access.
- **The adoption of a model code and standards conserves state government resources.** In order to maintain a current code and in order to recognize emerging materials and practices it is imperative that the codes are regularly updated and that product listings are regularly maintained. This process takes valuable time and resources. When a model code is adopted, this practice becomes an unnecessary repetitive exercise since it is already being completed at the national level.
- **The model codes are more comprehensive and regularly maintained.** Broader input is available on the national level for model code development so that a better code can be produced. Experts in regulation and industry from around the country participate in an open process that is less affected by local political agendas. This process occurs on a regular basis producing new codes every three years.
- **The Local jurisdictions still participate effectively in the code development process.** Local officials and industry representatives can and are already participating in this process on the national level. If a model code is adopted, local jurisdictions can remain active in the national process. The jurisdiction benefits by having input into the code and by having officials that better understand the intent of the code.
- **The adopted model code must go through the MN rules process.** The adoption of a model code in MN is similar to the adoption of any other rule which should allow for the input of all stakeholders. Since there is a choice of model codes for this aspect of construction it is imperative that an open and fair process be used for this adoption and the adoption of all subsequent editions.

That said, we oppose the adoption of the UPC but instead support the adoption of the IPC as the model plumbing code in Minnesota because it aligns more closely with the intent of the statutory language that delineates the purpose and policies for construction codes in Minnesota and because the IPC is more easily integrated by local governments in our state. Minnesota Statute 326B.101 states that the purpose and policy for the adoption of the building codes in Minnesota shall:

*"... provide basic and uniform performance standards, establish reasonable safeguards for health, safety, welfare, comfort, and security of the residents of this state and provide for the use of modern methods, devices, materials, and techniques which will in part tend to lower construction costs. The construction of buildings should be permitted at the least possible cost consistent with recognized standards of health and safety."*

Further, Minnesota Statute 326B.106 goes on to detail that model code adoption process and considerations shall:

*"... by rule and in consultation with the Construction Codes Advisory Council establish a code of standards for the construction, reconstruction, alteration, and repair of buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety, including design and construction standards regarding heat loss control, illumination, and climate control. The code must also include duties and responsibilities for code administration, including procedures for administrative action, penalties, and suspension and revocation of certification. The code must conform insofar as practicable to model building codes generally accepted and in use throughout the United States, including a code for building conservation. In the preparation of the code, consideration must be given to the existing statewide specialty codes presently in use in the state. Model codes with necessary modifications and statewide specialty codes may be adopted by reference. The code must be based on the application of scientific principles, approved tests, and professional judgment. To the extent possible, the code must be adopted in terms of desired results instead of the means of achieving those results, avoiding wherever possible the incorporation of specifications of particular methods or materials. To that end the code must encourage the use of new methods and new materials. Except as otherwise provided in sections"*

**The adoption of the International Plumbing Code encompasses the intents noted herein and should be the preferred model plumbing code for MN.**

- **"...must conform insofar as practicable to model building codes generally accepted and in use throughout the United States,"** The International Plumbing Code is part of the family of International codes that includes the International Building Code, the International Fire Code, the International Residential Code, the International Mechanical Code, the International Fuel Gas Code, the International Electrical Code, the International Energy Code, the International Existing Building Code and the recently developed International Green Construction Code. All of these codes are developed and coordinated at the national development level and many of the International codes are adopted in virtually every state in the US. Additionally, the Federal Government uses the IPC as the plumbing code for HUD. This cannot be said of the Uniform Plumbing Code.
- **"...consideration must be given to the existing statewide specialty codes presently in use in the state"** Minnesota currently adopts many of the International codes. They include our fire code, building code, mechanical code, fuel gas code, energy code, residential code, and electrical code. Additionally the adoption of the International Green Code is currently under consideration. It is imperative that the construction codes in MN be coordinated for the benefit of local enforcement logistics which ultimately saves resources and provides better public safety. Adoption of the IPC complies with this requirement but the UPC does not.
- **"...must be adopted in terms of desired results instead of the means of achieving those results, avoiding wherever possible the incorporation of specifications of particular methods or materials."** The International codes are developed as public safety documents

rather than how-to documents. It is wise to focus on the results and intent of public safety and sanitation in all codes rather than the prescriptive details that address only a portion of the stakeholders. The performance aspects of the IPC effectively and efficiently allow for designers, plumbers, and regulators to achieve the minimum sanitation standards necessary for public health in our ever changing construction industry. The development statement for the IPC includes this statement:

*"This comprehensive plumbing code establishes minimum regulations for plumbing systems using prescriptive and performance-related provisions."*

Further, section 105 in the administration chapter of each of the International Codes is written specifically to include alternate acceptance criteria to achieve results not prescribed in the code:

*"The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed alternative material, method or equipment complies with the intent of the provisions of this code and is at least the equivalent of that prescribed in this code."*

The UPC is written as a prescriptive manual for the plumbing installer. It is preferred by plumbers because of its strong prescriptive design. This does not promote the use of alternate methods and hinders optional designs that can benefit business and industry.

- **"...must encourage the use of new methods and new materials."** A comparison of the history of the adoption of new methods and materials in the model plumbing codes reveals a consistent lag in acceptance by the UPC as opposed to the IPC and its predecessors. Attached is a documentation of the more notable items. This lag causes barriers to interstate commerce and increases costs to local businesses that could take advantage of the new methods.

**The International Plumbing code is more easily integrated into the local code administration and enforcement processes.** Aside from State licensed facilities, State owned buildings, schools, and hospitals, local jurisdictions are tasked with the enforcement of the State Plumbing Code. Local jurisdictions prefer the adoption of the IPC over the UPC because it will provide significant advantages that will translate into cost savings and efficiencies that ultimately benefit the public; additionally they can continue to participate in a code development process that is open and transparent.

**Coordinated Code Imperative:** Whether a small single-inspector jurisdiction or a large multi-department agency, the coordination of all construction codes is paramount to efficient code enforcement and administration. Generally all of the codes contain overlapping language and requirements. When they differ it creates conflicts in enforcement and delays in construction. The International codes are coordinated in their national development process but this is to no avail if non-International codes are adopted in the state. To take full advantage of the coordination of codes, the State of MN should adopt the IPC.

**Code Development Cost Savings:** Minnesota code officials from various jurisdictions currently participate in the code development process for the International Codes. If the UPC is adopted it would require Minnesota these jurisdictions to fund involvement in an additional national code development process in order to be proactive in the development of future code editions. This is an unnecessary duplication of efforts.

**Inspector Certifications:** ICC is a credentialed provider of certifications and certification testing in the US. There are currently over 1,000 ICC certifications held by over 500 individual MN code officials. Those certified as MN plumbing inspectors are certified in a program designed to transition to the

February 27, 2013

International codes. This certification was designed by ICC in partnership with the Association of MN Building Officials as part of a drive to improve inspector credentials throughout the state. These certifications have been designed to transfer directly to ICC nationally recognized certifications as plumbing inspectors for use of the IPC. If the UPC is selected it would disqualify this certification and add a burden to local governments to recertify their inspectors.

**Inspector and Trade Licensure Training:** ICC is a recognized provider of training and is regularly contracted to give training to Building Officials, inspectors and trade licensed individuals in Minnesota. Courses have been developed by ICC specifically for MN and the codes that have been adopted in our state. This same-source for training multi disciplines creates an environment for increased code coordination and understanding.

**Code Development by Governmental Consensus:** The IPC development process is controlled by public safety officials who act legislatively in an open and transparent process where all stakeholders actively participate. Minnesota code officials participate and influence the model codes that are then adopted and enforced in our state. The UPC development process is not a governmental consensus process. It is an industry developed standard.

**Spanish Code Documents:** ICC currently publishes a Spanish version of the International Plumbing Code. This is a great benefit for local jurisdictions that are experiencing a shift to a multi-cultural society and this availability encourages minority interest in the construction professions.

Adopting a model plumbing code in Minnesota only makes sense if it is coordinated with the construction codes already adopted in MN and that continues to promote opportunity for effective input in the development of future editions. This code should also exhibit the requirements of the MN statutes that address the adoption of state coordinated, nationally recognized, modern performance based codes. These attributes enhance local enforcement and ultimately improve public health and sanitation by lowering administration costs and improving enforcement efficiency and consistency. The best set of codes for achieving this high standard is the International Code including the International Plumbing Code.

We do not believe all of the stakeholders have had an appropriate opportunity for fair input in choosing the model plumbing code for our state. Note that the call for comments is only considering the adoption of the UPC with no mention of the IPC. We therefore request that the adoption of a model plumbing code begin with the proper evaluation of the impact of both available model codes and that part of that evaluation should include a review by the Governors Construction Codes Advisory Council. The adoption of a model plumbing code should not move forward ahead of this evaluation.

Sincerely,

*Jim Fear*

Cc.

*Pres. Southwest Chapter*

Ken Peterson, Commissioner, Department of Labor & Industry  
Construction Codes Advisory Council; C/O Julie Klejewski  
Association of MN Building Officials

Minnesota State Plumbing Board  
Attention: Chair John Parizek  
Department of Labor & Industry  
443 Lafayette Road North  
St. Paul, MN 55155

RECEIVED

MAR 05 2013

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Mr. Parizek:

Please accept this letter as my input for public comment to the Minnesota State Plumbing Board's decision to adopt the model Uniform Plumbing Code as the Minnesota State Plumbing Code. There are many reasons why I applaud the choice to replace the longstanding homegrown state plumbing code with a model code, but I am concerned that the Board selected an inferior model plumbing code that is not in step with the large family of other model codes in our state and that is not in step with the market from businesses, government and residences to keep current with new and emerging building techniques for the kind of Minnesota we all want to build.

People who support the UPC as a model code frequently use the sales pitch, "it's the plumbers' code." The people who use that phrase are, naturally, people in the plumbing installation business. But the function of a building and life safety code is not to appeal to the narrow financial interest of people installing the plumbing in a structure. What about the people who designed the building and produced the blueprints? What about the other crafts who shape the landscaping and built the structure from its foundation to the roof? What about the people who buy the structure?

Are they being served best with a state UPC adoption?

And what happened to the other model plumbing code, the International Plumbing Code? It appears to have been dismissed for any consideration in the single greatest decision by the State Plumbing Board to replace the longstanding plumbing code with a model code.

The IPC lends itself far better to provide the customer with a building that is flexible to newer techniques which add value to the structure upon completion. I prefer the IPC because it is written as a performance based code which the UPC limits itself to a prescriptive code, boxing in the designer to prescriptive techniques that are also costlier to the customer.

The IPC is shaped in its three-year cycles according to the advice of a wide range of design and product development professionals, as well as plumbers and those we depend upon to inspect, certify and enforce building and safety codes in Minnesota. Ultimately, the final action hearings on each cycle's IPC is debated and decided in a legislative forum that the International Code Council calls its governmental consensus process. This final action is critical because the people voting are not the industries who benefit from a code, but the people who enforce a code to protect the public welfare and safety.

It's a system which makes ICC the peerless leader in a wide range of building and safety codes. It's a system makes sure codes, just like our laws, protects the public and reflects the public's best interest.

My strong recommendation is for the Minnesota State Plumbing Board to replace our longstanding Minnesota State Plumbing Code the right way the first time. Excluding the IPC from consideration is a violation of what the public and stakeholders who design buildings expects from a public board.

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Nobody's in a rush to do this the wrong way. We've got time. Please make sure this model code adoption is done correctly and transparently. Give the IPC a fair, full and professional consideration as the code we all must live with going forward.

In Summary:

As a Minnesota Architect licensed in multiple States that all use the International Building Codes, I strongly feel it is important to adopt the International Plumbing Code. The International Building Code that is now in use in Minnesota (and other States), references the International Plumbing Code. If the State of Minnesota is going to adopt a Plumbing Code, it should be one that is already integrated with the International Code Council Codes which the State has adopted.

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Thank you for considering my request to expand the scope of the model code adoption.

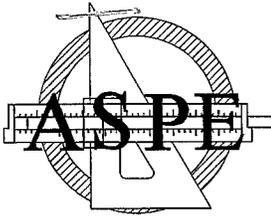
Sincerely,

A handwritten signature in black ink, appearing to read "John K. Gaspar". The signature is fluid and cursive, with the first name "John" being the most prominent.

John K. Gaspar, Architect  
NAI ARCHITECTS, INC.

JKG/cms

---



# American Society of Plumbing Engineers Minnesota Chapter

President  
**ALAN ALLMON**  
EGAN COMPANY  
Ph. 763.544.4131  
Fax 763.595.4380  
arallmon@eganco.com

Technical Vice President  
**JOHN GUNDERSON, CPD**  
AECOM  
Ph. 612.376.2046  
Fax 612.376.2271  
john.gunderson@aecom.com

Legislative Vice President  
**MANUEL R. MANZANO, CPD**  
Michaud Cooley Erickson  
Ph. 612.673.6927  
Fax 612.339.8354  
mmanzano@michaudcooley.com

Education Vice President  
**DEBORAH LARSON, CPD**  
Dunham  
Ph. 612.465-7666  
Fax 612.465-7766  
Deb.Larson@dunhameng.com

Membership Vice President  
**TODD PENNINGTON**  
Brekke Sales  
Ph. 952.936.9551  
Fax 952.936.9668  
toddp@brekkesales.com

Treasurer  
**RONALD A. HANSON, CPD**  
Gausman & Moore  
Ph. 651-639-9606  
Fax 651-639-9618  
rhanson@gausman.com

Administrative Secretary  
**PAUL EICHLER, CPD**  
Harris Companies  
Ph. 651.602.6683  
Fax 651.602.6699  
peichler@hmcc.com

Corresponding Secretary  
**CRAIG R. JOHNSON, CPD**  
SAIC  
Ph. 651.209.2854  
Fax 651.778.3911  
craig.r.johnson@saic.com

Affiliate Liaison  
**BRIAN SODERHOLM**  
Soderholm & Assoc  
Ph. 763.422.4446  
Fax 763.427.5665  
bsod@soderholmrep.com

Newsletter Editor  
**RYAN M. HANSON, PE**  
TARGET  
Ph. 612.761.5484  
Fax 612.761.3321  
ryanm.hanson@target.com

February 28, 2013

The Minnesota Plumbing Board  
c/o Department of Labor and Industry  
443 Lafayette Road North  
St. Paul, MN 55155

To the Members of the Minnesota Plumbing Board:

The Minnesota Chapter of the American Society of Plumbing Engineers (ASPE) supports adoption of a model plumbing code to replace our present state plumbing code. We strongly believe in adopting a plumbing code that is coordinated and consistent with all other statewide codes presently enforced. As Minnesota has already adopted the International Building Code, International Mechanical Code, International Fuel Gas Code, and International Residential Code; ASPE recommends and supports adoption of the International Plumbing Code (IPC) with Minnesota amendments.

While the Uniform Plumbing Code (UPC) is a valuable code and does an equally fine job at protecting the public health, the issue at stake is not which code is better than the other per se; but rather, which code is better coordinated and more compatible with other codes adopted in this jurisdiction. Our own Minnesota Construction Codes Advisory Council, through statute MS.326B.07 subdivision 2(2), mandates "review and comment on current and proposed laws and rules to *promote coordination and consistency.*" The fact is coordinated and consistent codes save owners, designers, and contractors money because conflicts that slow construction are avoided. When viewed from this context, it is difficult to make the argument for adoption of a new model code from a completely different code-family, as would be the case with adoption of the UPC.

The above statement reflects the opinions of the Minnesota ASPE chapter membership and Board of Governors and not of any other ASPE chapter, or ASPE as a Society. We thank you for your consideration on this most important issue.

Regards,

Alan Allmon  
President, Minnesota ASPE Chapter

RECEIVED

MAR 05 2013

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

## Munkel-Olson, Patricia (DLI)

---

**From:** Looman, Jessica (DLI)  
**Sent:** Friday, March 01, 2013 3:07 PM  
**To:** Munkel-Olson, Patricia (DLI)  
**Subject:** FW: BOMA Minnesota's Position  
**Attachments:** Minnesota Plumbing.pdf



Jessica Looman  
Assistant Commissioner  
Construction Codes & Labor Standards  
Minnesota Department of Labor & Industry  
651-284-5018

---

**From:** Communications (DLI)  
**Sent:** Friday, March 01, 2013 1:29 PM  
**To:** Looman, Jessica (DLI); McLellan, Scott (DLI); Peterson, Ken (DLI)  
**Subject:** FW: BOMA Minnesota's Position

This came via the [dli.communications@state.mn.us](mailto:dli.communications@state.mn.us) email address. It is from BOMA with a CC to Commissioner Peterson.

---

**From:** Laurel Pangman [<mailto:lp@bomampis.org>]  
**Sent:** Friday, March 01, 2013 12:57 PM  
**To:** [jparizek@dunwoody.edu](mailto:jparizek@dunwoody.edu)  
**Cc:** Kevin Lewis; [patwolf@cres-inc.com](mailto:patwolf@cres-inc.com); [joe.spartz@bomastpaul.org](mailto:joe.spartz@bomastpaul.org); Communications (DLI)  
**Subject:** BOMA Minnesota's Position

Mr. Parizek,

---

Please see the attached document relaying BOMA Minnesota's position on the plumbing code issue. Please see that the entire board receives a copy of this.

Thank you,  
Kevin Lewis  
BOMA Executive Director

Sent by *Laurel*

Laurel Pangman, Member Services Coordinator  
BOMA Greater Minneapolis  
(Building Owners & Managers Association)  
*Advocacy and Education for Commercial Real Estate*  
Federated with BOMA International  
121 South 8th Street, Suite 610  
Minneapolis, MN 55402  
[lp@bomampis.org](mailto:lp@bomampis.org)



Minnesota State Plumbing Board  
Attn: John A. Parizek, Chairman  
Department of Labor and Industry  
443 Lafayette Road  
St. Paul, MN 55155

## State Delegates

### Duluth

Steve LaFlamme  
slaflamme@oneidarealty.com

### Mankato

David Schooff  
david.schooff@cbfishergroup.com

Gordon Awsumb  
awsumb@presenter.com

### Minneapolis

Dave Dabson  
dave.dabson@piedmontreit.com

Jim Durda  
durda@inlandgroup.com

David Marquis  
david.marquis@target.com

### Rochester

Lucy Bishop  
lucy@bishop-management.com

Mac Hamilton  
mac@hamiltonmn.com

### St. Cloud

Jim Illies, Sr.  
jimsr@inhproperties.com

### St. Paul

Pat Skinner  
pat.skinner@unilev.com

Bill Thurmes  
bill.thurmes@cassidyurley.com

Pat Wolf  
patwolf@cres-inc.com

## CHAIR

Pat Wolf, St. Paul  
patwolf@cres-inc.com

## CO-DIRECTORS

Joe Spartz  
joe.spartz@bomastpaul.org

Kevin Lewis  
kl@bomampls.org

Dear Mr. Parizek and Board Members:

BOMA Minnesota is a coalition comprised of members of local BOMA associations in Duluth, Minneapolis and St. Paul and members at large from other major commercial centers in the state, who together own and manage over 100 million square feet of commercial real estate statewide. We are affiliated with BOMA International whose members own or manage over 9 billion square feet of commercial properties.

From the outset BOMA has been a strong supporter of development of a single coordinated family of construction codes that can be applied by designers, developers and owners in the construction and subsequent operation of buildings anywhere in the country with minimal variations based on geography. For this reason when the first set of ICC codes became available, we worked proactively to have them adopted in Minnesota and this was achieved in all but the Plumbing Code which stayed with the "home grown" version at that time.

We applaud the Plumbing Board's decision to adopt a national model code and hope you will see the advantages of choosing the International Plumbing Code over the Uniform Plumbing Code, the other option we understand is under consideration. While both are understood to provide comparable protection of public health and safety, we feel there is no question that the IPC is a more cost effective code with which to comply. Further, it is coordinated and compatible with other codes already adopted in Minnesota. We hope you will agree.

Thank you for your consideration.

Sincerely,

Kevin Lewis  
Co-Director

CC: Ken Peterson, Commissioner  
Minnesota Department of Labor and Industry

332 Minnesota Street, #W2950 St. Paul, MN 55101  
Phone: 651.291.8888 Fax: 651.291.1031



March 4, 2013

Minnesota State Plumbing Board  
Attention: Chairman John Parizek  
Department of Labor & Industry  
443 Lafayette Road  
St Paul, MN 55155

**RECEIVED**  
**MAR - 4 2013**  
Asst. Commr - Safety Codes & Svcs  
Dept. of Labor & Industry

Dear Chairman Parizek:

My name is Tim Moulton and I am a registered engineer in the State of Minnesota and currently a Technology Manager for the Facilities Engineering Department at 3M Company. My group is responsible for design of modifications, expansions and new construction for 3M facilities in the United States.

I was pleased to hear the State of Minnesota is considering the adoption of a national model plumbing code. Like many companies, design firms and contractors, 3M uses models with variations to replicate processes and support facilities for our businesses worldwide. We also have applications that need special considerations and having the flexibility to work with the local code official to address these design challenges is critical. The International Plumbing Code provides the framework to build consistency and address the special circumstances.

Our goal is to design functional facilities that provide a safe, sustainable and healthy environment for our employees, contractors, customers and visitors. Our designs have a number of built-in variables due to the local weather conditions, manufacturing processes and local code differences. The number of variables can be reduced with a standard national code such as the International Plumbing Code. States with numerous variances to current or standard industry guidelines require unique designs which increase initial cost and design time leading to delays in getting product to market. In today's competitive market a small delay can lead to large losses in market share.

The International Plumbing Code uses a process with hearings to provide an opportunity for owners and industry representatives to provide perspectives on proposed regulations. The IPC has been adopted by 29 states and is enforced in several additional areas of the country.

March 4, 2013

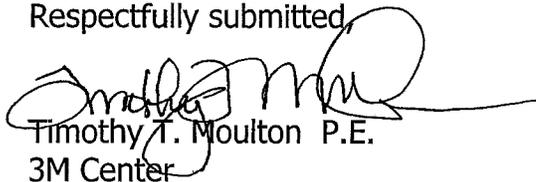
Attention: Chairman John Parizek - Department of Labor & Industry

The IPC also interlocks with the suite of international codes that have already been adopted by the State of Minnesota such as the International Building, Mechanical and Fuel Gas codes.

For these reasons, I strongly encourage the State of Minnesota to consider adopting the International Plumbing Code and minimize the number of amendments.

I would be pleased to answer any questions you may have regarding my recommendation or 3M's commitment to building safe, sustainable, and healthy environments.

Respectfully submitted,



Timothy T. Moulton P.E.

3M Center

Bldg 275-6W-22

St Paul, MN 55144

cc: Kenneth Peterson, Commissioner, Department of Labor & Industry, Minnesota Construction Codes Advisory Council, c/o Julie Klejewski



50 South 10<sup>th</sup> Street  
Minneapolis, MN 55403

March 1, 2013

Minnesota State Plumbing Board  
Attention: Chair John Parizek  
Department of Labor & Industry  
443 Lafayette Road North  
St. Paul, MN 55155

RECEIVED

MAR 08 2013

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Mr. Parizek,

Speaking as the Code Compliance Manager & the Mechanical Engineering Group Manager for Target Corporation, we're pleased that Minnesota is considering the adoption of a national model plumbing code and would encourage the state to move expeditiously to such an adoption.

Like many national owners and developers of commercial real estate, Target uses a facility prototype business model to develop its properties. This model relies upon uniformity of regulatory requirements to minimize initial construction costs and to facilitate the most timely possible construction and use of buildings consistent with providing safe and healthy environments for our guests and team members.

There are significant advantages to using a nationally promulgated code, like the International Plumbing Code. States with variances to current or standard industry guidelines require unique designs which not only contribute to initial costs, but also increase life cycle maintenance costs. States with locally developed codes particularly create unnecessary regulatory hurdles when presenting new systems or plumbing products because of their separate and time consuming processes for new product approvals.

National model code development hearings provide extensive opportunities for owner and industry representatives to provide perspectives on proposed regulations. They also provide a cost effective, singular venue for Design Professionals, Regulators and owners like Target the opportunity for professional development education and to participate in the discussion of multiple model codes, including building, fire, energy, mechanical, and plumbing.

For these reasons and others, Target strongly encourages the State of Minnesota to adopt the International Plumbing Code. Target also feels that the International Plumbing Code is suitable "as-is" (i.e. without extensive amendments) for adoption by the State of Minnesota. We would be pleased to answer any questions you may have regarding Target's commitment to building safe, sustainable, and healthy environments.

Respectfully Submitted,



Thomas Phillips  
Code Compliance Manager  
Property Development  
Target  
thomas.phillips@target.com  
612-761-5570



Scott D. Williams, P.E.  
Mechanical Engineering, Group Manager  
Property Development  
Target  
scottd.williams@target.com  
612-761-1623

Cc Kenneth Peterson, Commissioner  
Department of Labor & Industry, Minnesota Construction Codes Advisory Council  
c/o Julie Klejewski  
Minnesota State Plumbing Board  
Department of Labor & Industry  
443 Lafayette Road North  
St. Paul, MN 55155

Paul Ham, P.E.  
Director Engineering  
Property Development  
Target

MN State Plumbing Board  
Attn: Chair John Parizek  
Department of Labor and Industry  
443 Lafayette Road North  
St. Paul, MN 55155

Dear Sir,

I am a MN licensed Building Official (BO-01705), I have been employed by a city jurisdiction as an inspector and plans examiner for 20+ years now and have participated in many code updates and the adoption of various codes. I would like to respectfully request the State of Minnesota not adopt the UPC (Uniform Plumbing Code) but instead adopt the IPC (ICC's International Plumbing Code).

The ICC model codes are the most prevalently used codes within the United States. Governmental consensus shapes the provisions within these model codes, not trades groups or industries with agendas. Governmental funds are limited and thus spending money on one model code and it's development is a money saving opportunity. Minnesota has for many years now adopted the I-codes. Sticking with one model code group or family of codes reduces the possibility of conflicting language and also promotes consistency throughout the body of each code book. Training and licensing is much easier to facilitate when working within one organization. Instructors are typically familiar with other code provisions within the same organizational body of codes and thus can instruct on similarities and interpretations related to relevant provisions addressed in each code book.

I urge you and the plumbing board to reconsider the adoption of the UPC. The process of adopting this code has not gone through the legitimate review process, is industry driven and will not harmonize efficiently with the current model codes enforced by jurisdictions around the state. Please adopt the IPC which is part of the ICC model codes.

Thank you for your consideration and time. Should you wish to discuss this matter further, please contact me at 507-438-0319 or: Mark Schwanke, 609 15<sup>th</sup> Street SE, Owatonna, MN 55060.

Respectfully,



Mark Schwanke  
Chief Building Inspector for the City of Owatonna, MN.



11955 CHAMPLIN DRIVE, CHAMPLIN, MN 55316-2399 • (763) 421-8100 • ci.champlin.mn.us

MN State Plumbing Board  
Attention: Chair, John Parizek  
Department of Labor & Industry  
443 Lafayette Road N.  
St. Paul, MN 55155

February 20, 2013

Dear Mr. Parizek;

I am the Building Official with the City of Champlin. My staff and I are responsible for the administration and enforcement of the plumbing code in the City Of Champlin. A couple of years ago the MN State Plumbing Board cast support for adopting a model plumbing code without what I feel was appropriate consideration of the competitor model code; which is preferred by contractors, designers, citizens, businesses and jurisdictions charged with enforcement. That action suggests to me the Board's desire is to support the Uniform Plumbing Code (UPC) which benefits the plumbing industry interests rather than the International Plumbing Code (IPC) which more fairly takes into consideration and account, the desires of the public and industry.

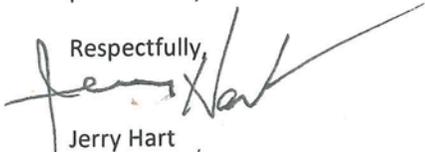
I believe adoption of the UPC may create additional costs to local governments and increase uniformity disparity as it pertains to installation and enforcement. The following is a summary of my concerns:

- Several years ago the State of Minnesota elected to adopt the newly created "I" code family of codes, replacing the former "U" code family of codes. This was done to create consistency and uniformity as it pertains to design and enforcement throughout the country. In my opinion, adoption of the UPC would be taking a step backwards, requiring designers and contractors working across state borders to utilize differing code families which will affect uniformity, efficiency and add costs. The "I" codes are deemed by industry and public to be fair. They are also inter-related with each other making tasks for contractors, engineers, architects and enforcement personnel easier and more uniform and cost efficient.
- The adoption of the UPC will increase the likelihood of more State amendments due to the incompatibility with the "I" codes. Additional costs will be incurred by local jurisdictions sending staff to provide input in code development for two different annual conferences.

I firmly believe the State will be moving backwards by adopting the UPC rather than the IPC. A great deal of energy and cost was invested to adopt the complete family of "I" codes. At the very least, I suggest a fair comparison of the two codes be performed by a committee and followed up with a recommendation to adopt the code that best represents the needs of all interested parties in the State.

Thank you for considering my views on this important issue. I will be submitting my letter for the public hearing process. If you wish to discuss my comments, I may be reached at [jhart@ci.champlin.mn.us](mailto:jhart@ci.champlin.mn.us) 763-923-7113.

Respectfully,



Jerry Hart  
Building Official  
City of Champlin

CC: Kenneth Peterson, Commissioner, Department of Labor and Industry  
Minnesota Construction Codes Advisory Council, c/o Julie Klejewsk

## Munkel-Olson, Patricia (DLI)

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**From:** Parizek, John <jparizek@dunwoody.edu>  
**Sent:** Thursday, March 28, 2013 3:21 PM  
**To:** Munkel-Olson, Patricia (DLI)  
**Subject:** FW: Amemndment to Plumbing Code Rules  
**Attachments:** CCF12172012\_0002.pdf

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**From:** Lungstrom, Jim (DLI) [<mailto:Jim.Lungstrom@state.mn.us>]  
**Sent:** Wednesday, December 19, 2012 2:14 PM  
**To:** Parizek, John  
**Subject:** FW: Amemndment to Plumbing Code Rules

John, a comment that came in today. Jim

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**From:** [MARTYNINC@aol.com](mailto:MARTYNINC@aol.com) [<mailto:MARTYNINC@aol.com>]  
**Sent:** Wednesday, December 19, 2012 1:23 PM  
**To:** Lungstrom, Jim (DLI); Tran, Cathy (DLI); Soderbeck, Gene (MPCA); [charlie.thompson@state.mn.us](mailto:charlie.thompson@state.mn.us); [Garletz@mncounties.org](mailto:Garletz@mncounties.org)  
**Subject:** Amemndment to Plumbing Code Rules

Please see the attached letter.

Best regards,

Pat Martyn  
Executive Director  
Minnesota Onsite Wastewater Association, Inc  
5200 Willson Road, Suite 300  
Edina, MN 55424  
952-345-3250  
Fax: 952-920-1533

*Promoting professionalism in the onsite wastewater industry.*  
**Please Join us Jan 29-31, 2013 in Alexandria for the MOWA Convention**



To: Kelli Peters, MN Plumbing Board, c/o Department of Labor and Industry, 443 Lafayette Road North, St. Paul, MN 55155, [dli.rules@state.mn.us](mailto:dli.rules@state.mn.us)

CC: Jim Lungstrom and Cathy Tran, DOLI, [Jim.lungstrom@state.mn.us](mailto:Jim.lungstrom@state.mn.us), [cathy.tran@state.mn.us](mailto:cathy.tran@state.mn.us), Gene Soderbeck and Charlie Thompson, MPCA, [gene.soderbeck@state.mn.us](mailto:gene.soderbeck@state.mn.us), [charlie.thompson@state.mn.us](mailto:charlie.thompson@state.mn.us), Annalee Garletz, [Garletz@mncounties.org](mailto:Garletz@mncounties.org)

From: Minnesota Onsite Wastewater Association, Lori Ende, President

Re: Possible Amendment to Rules Governing the Minnesota Plumbing Code Minnesota Rules, Chapter 4715; Revisor's ID Number R-4139

It has come to the attention of the Minnesota Onsite Wastewater Association (MOWA) that the MN Plumbing Board is considering amendments to MN Rules Chapter 4715. MOWA is the primary trade association for the septic system industry in Minnesota, and represents about 1000 members. These professionals design, install, inspect and maintain subsurface sewage treatment systems (SSTS) including the building sewer from a structure to a septic tank. Currently to install this pipe the companies licensed by the MPCA for septic system installation are required to obtain a pipelayer card and a \$25,000 bond and file documentation with DOLI to cover the installation of this building sewer. This dual requirement has caused confusion, delays and undue cost to customers without benefit to the protection of water quality and public health in Minnesota.

MOWA is requesting that either Minnesota Statutes, Chapter 326B or Chapter 4715 be changed to allow for an exemption from the plumbing license and bond so SSTS professionals can design, install and inspect the building sewer for SSTS as long as they are certified, appropriately licensed and bonded by the MPCA.

There are SSTS licensed companies that will still need to have a restricted plumbing license to include activities such as performing city sewer and water hook-ups.

MOWA is very interested in discussing these options with representatives of the plumbing board and/or DOLI and the MPCA to determine the best path for this change to occur. Since the legislative session is right around the corner it would be best to get a meeting setup soon after the holidays. Please contact MOWA's Executive Director, Pat Martyn, at (612) 414-4781 or [martyinc@aol.com](mailto:martyinc@aol.com) with questions or to set up a meeting. MOWA looks forward to working with all the interested parties to get this change to occur.

Sincerely,

Lori Ende, President

Minnesota On-site Wastewater Association  
5200 Willson Road • Suite 300 • Edina, MN 55424  
Phone (952) 345-1141 • Fax (952) 920-1533  
[www.mowa-mn.com](http://www.mowa-mn.com)