

MEMO

TO: MN Building Officials, MN AIA, AMBO/MN ICC Chapters, MN SFM, MN Dept. of Ed.

FROM: DLI Construction Codes and Licensing Division

RE: Charter Schools added to statutory definition as “Public Building”

DATE: June 12, 2013

The 2013 legislative session brought a change to Minnesota Statute 326B that will affect the way the Minnesota State Building Code is administered as it applies to charter school construction, occupancy and use.

The legislation amended **Minnesota Statutes, section 326B.103, subdivision 11, to read:**

*Subd. 11. **Public building.** "Public building" means a building and its grounds the cost of which is paid for by the state or a state agency regardless of its cost, and a school district building project or charter school building project the cost of which is \$100,000 or more.*

Since the amended definition of public building now includes a reference to charter school projects, it lumps these educational uses into the same category as other public school district building projects that are of \$100,000 or more in construction value. Now, a charter school project valued at \$100,000 or more in construction value is under the jurisdiction of DLI, like other public school projects valued at or more than \$100,000 in construction value.

This legislative action took effect July 1, 2013. In general, this means that for charter school projects started on or after July 1, 2013, (and the project is valued at \$100,000 or more in construction value), regardless of who owns the property, it must be submitted to DLI, just like any other state construction project regulated by Minnesota Rule 1302.

DLI will retain code administration authority on all charter school projects meeting the definition of a public building for purposes of plan review, permitting and inspection unless it directs the project back to the local building official through its normal Delegation Agreement Process. Note that for charter school projects valued at less than \$100,000 in construction value, code administration jurisdictional authority is always the responsibility of the local building official or building department.

The charter school project representative will be responsible for submitting the required Initial Plan Review Application form to DLI to initiate the start of this process. For more information about state construction project code administration processes, visit www.dli.mn.gov/CCLD/PlanConstruction.asp or call (651) 284-5857.