



2020 Minnesota Building Code Administration [MR 1300] 2020 Minnesota Provisions to the Minnesota Building Code [MR 1303]

Wendy Rannenbergs | Construction Code Representative | Building Plan Review

Objective and Outcomes

Objective

To present relevant excerpts from Minnesota Rule Chapters 1300 and 1303 including the purpose of the building code, operations of a building department, and duties and powers of a building official.

Outcome

Participants will be familiar with the rules for administering the building code in Minnesota as pertaining to roles as a building official Limited and an Accessibility Specialist.

Participants will be familiar with special provisions for Minnesota in the State Building Code.

Learning Statements

- Students will understand that MR 1300 defines the role and duties of the building official.
- Students will understand code application regarding Statute vs Rule vs Model Code.
- Students will understand the provisions of MR 1303 as mandated by Minnesota Statutes.

Program Materials and Disclaimer

- The text used in this program does not necessarily represent actual code language.
- Some text is summarized or highlighted or generalizes the code section.
- Additional context, provisions, or exceptions may be included in the actual code section.



When using the code, always read the code language from the source, including the charging statement, the footnotes, and the exceptions.



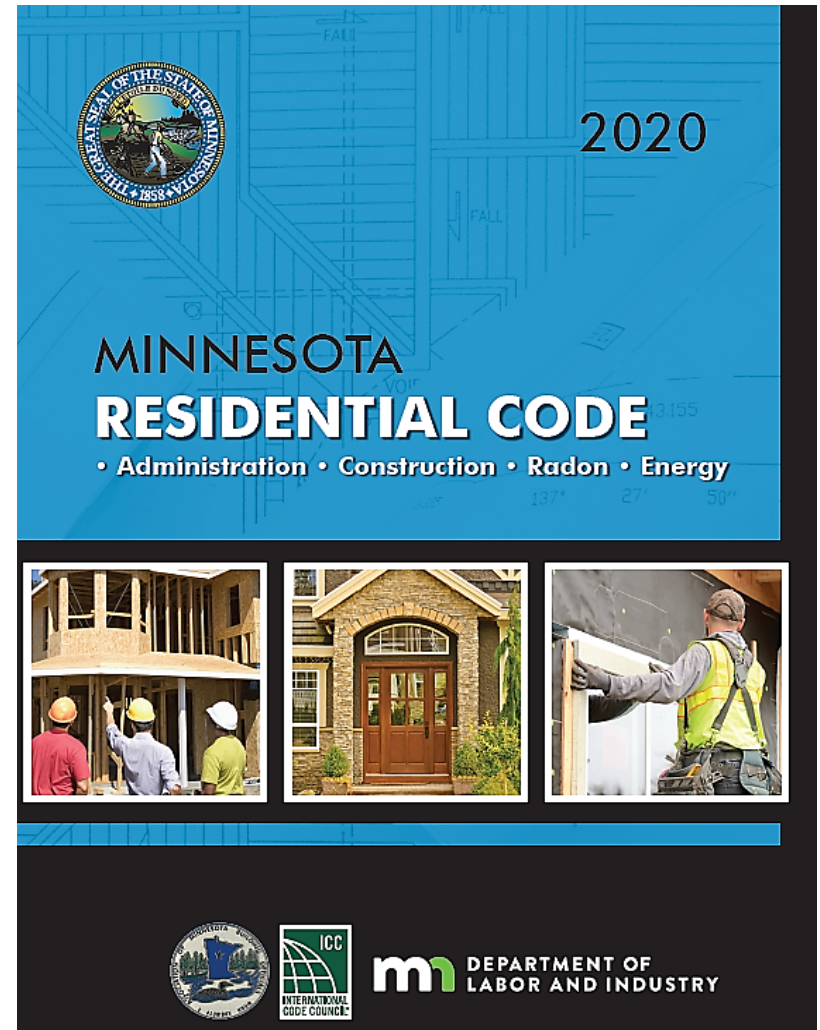
2020 Minnesota State Building Code Rules Chapter 1300 Building Code Administration

Wendy Rannenberg | Construction Code Representative | Building Plan Review

MR 1300 - Administration

MR 1300 is published at the beginning of the **2020 Minnesota Residential Code** (and all of the other MN code books).

If you have a MN Residential Code book, Ch 1300 starts on page 3.



MR 1300 – Administration

1300.0010

1300.0010 Administration.

This chapter provides administrative provisions for all Minnesota State Building Code rule chapters identified in MR 1300.0050.



1300.0010 Administration.

If specific administrative provisions are provided in a statute or rule chapter, the specific administrative provisions apply.

MR 1300 - Administration

Think of MR 1300 as a toolbox containing what you need to do your job.

It explains your authority and your responsibility.

It explains and how some functions of code administration must be carried out.

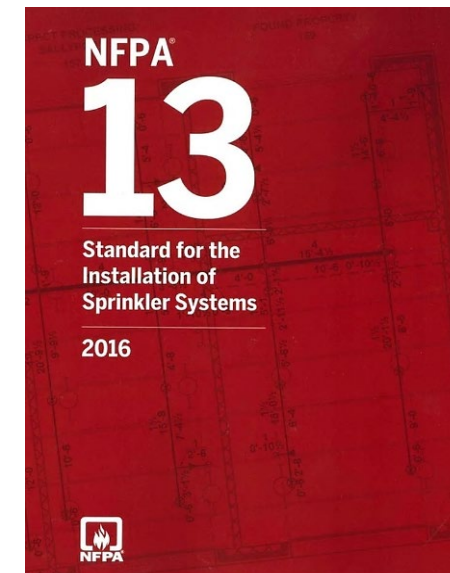
1300.0020 Title.

The chapters listed in MR 1300.0050, including the standards they adopt by reference, are the **Minnesota State Building Code** and may be cited as or referred to as the "code."

Example

2020 Minnesota Residential Code (MRC)

R313.1.1 Design and installation. Automatic residential first-sprinkler systems for townhouses shall be designed and installed in accordance with IRC Section P2904 or NFPA 13D.



1300.0030 Purpose and Application.

The purpose of this code is to establish minimum requirements to safeguard public health, safety, and general welfare through:

- structural strength,
- means of egress facilities,
- sanitation,
- adequate light and ventilation,
- energy conservation,
- safety to life and property from fire and other hazards, and
- safety to fire fighters and emergency responders during emergency operations.

MR 1300 – Administration

1300.0030



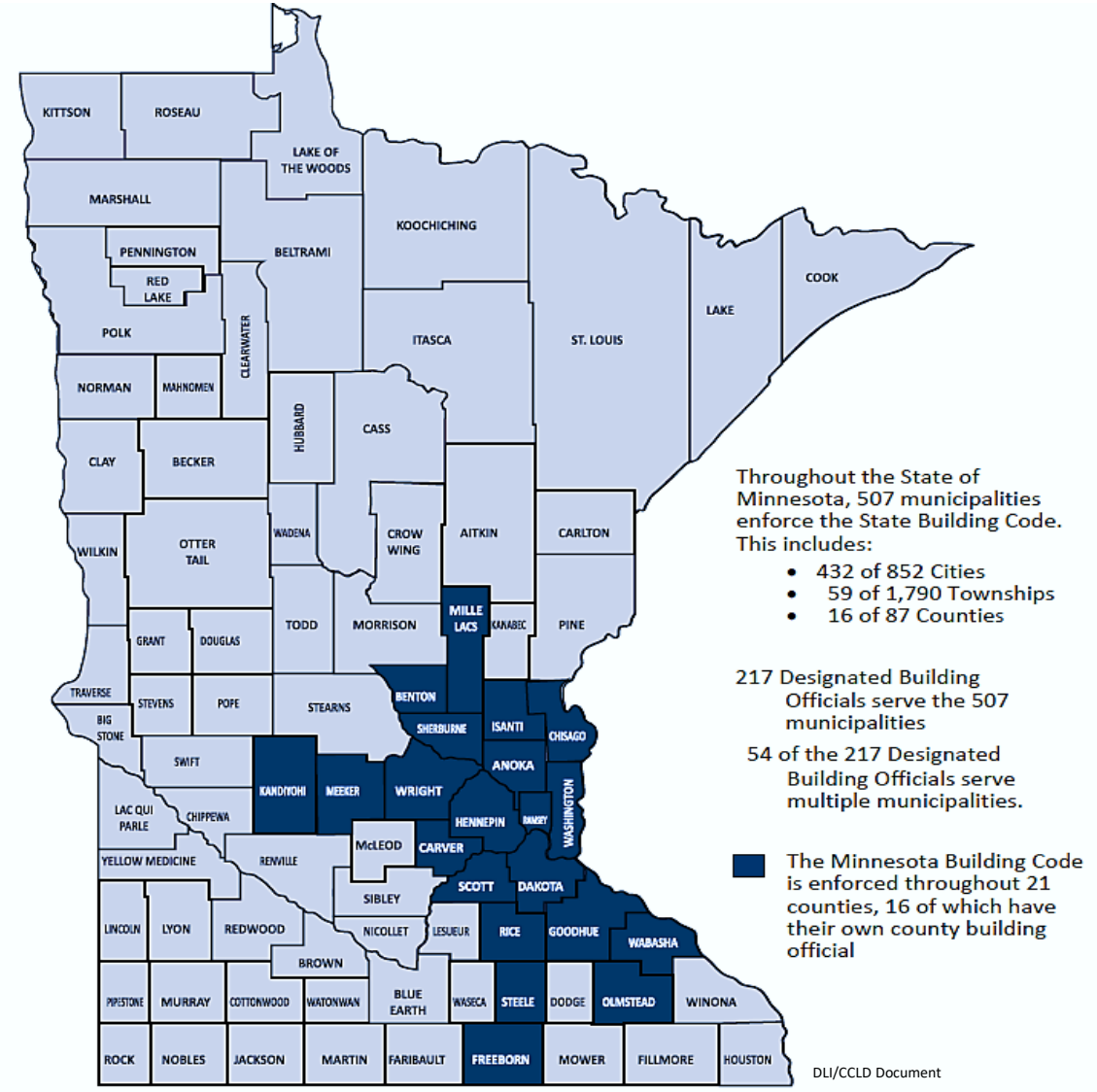
1300.0030 Purpose and Application (cont.).

The State Building Code is the standard that applies statewide for the construction, reconstruction, alteration, and repair of buildings and other structures of the type governed by the code, except as provided in Minnesota Statutes, Section **326B.121**.



MR 1300 – Administration

1300.0030



Throughout the State of Minnesota, 507 municipalities enforce the State Building Code. This includes:

- 432 of 852 Cities
- 59 of 1,790 Townships
- 16 of 87 Counties

217 Designated Building Officials serve the 507 municipalities
54 of the 217 Designated Building Officials serve multiple municipalities.

■ The Minnesota Building Code is enforced throughout 21 counties, 16 of which have their own county building official

Minnesota State Building Code Enforcement

432 of 852 Cities
59 of 1790 Townships
16 of 87 Counties

To check whether a specific city or township enforces the State Building Code visit:
<http://workplace.doli.state.mn.us/jurisdiction/>

Even in areas where there is no code enforcement, the State Building Code is the standard that applies to buildings and other structures like those governed by the code.

1300.0030 Purpose and Application. (cont)

The codes and standards referenced in a rule chapter are considered part of the requirements of the code.

Example

TABLE R302.1(1)
EXTERIOR WALLS

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	Fire-resistance rated	1 hour—tested in accordance with ASTM E119, UL 263, or Section 703.3 of the <i>International Building Code</i> with exposure from both sides	0 feet
	Not fire-resistance rated	0 hours	≥ 5 feet

1300.0030 Purpose and Application (cont.).

How do we know which standards and standard **year** are applicable when using the 2020 Minnesota Residential Code (MRC)?

Which version of NFPA 13D is applicable for the fire sprinkler system required in Section R313?



Take a look at 2020 MRC Chapter 44 – Referenced Standards (page 553 in the book). NFPA 13D-16 is the applicable version.

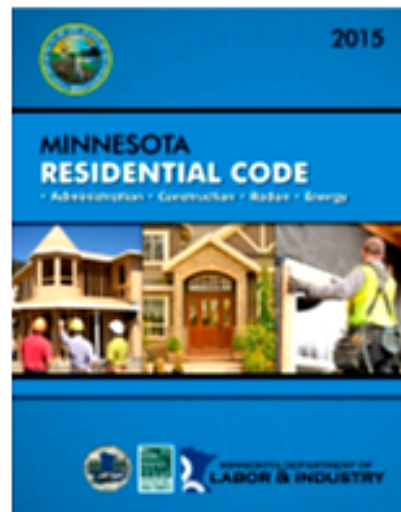
Each of the codes have a Referenced Standards chapter.

MR 1300 – Administration

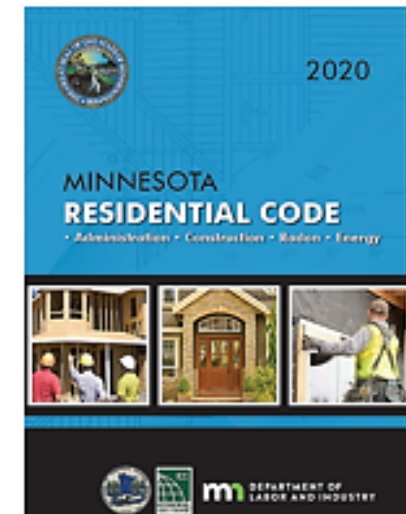
1300.0030

1300.0030 Purpose and Application. (cont)

When a new edition of the code is adopted after a permit has been issued, the edition of the code current at the time of permit application remains in effect throughout the work authorized by the permit.



January 15, 2015 to March 30, 2020



March 31, 2020 to March 31, 2026

MR 1300 – Administration

1300.0040

1300.0040 Scope. Subp. 1 Applicability

The code applies to

- construction,
- additions,
- alterations,
- moving,
- demolition,
- repairs,
- equipment installation
- use and occupancy
- location (placement)
- maintenance
- inspection



1300.0040 Scope. Subp. 1 Applicability (cont)

except

- work located primarily in a public way,
- public utility towers and poles,
- mechanical equipment not specifically regulated in the code, and
- hydraulic flood control structures.



1300.0040 Scope. Subp. 2 Compliance

Structures that are...

- classified as *IRC-1, IRC-2, IRC-3* and *IRC-4* occupancies,
- not more than three *stories above grade plane* in height,
- with separate means of egress

shall comply with MR 1309 (Minnesota Residential Code) and other applicable rules.

This seems pretty straightforward.

If the building meets the criteria here, it is regulated by the Residential Code. Otherwise, it is regulated by the “commercial” Building Code MR 1305.

But what are *IRC-1, -2, -3 and -4*? And what is a *story above grade plane*?

MR 1300 – Administration

1300.0040

1300.0040 Scope. Subp. 2 Compliance (cont)

Term	First, from the Chapter we are in, MR 1300	Then, a Deeper Dive
	1300.0070 Definitions Subp. 12b. <i>International Residential Code</i> (IRC) occupancy classifications.	Minnesota Residential Code IRC 202/MR 1309.0200
IRC-1	Single-family dwellings	DWELLING. SINGLE-FAMILY. Any building that contains one dwelling unit used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or occupied for living purposes.
IRC-2	Two-family dwellings	DWELLING. TWO-FAMILY. Any building that contains two separate dwelling units with separation either horizontal or vertical on one lot that is used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or occupied for living purposes.
IRC-3	Townhouses	TOWNHOUSE. A single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from the foundation to the roof and having open space on at least two sides of each unit. Each single-family dwelling unit shall be considered a separate building. Separate building service utilities shall be provided to each single-family dwelling unit when required by other chapters of the <i>State Building Code</i> .
IRC-4	Garages, sheds, and similar structures	Terms not defined MR 1309.0201.4 – Use Merriam-Webster Collegiate Dictionary
Dwelling Unit	Not defined	DWELLING UNIT. A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.
STORY ABOVE GRADE	Not defined	STORY ABOVE GRADE PLANE. Any <i>story</i> having its finished floor surface entirely above <i>grade plane</i> , or in which the finished surface of the floor next above is either of the following: 1. More than 6 feet (1829 mm) <i>above grade plane</i> . 2. More than 12 feet (3658 mm) above the finished ground level at any point.
STORY	Not defined	STORY. That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.
GRADE PLANE	Not defined	GRADE PLANE. A reference plane representing the average of the finished ground level adjoining the building at all <i>exterior walls</i> . Where the finished ground level slopes away from the <i>exterior walls</i> , the reference plane shall be established by the lowest points within the area between the building and the <i>lot line</i> , or, where the <i>lot line</i> is more than 6 feet from the building, between the structure and a point 6 feet from the building.

1300.0040 Scope. Subp. 2 Compliance (cont)

IRC-1 Single-family dwelling



Illustrations citation: Illustrated Field Guide to the MN Residential Code. P 9-11. ICC & MDLI. <https://codes.iccsafe.org/content/MNIFGMNRC2020P1/chapter-1-introduction-to-the-minnesota-state-building-code>

IRC-2 Two-family dwellings
-This could also be built as an IRC-3 Townhouse



IRC-3 Townhouses



IRC-4 Garages and Sheds



MR 1300 – Administration

1300.0040

1300.0040 Scope. Subp. 2 Compliance (cont)

MRC (IRC) Townhouse,
IRC-4 Occupancy

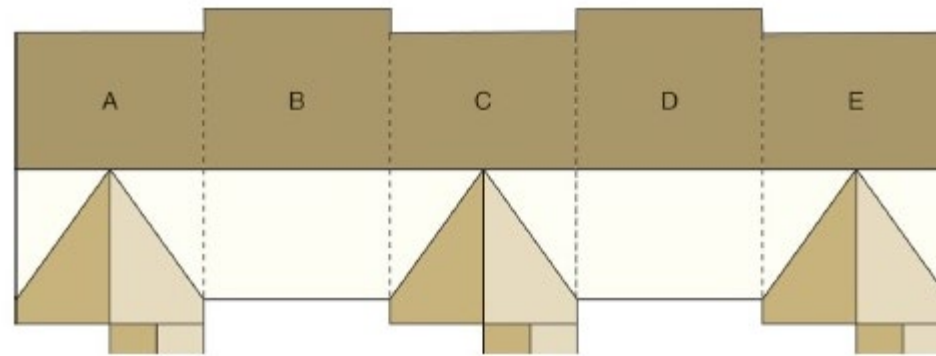
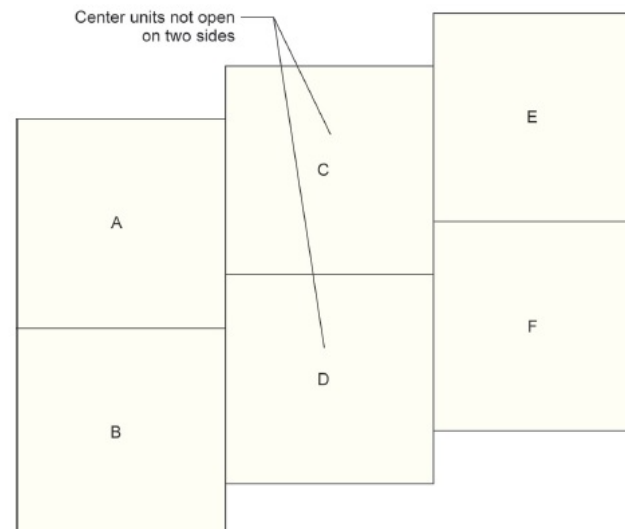


FIGURE 1-7 Townhouses open on front and back

MBC (IBC) Six-unit Multifamily Dwelling,
R-2 Occupancy



1300.0040 Scope. Subp. 2 Compliance
(cont)

How would you classify this one?



MR 1300 – Administration

1300.0040

1300.0040 Scope. Subp. 2 Compliance (cont)

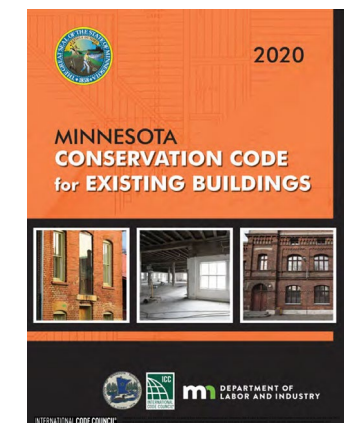
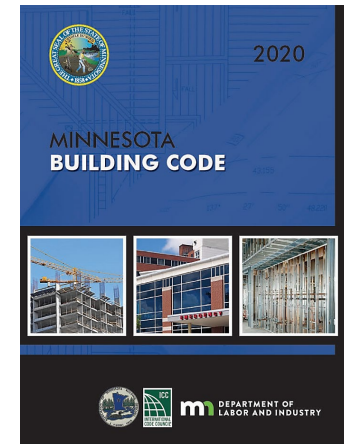
Other buildings and structures and appurtenances (accessories) connected or attached to them shall comply with MR 1305 (International Building Code).

Exception: The following structures that meet the scope of MR 1305 **shall be permitted to be designed** to comply with MR 1311 Minnesota Conservation Code for Existing Buildings (MCCEB):

- 1) existing building undergoing repair, alteration, or change in occupancy addition, or being moved; and
- 2) historic buildings.



Note use of 1311 is the **designer's** choice. The conservation code provides additional options for design. It's a good tool for designers, and code officials should become familiar with its use.



1300.0040 Scope. Subp. 2 Compliance (cont)

If reference is made in the code to an appendix, the provisions in the appendix do not apply unless specifically adopted by the code.

Example: MR 1309.0010 – page 61

Subp. 1a. Deleted appendices.

All of the IRC appendices are deleted except Appendix K and Appendix Q.

Subp. 2. Mandatory chapters.

The 2018 IRC Chapters 2 to 10, 44, Section P2904 of Chapter 29, Appendix K, and Appendix Q shall be administered by any municipality that has adopted the *Minnesota State Building Code*, except as qualified by the applicable provisions in Minnesota Rules, Chapter 1300, and as amended by this chapter.

Appendix K is Sound Transmission. Appendix Q is Tiny Homes.

1300.0050 Chapters of the Minn. State Building Code

The Minnesota State Building Code adopted under Minnesota Statutes, section 326B.106, subdivision 1, includes the following chapters:

- A. 1300 Minnesota Building Code Administration;
- B. 1301 building official Certification;
- C. 1302 State Building Code Construction Approvals;
- D. 1303 Special Provisions;
- E. 1305 Minnesota Building Code;
- F. 1306 Special Fire Protection Systems;
- G. 1307 Elevators and Related Devices;
- H. 1309 Minnesota Residential Code;
- I. 1311 Minnesota Conservation Code for Existing Buildings;
- J. 1315 Minnesota Electrical Code;
- K. 1325 Solar Energy Systems;
- L. 1335 Floodproofing Regulations;
- M. 1341 Minnesota Accessibility Code;
- N. 1346 Minnesota Mechanical Code;
- O. 1350 Manufactured Homes;
- P. 1360 Prefabricated Structures;
- Q. 1361 Industrialized/Modular Buildings;
- R. 1370 Storm Shelters (Manufactured Home Parks);
- S. 4715 Minnesota Plumbing Code;
- T. 1322 and 1323 Minnesota Energy Codes; and
- U. 5230 Minnesota High Pressure Piping Systems.

1300.0060 Optional administration.

The following chapters of the code are not mandatory but may be adopted without change by a municipality which has adopted the code:

- A. MR 1306, Special Fire Protection Systems; and
- B. IBC appendix chapter “J” - Grading.

1300.0110 Duties and Powers of the building official. Subp. 1 General

- Building official shall enforce the code.
- They may render interpretations of the code and adopted policies and procedures to clarify the application of the code.
- Interpretations, policies and procedures shall conform with the intent and purpose of the code.
- Policies and procedures shall not waive requirements specifically provided for in the code.

The building official shall enforce all code provisions and does not have the authority to waive code requirements.

1300.0110 Duties and Powers of building official. Subp. 2 Deputies

- Building official may designate a deputy building official and related technical officers, inspectors, plans examiners, and other employees.
- Employees have the powers delegated by the building official.

Inspectors, plan reviewers, permit techs, administrative staff, etc. can be assigned specific responsibility delegated by the building official.

1300.0110 Duties and Powers of building official

Subp. 3 Applications and Permits

The building official shall

- Receive applications
- Review construction documents
- Issue permits for the erection, alteration, demolition, moving and repair of buildings, structures, equipment and systems regulated by the code
- Inspect the premises where permits have been issued, for compliance with the code
- When requested, meet with applicants to discussed proposed plans

MR 1300 – Administration

1300.0110

1300.0110 Duties and powers of the building official. Subp. 4 Notices and orders

The building official shall...

Issue all necessary notices or orders to ensure compliance.

- Notices and orders shall be in writing and served on the applicant, contractor, owner or owner's agent
- Notices and orders will be based on the code edition in effect at the time the permit was issued

MINNESOTA DEPARTMENT OF LABOR & INDUSTRY
Construction Codes and Licensing Division – Regional Services

Inspection Report

Project title: _____ Project number: _____
Project location/address: _____ County: _____
Owner: _____ Contractor: _____
Scheduled for ... Day of week: _____ Date: _____ Time: _____ Region: _____

<input type="checkbox"/> Footing/foundation	<input type="checkbox"/> Fire sprinklers rough-in	<input type="checkbox"/> Site utility
<input type="checkbox"/> Framing	<input type="checkbox"/> Fire sprinklers final	<input type="checkbox"/> Utility pressure test
<input type="checkbox"/> Wall board	<input type="checkbox"/> Plumbing rough-in	<input type="checkbox"/> Reinspection/follow-up
<input type="checkbox"/> Insulation	<input type="checkbox"/> Plumbing final	<input type="checkbox"/> Complaint
<input type="checkbox"/> Firestop/damper	<input type="checkbox"/> Mechanical rough-in	<input type="checkbox"/> Progress
<input type="checkbox"/> Firestopping	<input type="checkbox"/> Mechanical final	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Fire alarm system	<input type="checkbox"/> Fire code inspection	<input type="checkbox"/> Final

Approved.
 Work is satisfactory, OK to proceed.
 Correct work and then OK to proceed.
 Correct work, Call for reinspection before covering.
 Stop work immediately! Call inspector.
 Inspection required. Call and arrange for access.

Comments: _____

(See attached for further comments or information.)

1) Travel time: _____ 2) Onsite paper and plan work time: _____ 3) Inspection time: _____
Total time (travel, paperwork and inspection): _____ Time arrived: _____ Time departed: _____
Inspected by: _____ Date inspected: _____ Phone: _____

White copy – to be left on-site
Green copy – to inspector
Pink copy – to CCLD regional services

Log no. 12612

DLI/CCLD Document

1300.0110 Duties and powers of building official. Subp. 5 Inspections

The building official shall...

- Make all the required inspections or accept reports of inspections by approved agencies or individuals
- Document inspections on job site inspection card and in official record of the municipality
- Record will include the type of inspection, date of inspection, the individual making inspection, and approval and comments regarding disapproval of inspection
- May engage expert opinion necessary to report unusual technical issues

1300.0110 Duties and powers of building official. Subp. 6 Identification

The building official and deputies shall...

- Carry proper identification when inspecting structures or premises in the performance of duties under this code.



1300.0110 Duties and powers of building official. Subp. 7 Right of entry

If it is necessary to make an inspection to enforce the code or if the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition contrary to or in violation of the code that makes the structure or premises unsafe, dangerous, or hazardous...

- The building official or designee may enter the structure or premises at reasonable times to inspect or to perform the duties imposed by the code, provided that...
- If the structure or premises is occupied, credentials must be presented to the occupant and entry requested.
- If the structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry.
- If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

1300.0110 Duties and powers of building official. Subp. 6 Inspections (cont)

1. What if a homeowner refuses to allow you entry?
 - a) Explain it's a required inspection and walk in
 - b) Call the police
 - c) Leave and discuss with your immediate supervisor

2. What if you arrive for an interior inspection and neither the contractor or homeowner there, but the children are?

It is important to always consider the impact of taking actions that could cause consternation or be perceived negatively. Even when the code official has clear authority to enter, it may be prudent to wait, talk to a supervisor and legal counsel, or contact the owner via phone or other means once tensions have eased to persuade them to invite the inspector in.

Inspections should always be conducted with a responsible adult representing the owner or contractor present.

1300.0110 Duties and powers of building official. Subp. 7 Right of entry (cont)

If structure or premise is unoccupied, reasonable effort must be made to locate the owner or person having charge or control.

If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.



It's always a good idea to have a good relationship with the city attorney's office or the legal counsel for the jurisdiction.

1300.0110 Duties and powers of building official. Subp. 8 Department records

The building official shall keep official records.

- Applications received
- Plot plans
- Reports of inspections
- Surveys
- Certificates issued
- Specifications
- Permits
- Plans
- Plan reviews
- Notices & orders issued

Records shall be retained as official record for the period required for the retention of public records under Minn. Stat. §138.17. **Also known as, the “retention schedule” for the jurisdiction.**

1300.0110 Duties and powers of building official. Subp. 9 Liability

The building official, Board of Appeals member, or employee charged with enforcement of the code, while acting in good faith and without malice in the discharge of duties required by the code or other pertinent laws or ordinances is not rendered personally liable and is relieved from personal liability for damage to persons or property as a result of any act or by reason of an act or omission in the discharge of duties.

1300.0110 Duties and powers of building official. Subp. 9 Liability

Any suit instituted against an officer or employee while in the act of performing the lawful discharge of their duties under the code shall be defended by the jurisdiction until final termination of the proceedings.

The building official or any subordinate is not liable for any cost in any action, suit, or proceeding that is instituted in pursuance of the code.

1300.0110 Duties and powers of building official.

Subp. 10 Approved materials and equipment & Subp. 11 Used materials and equipment

Materials, equipment and devices approved by the building official shall be constructed and installed in the *approved* manner.

The use of used materials that meet the requirements of the code for new materials is permitted. Used equipment and devices shall not be reused unless *approved* by the building official.

1300.0070 Definitions. Subp. 4a Approved

“Approved” means approval by the building official, pursuant to the *Minnesota State Building Code*, by reason of:

- A. Inspection, investigation, or testing;
- B. Accepted principles;
- C. Computer simulations;
- D. Research reports; or
- E. Testing performed by either a licensed engineer or by a locally or nationally recognized testing laboratory.

1300.0110 Duties and powers of building official. Subp. 12 Modifications

When the building official finds that special individual reasons makes the strict letter of the code impractical, the building official **may** grant modifications if

- The modification is in compliance with the intent and purpose of the code, and
- The modification does not lessen health, life, safety or structural requirements.

1300.0110 Duties and powers of building official. Subp. 12 Modifications (cont)

When approving a modification, the building official must

1. Determine what the impracticality is;
2. Not waive code requirements;
3. Ensure prescriptive requirements are met to the greatest extent possible;
4. Satisfy the intent of code provisions;
5. Ensure that health, fire safety, life safety, or structural requirements are met;
6. Document the details of the modification in official records.

1300.0110 Duties and powers of building official. Subp. 13 Alternative materials, design, and methods of construction and equipment

The code is not intended to prevent the installation of any material or to prohibit any design or construction method not specifically prescribed by the code, provided that any alternative has been approved.

1300.0110 Duties and powers of building official. Subp. 13 Alternative materials, design, and methods of construction and equipment (cont)

An alternative **shall be approved** where the building official

- Finds the proposal satisfactory
- Finds that the proposal complies with the intent of the code
- Finds that the material, method, or work proposed is at least the equivalent of that prescribed in the code when analyzed for quality, strength, effectiveness, fire resistance, durability, and safety.
- building official has received sufficient information
- determine that the material, design or method of construction is
- compliance with the intent of the code and
- at least the equivalent of that prescribed by the code.

1300.0110 Duties and powers of building official. Subp. 13 Alternative materials, design, and methods of construction and equipment
(cont)

Whether approving or denying, the details of any action granting or denying approval of an alternate shall be recorded and entered into the official record of the department.

The permit applicant may request written documentation of the denial, including the reasons for the denial.

1300.0110 Duties and powers of building official. Subp. 13 Alternative materials, design, and methods of construction and equipment
(cont)

When considering an alternate, the person making the request will need to provide all of the information necessary for the building official to make a decision.

Remember the definition of approved.

1300.0110 Duties and powers of building official. Subp. 13 Alternative materials, design, and methods of construction and equipment (cont)

Use of a form designed to gather the necessary information, and a regular process for requests for a modification or alternate can help with demonstrating the rationale behind an approval or denial and with record-keeping.

mi DEPARTMENT OF LABOR AND INDUSTRY

ALTERNATE DESIGN | MATERIALS | METHODS OF CONSTRUCTION CHECKLIST
Minnesota Rule 1300.0110, Subpart 13.

Approvals for alternatives must address all the following:

- Project Name:
- Street Address & City:
- Specifics about the building or structure:
 - Construction Type:
 - Occupancy Group(s):
 - Number of Stories:
 - Sprinkler System: NFPA 13 NFPA 13R Partially Sprinkled None
 - Other relevant information:
- Summary of request:
- Reason for the request:
- Cite the specific code section and requirement:
- Specifics of the alternate being proposed. (Include drawings, supplemental product information, technical details, etc.):
- How the alternate complies with the intent of the code:
- How the alternate is at least equivalent to the prescriptive requirements in the code pertaining to:
 - Quality:
 - Strength:
 - Effectiveness:
 - Fire Resistance:
 - Durability:

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Page 2 of 2

- Safety:
 - Applicable Test Results, product listings or alternate compliance standards:
 - Certification:

I hereby certify that this alternative proposal was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the State of Minnesota.

Signature: _____ License: _____
Printed Name: _____ Date: _____

1300.0120 Permits. Subp. 1 Required

An owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or; to erect, install, enlarge, alter, repair, remove, convert, or replace any gas, mechanical, electrical, plumbing system, or other equipment, the installation of which is regulated by the code; or cause any such work to be done, shall first make application to the building official and obtain the required permit.

A permit is required unless specifically exempted.

1300.0120 Permits. Subp. 4 Work exempt from permit

One-story detached accessory structures, used as tool storage sheds, playhouses, and similar uses, provided the floor area does not exceed 200 square feet.



DLI/CCLD Photo

Exemptions must still comply with the code and local zoning.

1300.0120 Permits. Subp. 4 Work exempt from permit (cont)

Fences not over seven feet high.



1300.0120 Permits. Subp. 4 Work exempt from permit (cont)

Retaining walls that are not over four feet in height measured from the bottom of the footing to the top on the wall, unless supporting a surcharge or impounding Class I, II or III liquids.



DLI/CCLD Photo

1300.0120 Permits. Subp. 4 Work exempt from permit (cont)

Sidewalks and driveways that are not part of an accessible route.



DLI/CCLD Photo



DLI/CCLD Photo

1300.0120 Permits. Subp. 4 Work exempt from permit (cont)

Decks and platforms

- not more than 30 inches above adjacent grade and
- not attached to a structure with frost footings and
- not part of an accessible route.



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1300.0120 Permits. Subp. 4 Work exempt from permit (cont)

Prefabricated swimming pools

- Accessory to dwelling units of the IRC or Group R-3 occupancy of the IBC,
- Less than 24 inches deep,
- Not exceeding 5,000 gallons, and
- Installed entirely above ground.



MR 1300 – Administration

1300.0120

1300.0120 Permits. Subp. 4 Work exempt from permit
(cont)

Electric substation facilities.



1300.0120 Permits. Subp. 4 Work exempt from permit (cont)

Even if exempt from building permits, associated plumbing, electrical, and mechanical permits are required prior to the start of work (unless exempted separately in Subp. 4 Item B, C or D or other provision).

1300.0120 Permits. Subp. 4 Work exempt from permit (cont)

Gas

- Portable heating, cooking, or clothes drying appliances
- Replacement of any minor part that does not alter approval of equipment or make the equipment unsafe

See full section text for expanded list of exemptions.

1300.0120 Permits. Subp. 4 Work exempt from permit
(cont)

Mechanical

- Portable heating appliance
- Portable ventilation appliances and equipment
- Portable cooling units

See full section text for expanded list of exemptions.

1300.0120 Permits. Subp. 5 Emergency repairs

If equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted to the building official within the next working business day.



1300.0120 Permits. Subp. 6 Repairs

Application or notice to the building official is not required for ordinary repairs to structures.

These items are not considered ordinary repairs, therefore require permits:

- The cutting away of any wall, partition, or portion of a wall or partition,
- The removal or cutting of any structural beam or load bearing support, or
- The removal or change of any required means of egress, or
- Rearrangement of parts of a structure affecting the egress requirements
- Addition to, alteration of, replacement, or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring, or mechanical or other work affecting public health or general safety.

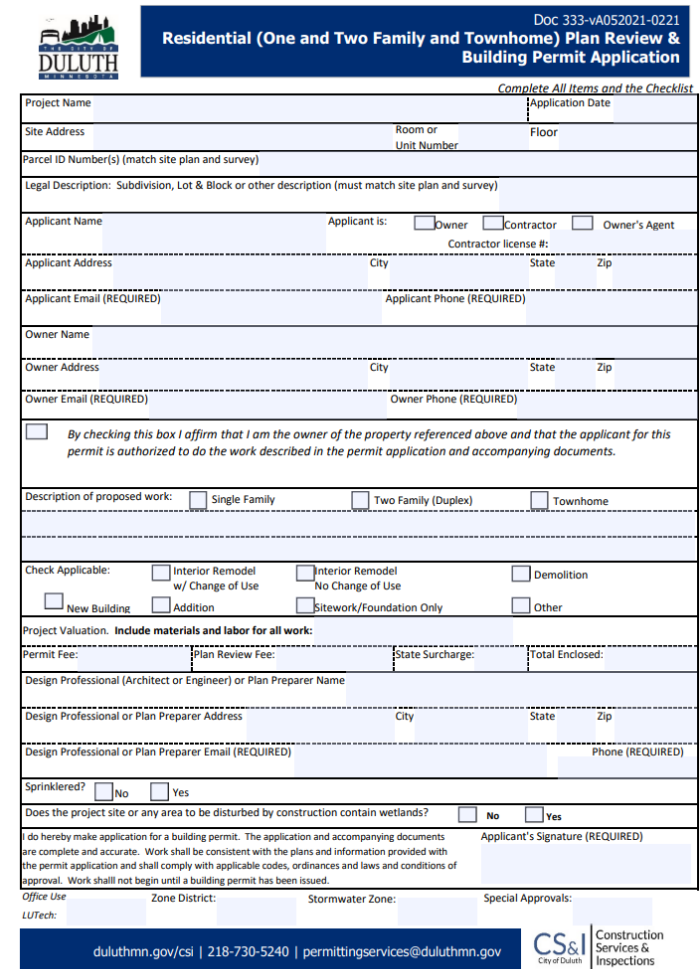
MR 1300 – Administration

1300.0120

1300.0120 Permits. Subp. 7 Application for permit

To obtain a permit, the applicant shall file an application in writing on a form furnished by the Department of Building Safety for that purpose.

Permit applications can also be submitted online in many jurisdictions.



The form is titled "Residential (One and Two Family and Townhome) Plan Review & Building Permit Application" and includes the Duluth logo. It contains the following sections:

- Project Information:** Project Name, Site Address, Room or Unit Number, Floor, Parcel ID Number(s), and Legal Description.
- Applicant Information:** Applicant Name, Applicant is (Owner, Contractor, Owner's Agent), Contractor license #, Applicant Address (City, State, Zip), Applicant Email (REQUIRED), and Applicant Phone (REQUIRED).
- Owner Information:** Owner Name, Owner Address (City, State, Zip), Owner Email (REQUIRED), and Owner Phone (REQUIRED).
- Affirmation:** A checkbox for the applicant to affirm they are the owner and authorized to do the work.
- Description of proposed work:** Single Family, Two Family (Duplex), or Townhome.
- Check Applicable:** Interior Remodel w/ Change of Use, Interior Remodel No Change of Use, Demolition, New Building, Addition, Sitework/Foundation Only, or Other.
- Project Valuation:** Permit Fee, Plan Review Fee, State Surcharge, and Total Enclosed.
- Design Professional:** Design Professional (Architect or Engineer) or Plan Preparer Name, Design Professional or Plan Preparer Address (City, State, Zip), and Design Professional or Plan Preparer Email (REQUIRED) and Phone (REQUIRED).
- Other Information:** Sprinklered? (No/Yes), Does the project site or any area to be disturbed by construction contain wetlands? (No/Yes), and Applicant's Signature (REQUIRED).
- Footer:** Office Use, Zone District, Stormwater Zone, Special Approvals, LUTech, and contact information for duluthmn.gov/csi.

MR 1300 – Administration

1300.0120

1300.0120 Permits. Subp. 7 Application for permit (cont)

The application shall...

- Identify and describe the work to be covered by the permit.
- Describe the land on which the proposed work is to be done by legal description, street address, or similar description that will readily identify and definitely locate the proposed building or work.
- Indicate the use and occupancy for the proposed work.
- Indicate the type of construction.
- Be accompanied by construction documents and other information as required by the code.

Permit Application	
BUILDING SITE ADDRESS	_____
ESTIMATED VALUE OF ALL WORK (Contract Price) TOTAL \$	_____
DESCRIBE WORK APPLIED FOR	_____
FOR SIDING REPLACEMENT: NUMBER OF SQUARES _____	ELECT CONTRACTOR-SIDING _____
FOR ROOF REPLACEMENT: NUMBER OF SQUARES _____	ELECT CONT PHONE: _____
ESTIMATED COMPLETION DATE: _____	(All exterior work must be completed within six months of permit issue date.)
APPLICANT or BUSINESS NAME _____	PHONE _____
CHECK ONE: <input type="checkbox"/> CONTRACTOR (Complete licensing information below.)	<input type="checkbox"/> HOMEOWNER
PREFERRED METHOD OF CONTACT: <input type="checkbox"/> TELEPHONE	<input type="checkbox"/> EMAIL
ADDRESS _____	
CITY _____	STATE _____ ZIP _____
EMAIL ADDRESS (Optional) _____	
STATE CONTRACTOR LICENSE NUMBER _____	
TYPE OF LICENSE _____	EXPIRATION DATE _____
**LEAD CERTIFICATION NUMBER _____	
PROPERTY OWNER _____	PHONE _____
ADDRESS (IF DIFFERENT THAN ABOVE) _____	
CITY _____	STATE _____ ZIP _____
IF OCCUPANT IS DIFFERENT FROM OWNER, PLEASE LIST:	
OCCUPANT _____	PHONE _____
APPLICANT SIGNATURE _____	DATE _____
<small>** IF MN licensed residential contractor, remodeler or roofer and not lead certified and the dwelling was built before 1978, complete the lead supplement.</small>	
<small>ESCROW FUNDS WILL BE RETURNED TO THE CONTRACTOR / APPLICANT.</small>	
<small>The applicant hereby agrees to do all work in compliance with the state building code, city ordinances and applicable law. Issuance of a permit, approval of plans and inspections conducted do not give permission to violate any provision of law nor constitute a guarantee or warranty from the city.</small>	

DLI/CCLD Illustration

MR 1300 – Administration

1300.0120

1300.0120 Permits. Subp. 7 Application for permit (cont)

The application shall...

- State the valuation of the proposed work.
- Be signed by the applicant or applicant's authorized agent.
- Include other data and information required by the building official

Permit Application	
BUILDING SITE ADDRESS	_____
ESTIMATED VALUE OF ALL WORK (Contract Price) TOTAL \$	_____
DESCRIBE WORK APPLIED FOR	_____
FOR SIDING REPLACEMENT: NUMBER OF SQUARES _____	ELECT CONTRACTOR-SIDING _____
FOR ROOF REPLACEMENT: NUMBER OF SQUARES _____	ELECT CONT PHONE: _____
ESTIMATED COMPLETION DATE: _____	(All exterior work must be completed within six months of permit issue date.)
APPLICANT or BUSINESS NAME _____	PHONE _____
CHECK ONE: <input type="checkbox"/> CONTRACTOR (Complete licensing information below.)	<input type="checkbox"/> HOMEOWNER
PREFERRED METHOD OF CONTACT: <input type="checkbox"/> TELEPHONE	<input type="checkbox"/> EMAIL
ADDRESS _____	
CITY _____	STATE _____ ZIP _____
EMAIL ADDRESS (Optional) _____	
STATE CONTRACTOR LICENSE NUMBER _____	
TYPE OF LICENSE _____	EXPIRATION DATE _____
**LEAD CERTIFICATION NUMBER _____	
PROPERTY OWNER _____	PHONE _____
ADDRESS (IF DIFFERENT THAN ABOVE) _____	
CITY _____	STATE _____ ZIP _____
IF OCCUPANT IS DIFFERENT FROM OWNER, PLEASE LIST:	
OCCUPANT _____	PHONE _____
APPLICANT SIGNATURE _____	DATE _____
<small>** IF MN licensed residential contractor, remodeler or roofer and not lead certified and the dwelling was built before 1978, complete the lead supplement.</small>	
<small>ESCROW FUNDS WILL BE RETURNED TO THE CONTRACTOR / APPLICANT.</small>	
<small>The applicant hereby agrees to do all work in compliance with the state building code, city ordinances and applicable law. Issuance of a permit, approval of plans and inspections conducted do not give permission to violate any provision of law nor constitute a guarantee or warranty from the city.</small>	

DLI/CCLD Illustration

1300.0120 Permits. Subp. 8 Action on application

The building official shall...

- Examine applications for permits within a reasonable time;
- Notify the applicant if the submittal documents are not in compliance with pertinent laws.
- Document the reasons for rejecting an application.
- Issue permits once the planned project is in compliance.



DLI/CCLD archive illustration

1300.0120 Permits. Subp. 9 Time limitation of application

- An application for a permit for any proposed work shall be considered abandoned 180 days after the date of filing, unless the application has been pursued in good faith or a permit has been issued.
- The building official is authorized to grant one or more extensions not to exceed 180 days each.
- Extensions requests shall be in writing and show justifiable cause.



Some things to keep in mind when considering requests for extensions – Has there been a new version of the code adopted? Has the permit fee schedule changed?

1300.0120 Permits. Subp. 10 Validity of permit

- Issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data.
- Issuance of a permit or approval of plans, specifications, and computations, shall not be construed to be a permit for any violation of the code or of any ordinance of the jurisdiction.
- Permits presuming to give authority to violate the code or other ordinances are not valid.



This is an important point for everyone involved to understand. A missed issue in plan review or inspection does not mean that the non-compliance need not be corrected.

1300.0120 Permits. Subp. 11 Suspension or revocation.

The building official may suspend or revoke a permit issued under the code if the permit is issued in error on the following basis:


- Incorrect information
- Inaccurate information
- Incomplete information
- Violation of any ordinance or regulation or the code

MR 1300 – Administration

1300.0120

1300.0120 Permits. Subp. 13 Information and placement of permit

- The building permit or copy shall be kept on the site of the work until the completion of the project, posted in a conspicuous and accessible place.
- Permit shall include the name and address of the owner and the name of the contractor, if applicable.

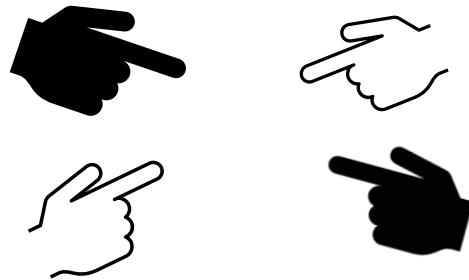
		443 Lafayette Road N., St. Paul, MN 55155 (651) 284-5857 www.dli.mn.gov	
BUILDING PERMIT			
BL-P2303-0011			
Permit Date: 03/31/2023			
Project Name Paynesville Health Care Center - Phase 1 - Footings & Foundation			
Site Address 405 Hwy 55, Paynesville, Stearns County			
Applicant Name		Matt Faber	
Address		220 5th st. N	
Phone		(320) 980-4299	
Owner Name		Tom Opatz	
Project Contact		Premier Healthcare Management of Paynesville	
Address		410 luella st.	
Phone		(651) 343-5239	
Contractor Name		Gen-X Design Build	
Phone		(320) 980-4299	
Inspector	Jake Depuydt	Plan Reviewer	Lee Gladitsch
Phone	(651) 280-0114	Phone	
Description of Work New Nursing Home Footling and Foundation Permit. Exterior perimeter footings and foundation walls only. (no interior footings or slab)			
Fees			
Total Fees	\$4,136.65		
Total Fees Paid	\$4,136.65		
Total Fees Due	\$0.00		
NOTICE			
This permit is valid only for the work described and does not grant permission for additional or related work. A separate permit may be required for work not included in the scope of this permit.			
Permits become null and void if the work is not started within 180 days from the issue date and will expire if the work is suspended or abandoned for a period of 180 days any time after the work has commenced (see Minnesota Rule 1300.0120).			

DLI/CCLD Document

1300.0120 Permits. Subp. 14 Responsibility

Every person who performs the work or the installation or repair of building, structure, electrical, gas, mechanical, or plumbing systems, for which the code is applicable, shall comply with the code.

The person, firm or organization securing the permit is responsible for code compliance for the work being performed.



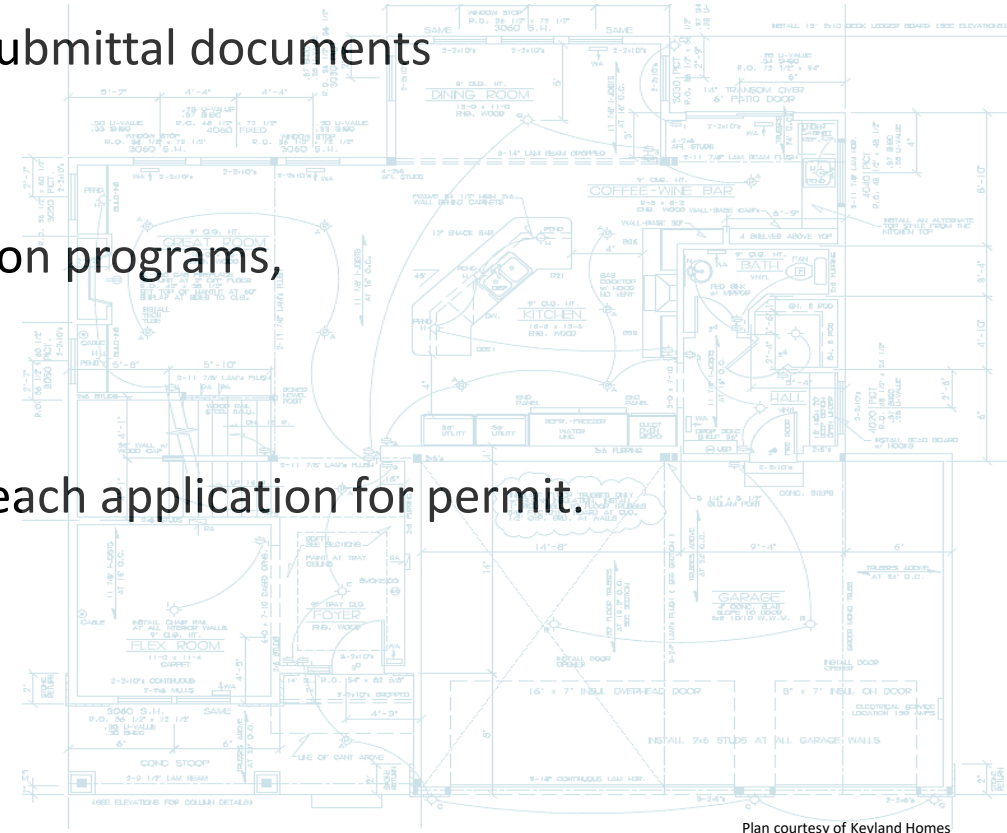
MR 1300 – Administration

1300.0130

1300.0130 Construction documents. Subp. 1 Submittal documents

- Construction documents,
- Special inspections and structural observation programs,
- And other data

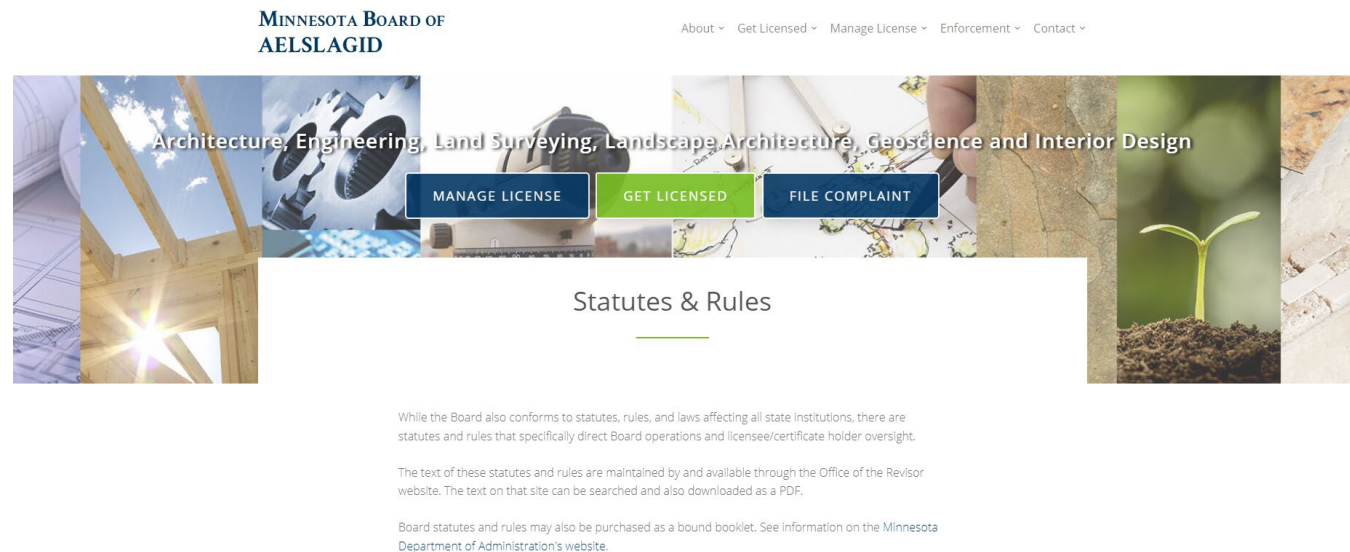
...shall be submitted in one or more sets with each application for permit.



Plan courtesy of Keyland Homes

1300.0130 Construction documents. Subp. 1 Submittal documents (cont)

The building official may require that the plans or other data be prepared according to the Board of AELSLAGID (Architecture, Engineering, Land Surveying, Geoscientists and Interior Design) Chapter 1800 and MS 326.02 to 326.15, and other state laws relating to plans and specifications.



The screenshot shows the website for the Minnesota Board of AELSLAGID. The header includes the board's name and a navigation menu with links for 'About', 'Get Licensed', 'Manage License', 'Enforcement', and 'Contact'. Below the header is a banner with the text 'Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design' and three buttons: 'MANAGE LICENSE', 'GET LICENSED', and 'FILE COMPLAINT'. The main content area is titled 'Statutes & Rules' and contains the following text:

While the Board also conforms to statutes, rules, and laws affecting all state institutions, there are statutes and rules that specifically direct Board operations and licensee/certificate holder oversight.

The text of these statutes and rules are maintained by and available through the Office of the Revisor website. The text on that site can be searched and also downloaded as a PDF.

Board statutes and rules may also be purchased as a bound booklet. See information on the Minnesota Department of Administration's website.

1300.0130 Construction documents. Subp. 1 Submittal documents (cont)

These rules require design and construction document preparation by Minnesota licensed design professionals for buildings and projects that are not exempted in the rules.

Classifications	Elements that must be met to be exempt*
Assembly (as defined by the MSBC under occupancy group A2: Dining and drinking less than 50 persons)	Not greater than one story with no basement; and Seating for not more than 20 persons; and Not greater than 1,000 gross square footage (GSF)
Business (as defined by the MSBC under occupancy group B)	Not greater than two story with a basement; and Not greater than 2,250 GSF
Factory (as defined by the MSBC under occupancy group F2)	Not greater than one story with no basement; and Not greater than 3,000 GSF
Mercantile (as defined by the MSBC under occupancy group M)	Not greater than two story with a basement; and Not greater than 1,500 GSF
Residential (as defined by the MSBC under occupancy group R)	Apartment houses/condominiums (three units or less), dwellings, lodging houses, attached single-family dwellings/townhomes, and congregate residences (each accommodating ten persons or less)
Storage (as defined by the MSBC under occupancy group S1: Aircraft hangars and helistops)	Not greater than one story with no basement; and Not greater than 3,000 GSF
Storage (as defined by the MSBC under occupancy group S2 except for parking garages, open or enclosed)	Not greater than one story with no basement; and Not greater than 5,000 GSF
Utility (as defined by the MSBC under occupancy group U except fences higher than 8', tanks and towers, and retaining walls with over 4' of vertical exposed face)	Not greater than one story with no basement; and Not greater than 1,000 GSF

1300.0130 Construction documents. Subp. 1 Submittal documents (cont)

If special conditions exist, the building official may require additional construction documents be prepared by a licensed design professional.

Even when an architect or engineer is not required by the AELSLAGID licensing regulations, the same information, presented with clarity to show code compliance, must be submitted for plan review.

Also, see MRC R301.1.3 Engineered design. This clarifies that, for IRC buildings, any element that is outside of the prescriptive requirements must be designed by a MN licensed engineer.

1300.0130 Construction documents. Subp. 1 Submittal documents (cont)

AELSLAGID rules and design professional license look up are available at

<https://mn.gov/aelslagid/rules.html>

The screenshot shows the website for the Minnesota Board of AELSLAGID. At the top, there is a navigation menu with links for 'About', 'Get Licensed', 'Manage License', 'Enforcement', and 'Contact'. Below the navigation is a banner with the text 'Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design' and three buttons: 'MANAGE LICENSE', 'GET LICENSED', and 'FILE COMPLAINT'. The main content area is titled 'Statutes & Rules' and contains the following text:

While the Board also conforms to statutes, rules, and laws affecting all state institutions, there are statutes and rules that specifically direct Board operations and license/certificate holder oversight. The text of these statutes and rules are maintained by and available through the Office of the Revisor website. The text on this site can be searched and also downloaded as a PDF.

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Board Statutes and Rules

- MN Rules Chapter 1800: Licensing and Operation
➤ AVAILABLE AS PDF
- MN Rules Chapter 1805: Rules of Professional Conduct
➤ AVAILABLE AS PDF
- MN Statutes Chapter 326.02-326.15: Architects, Engineers, Surveyors, Landscape Architects, Geoscientists, Interior Designers

Conity applicants needing prior year rules in order to determine requirements, follow the link below, then select the applicable year, then look for MN Rules Chapter 1800.

➤ MN RULES ARCHIVE

Other Related Statutes

- DATA PRACTICES ACT (CHAPTER 13)
- OPEN MEETING LAW (CHAPTER 130)
- ADMINISTRATIVE PROCEDURE (CHAPTER 14)
- EXAMINING & LICENSING BOARDS (CHAPTER 214)

At the bottom of the page, there are two images: one showing a checkered flag on a map with the text 'Find a Licensee' and another showing hands holding paper figures with the text 'File a Complaint'.

1300.0130 Construction documents. Subp. 1 Submittal documents (cont)

Exception

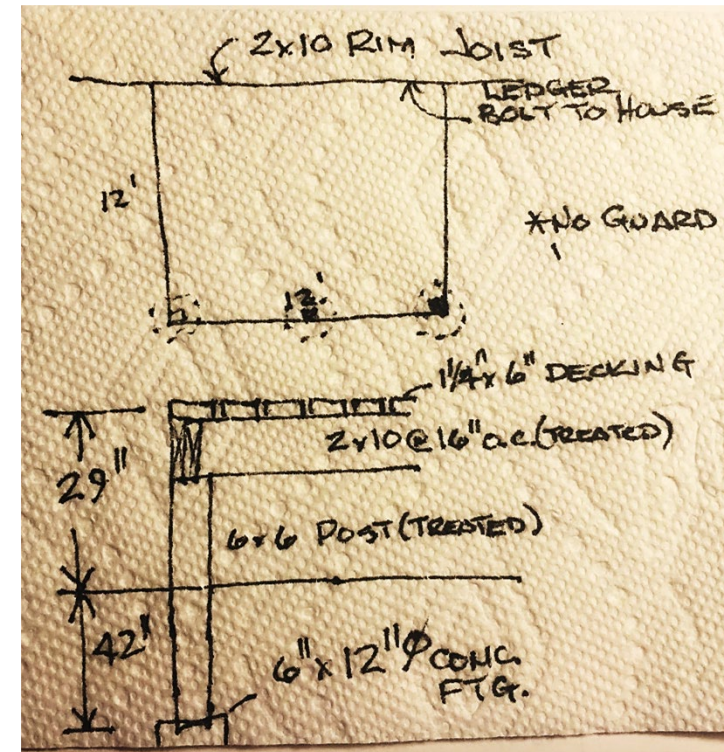
The building official may waive the submission of construction documents and other data not required to be prepared by a licensed design professional if the nature of the work is such that reviewing of construction documents is not necessary to obtain compliance with the code.

MR 1300 – Administration

1300.0130

1300.0130 Construction documents. Subp. 2 Information on construction documents

- Documents shall be dimensioned and drawn on suitable material.
- Electronic documents are permitted when approved by the building official.
- Documents shall clearly indicate the location, nature, extent of the work proposed.
- Documents must show that the intended work conforms with the code and other laws as determined by the building official.



1300.0130 Construction documents.

Subp. 3 Manufacturer's installation instructions

When required by the building official installation instructions for equipment and components regulated by the code shall be on the job site at the time of inspection.



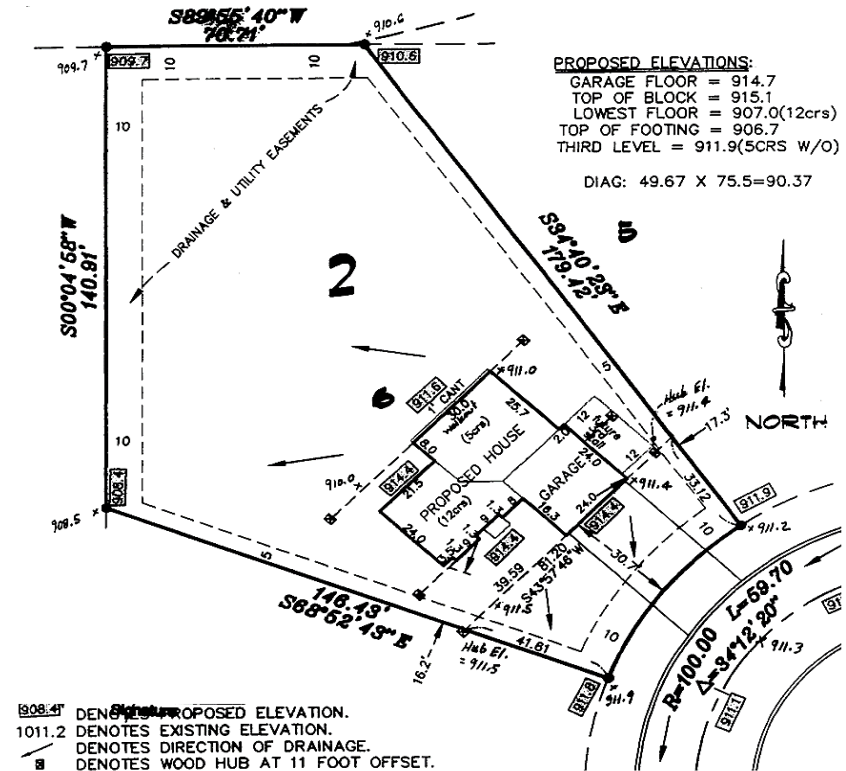
MR 1300 – Administration

1300.0130

1300.0130 Construction documents. Subp. 4 Site plan

Construction documents submitted for permit application shall include a site plan drawn to scale showing...

- Size/location of new construction
- Existing structures on site
- Distances from lot lines
- The established street grades
- Proposed finished grades
- Drawn to an accurate boundary line survey



1300.0130 Construction documents. Subp. 5 Examination of documents

The building official shall examine the construction documents to determine whether the work described complies with the code and other regulations.



MR 1300 – Administration

1300.0130

1300.0130 Construction documents. Subp. 6A Approval of construction documents

If the building official issues a permit, the construction documents shall be approved in writing or by stamp, as “Reviewed for Code Compliance”.



One set shall be retained by the building official. The other set shall be returned to the applicant, kept at the jobsite and open to inspection by the building official or authorized representative.

1300.0130 Construction documents. Subp. 6B Approval of construction documents

...The issuance of a permit based on construction documents and other data does not prevent the building official from requiring the correction of errors in the construction documents and other data...

...Work regulated by the code must be installed according to the reviewed construction documents. Work that does not comply with approved construction documents must not proceed until the applicant submits changes that are approved by the building official.



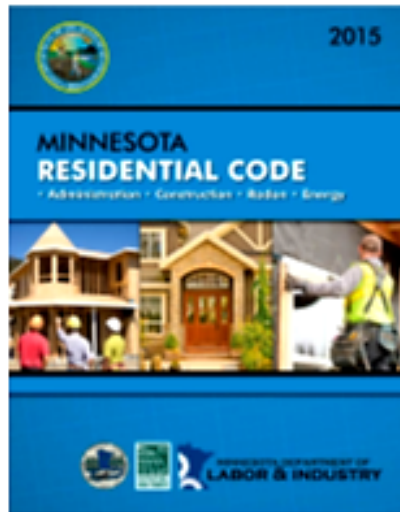
If the work in question is required to be designed by a design pro, changes to the construction documents or additional information must come from the design pro in charge.

MR 1300 – Administration

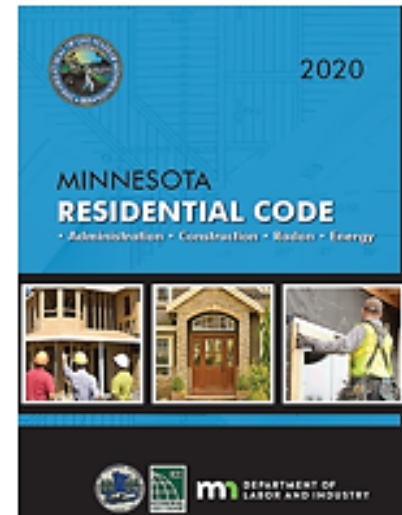
1300.0130

1300.0130 Construction documents. Subp. 7 Previous approvals

The code in effect at the time of application shall be applicable.



January 15, 2015 to March 30, 2020



March 31, 2020 to March 31, 2026

1300.0130 Construction documents. Subp. 8 Phased approval

The building official may issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of the code.



Phased approval (ie: Footing & Foundation Only permits) are not always beneficial to the approval process. In most jurisdictions, review for compliance with city regulations like zoning and engineering is required prior to a foundation permit. And a proper review of foundation plans requires basic architectural and structural for the entire building, and site plans in addition to foundation plans. Phased permitting can lead to pressure from applicants to be allowed to move beyond the scoping limits identified in the permit.

This code language uses “may”, not “shall”, so allowing phased permitting is up to the building official, not required.

1300.0130 Construction documents. Subp. 8 Phased approval

The holder of the permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.



1300.0140 Violations.

It is unlawful for any person, firm, or corporation to erect, construct, alter, extend, repair, move, remove, demolish, or occupy any building, structure, or equipment regulated by the code, or cause any of those actions, in conflict with or in violation of the code.

1300.0140 Violations.

(cont)

- The building official may serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition, or occupancy of a building or structure in violation of the code, or in violation of a permit or certificate issued under the code.
- The order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

1300.0150 Violations, Penalty.

A violation of the code is a misdemeanor under Minnesota Statutes, Section 326B.082.



MR 1300 – Administration

1300.0160

1300.0160 Fees. Subp. 1 Schedule of permit fees

- The applicant for a permit for a building; structure; or electrical, gas, mechanical, or plumbing system or alterations requiring a permit shall pay the fee established by the municipality.
- When submittal documents are required to be submitted by this chapter, a plan review fee shall be required. The plan review fee shall be established by the fee schedule adopted by the municipality.



Exception

The fee schedule adopted by the municipality may exempt minor work from plan review fees.

1300.0160 Fees. Subp. 2 Fees commensurate with service

Fees established by the municipality must be...

- By ordinance, and must be
- Fair,
- Reasonable, and
- Proportionate to the actual cost of the service for which the fee is imposed


1300.0160 Fees. Subp. 3 Building permit valuations

- The applicant for a permit shall provide an estimated permit value at time of application.
- Permit valuations shall include total value of all construction work, including materials and labor, for which the permit is being issued.
- Included shall be electrical, gas, mechanical, plumbing equipment, and permanent systems.
- Building permit valuation shall be set by the building official.

1300.0160 Fees. Subp. 3 Building permit valuations

(Example Only)

<http://www.iccsafe.org/wp-content/uploads/BVD-0815.pdf>



INTERNATIONAL CODE COUNCIL

People Helping People

Building Valuation Data – AUGUST 2015

The International Code Council is pleased to provide the following Building Valuation Data (BVD) for its members. The BVD will be updated at six-month intervals, with the next update in February 2016. ICC strongly recommends that all jurisdictions and other interested parties actively evaluate and assess the impact of this BVD table before utilizing it in their current code enforcement related activities.

The BVD table provides the "average" construction costs per square foot, which can be used in determining permit fees for a jurisdiction. Permit fee schedules are addressed in Section 109.2 of the 2015 International Building Code (IBC) whereas Section 109.3 addresses building permit valuations. The permit fees can be established by using the BVD table and a Permit Fee Multiplier, which is based on the total construction value within the jurisdiction for the past year. The Square Foot Construction Cost table presents factors that reflect relative value of one construction classification/occupancy group to another so that more expensive construction is assessed greater permit fees than less expensive construction.

ICC has developed this data to aid jurisdictions in determining permit fees. It is important to note that while this BVD table does determine an estimated value of a building (i.e., Gross Area x Square Foot Construction Cost), this data is only intended to assist jurisdictions in determining their permit fees. This data table is not intended to be used as an estimating guide because the data only reflects average costs and is not representative of specific construction.

This degree of precision is sufficient for the intended purpose, which is to help establish permit fees so as to fund code compliance activities. This BVD table provides jurisdictions with a simplified way to determine the estimated value of a building that does not rely on the permit applicant to determine the cost of construction. Therefore, the bidding process for a particular job and other associated factors do not affect the value of a building for determining the permit fee. Whether a specific project is bid at a cost above or below the computed value of construction does not affect the permit fee because the cost of related code enforcement activities is not directly affected by the bid process and results.

Building Valuation

The following building valuation data represents average valuations for most buildings. In conjunction with IBC Section 109.3, this data is offered as an aid for the building official to determine if the permit valuation is underestimated. Again it should be noted that, when using this data, these are "average" costs based on typical construction methods for each occupancy group and type of construction. The average costs include foundation work, structural and nonstructural

Square Foot Construction Costs^{a, b, c, d}

Group (2012 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	229.03	221.51	216.10	207.06	194.68	189.07	200.10	177.95	171.21
A-1 Assembly, theaters, without stage	209.87	202.35	196.94	187.90	175.62	170.01	180.94	158.89	152.15
A-2 Assembly, nightclubs	177.89	172.85	168.07	161.49	151.98	147.78	155.80	137.68	132.99
A-2 Assembly, restaurants, bars, banquet halls	176.89	171.85	166.07	160.49	149.98	146.78	154.80	135.68	131.99
A-3 Assembly, churches	211.95	204.43	199.02	189.98	177.95	172.34	183.02	161.22	154.48
A-3 Assembly, general, community halls, libraries, museums	176.88	169.36	162.95	154.91	141.73	137.12	147.95	125.00	119.26
A-4 Assembly, arenas	208.87	201.35	194.94	186.90	173.62	169.01	179.94	156.89	151.15
B Business	182.89	176.17	170.32	161.88	147.55	142.00	155.49	129.49	123.76
E Educational	192.29	185.47	180.15	172.12	160.72	152.55	166.18	140.46	136.18
F-1 Factory and industrial, moderate hazard	108.98	103.99	97.83	94.17	84.37	80.56	90.16	69.50	65.44
F-2 Factory and industrial, low hazard	107.98	102.99	97.83	93.17	84.37	79.56	89.16	69.50	64.44
H-1 High Hazard, explosives	102.01	97.02	91.86	87.20	78.60	73.79	83.19	63.73	N.P.
H234 High Hazard	102.01	97.02	91.86	87.20	78.60	73.79	83.19	63.73	58.67
H-5 HPM	182.89	176.17	170.32	161.88	147.55	142.00	155.49	129.49	123.76
I-1 Institutional, supervised environment	182.53	175.88	170.97	162.73	150.55	146.48	162.73	135.02	130.72
I-2 Institutional, hospitals	308.50	301.79	295.93	287.50	272.14	N.P.	281.10	254.09	N.P.
I-2 Institutional, nursing homes	213.56	206.85	200.99	192.56	179.22	N.P.	186.16	161.17	N.P.
I-3 Institutional, restrained	208.37	201.66	195.80	187.37	174.54	167.98	180.97	156.48	148.74
I-4 Institutional, day care facilities	182.53	175.88	170.97	162.73	150.55	146.48	162.73	135.02	130.72
M Mercantile	132.61	127.57	121.79	116.21	106.35	103.15	110.52	92.05	88.36
R-1 Residential, hotels	184.11	177.46	172.55	164.31	152.38	148.31	164.31	136.85	132.55
R-2 Residential, multiple family	154.38	147.73	142.82	134.58	123.25	119.18	134.58	107.72	103.42
R-3 Residential, one- and two-family	143.93	139.97	136.51	132.83	127.95	124.61	130.57	119.73	112.65
R-4 Residential, care/assisted living facilities	182.53	175.88	170.97	162.73	150.55	146.48	162.73	135.02	130.72
S-1 Storage, moderate hazard	101.01	96.02	89.86	86.20	76.60	72.79	82.19	61.73	57.67
S-2 Storage, low hazard	100.01	95.02	89.86	85.20	76.60	71.79	81.19	61.73	56.67
U Utility, miscellaneous	77.82	73.48	69.04	65.52	59.23	55.31	62.58	46.83	44.63

a. Private Garages use Utility, miscellaneous
 b. Unfinished basements (all use group) = \$15.00 per sq. ft.
 c. For shell only buildings deduct 20 percent
 d. N.P. = not permitted

MR 1300 – Administration

1300.0160

1300.0160 Fees. Subp. 3 Building permit valuations (Example Only)

BUILDING VALUATION DATA			
PROJECT	COST	PER	
BASEMENT.....	\$25	SQ FT	_____
FLOOR AREA WITH ROOF.....	\$90*	SQ FT	_____
SECOND FLOOR (70% OF 1ST).....	\$63*	SQ FT	_____
*SQ FT value of larger of the 1 st or 2 nd floor will be \$90/sf			
GARAGE.....	\$23	SQ FT	_____
DECK - WITH RAILING.....	\$19	SQ FT	_____
- WITHOUT RAILING.....	\$17	SQ FT	_____
SCREEN PORCH.....	\$48	SQ FT	_____
3 SEASON PORCH.....	\$82	SQ FT	_____
FINISHED BASEMENT.....	\$25	SQ FT	_____
BATH - 1/2.....	\$4,800	EA	_____
BATH - FULL.....	\$6,500**	EA	_____
ROUGH - IN BATH.....	\$900	EA	_____
**value of 1 st full bath on new construction is free			
WHIRLPOOL TUB.....	\$4,200	EA	_____
FIREPLACE - ZERO CLEARANCE/GAS.....	\$4,800	EA	_____
BRICK/STONE VENEER.....	\$24	SQ FT	_____
ENTRY PORCH.....	\$30	SQ FT	_____
WALKOUT.....	\$4,800		_____
LOOKOUT.....	\$3,600		_____
EXTRA FIXTURE.....	\$900	EA	_____
STORAGE TRUSSES ABOVE GARAGE.....	\$17	SQ FT	_____
ADDITIONAL VALUATIONS			
HOT TUB, SPA.....	\$8,400	EA	_____
SAUNA.....	\$8,400	EA	_____
FIREPLACE - MASONRY SINGLE.....	\$4,800	EA	_____
FIREPLACE - MASONRY DOUBLE.....	\$9,600	EA	_____
WOOD STOVE.....	\$1,800	EA	_____
RESIDING.....	\$300	SQUARE	_____
REROOF - OVER OLD SHINGLES.....	\$100	SQUARE	_____
- REMOVE AND REPLACE.....	\$230	SQUARE	_____
STORAGE SHED.....	\$20.00	SQ FT	_____
POLE BUILDING.....	\$14.00	SQ FT	_____
ELEVATOR.....	\$10,000.00	PER FL	_____
WINDING/SPIRAL STAIRS.....	\$10,000.00		_____
Other.....			_____
Total Building Valuation			\$ _____

1300.0160 Fees. Subp. 3 Building permit valuations (cont)

Exceptions

Building permit valuations for the following structures shall be based on the valuation of **on-site work only**.

- Manufactured homes containing a Housing and Urban Development (HUD) certification label.
- Prefabricated buildings with a Minnesota Building Codes and Standards Division prefabrication label.
- Industrialized/modular buildings with an Interstate Industrialized Buildings Commission (IIBC) label.



FIGURE 1-9 Manufactured Home



FIGURE 1-11 Prefab Single Family Home

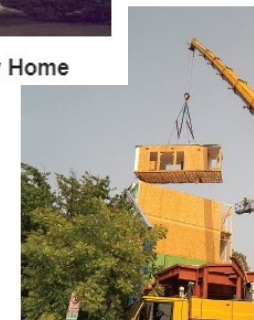


FIGURE 1-10 Industrialized Modular Buildings

1300.0160 Fees. Subp. 4 Building permit fees

Building permit fees shall be based on valuation.

Exceptions

- One- and two-family dwelling maintenance permits for roofing, siding, windows, doors, or other minor projects may be charged a fixed fee.
- Permits for plumbing, mechanical, electrical, or other building service equipment systems may be based on valuation or charged a fixed fee.

1300.0160 Fees. Subp. 5 Plan review fees for similar plans

When submittal documents for similar plans are approved under subpart 6, plan review fees shall not exceed 25 percent of the normal building permit fee established and charged by the jurisdiction for the same structure.

EXAMPLE:

Permit and plan check fees for typical plan or Master Plan for similar plans provision

Building Valuation: \$350,000.00

Permit fee: \$2,777.00

(\$1,027.00 -1st \$100,000.00 and \$7.00 per additional \$1,000.00)

Plan check fee: \$1,805.05 (65% of permit fee)

Subsequent permit and plan check fees after the Master Plan issuance

Building Valuation: \$350,000.00

Permit fee: \$2,777.00

(\$1,027.00 -1st \$100,000.00 and \$7.00 per additional \$1,000.00)

Plan check fee: \$694.25 (25% of permit fee)

1300.0160 Fees. Subp. 6A Plan review of similar plans

Any number of similar buildings may be built from a master plan if...

- 1) Plan review fees have been paid for the master plan;
- 2) A code change has not occurred that impacts the design of a master plan;
- 3) The similar building has the same physical dimensions and structural design as the master plan;
(See exceptions to Item 3)

1300.0160 Fees. Subp. 6A Plan review of similar plans (cont)

4) Occupancy groups other than those identified in the exceptions must be the same type of construction and occupancy classification and have the same exit system.

Exception

Minor changes to the exit access.

5) The similar plan is based on a master plan for which the municipality has issued a permit within the last 12 months.

1300.0160 Fees. Subp. 6 Plan review of similar plans

- B. Plan review fees for similar building plans must be based on the costs commensurate with the direct and indirect cost of the service.
- C. The plan review fee charged for similar building plans applies to all buildings regulated by the code regardless of occupancy classification including industrialized/modular buildings constructed under a program specified in Minn. Stat. § 326B.194.
- D. The applicant must submit a new plan set and other information as required by the building official for each building reviewed as a similar building.

MR 1300 - Administration

1300.0160 Fees. Subp. 7 Payment of fees

A permit shall not be issued until the fees prescribed by the municipality has been paid.



1300.0160 Fees. Subp. 8 Work commencing before permit issuance


If work requiring a permit is by the code has been commenced without a permit,

- A special investigation shall be made before a permit may be issued for the work,
- An investigation fee shall be collected in addition to the regular permit fees but may not exceed the permit fee,
- The investigation fee must comply with requirements for fees in Subpart 2 Fees commensurate with service.

1300.0160 Fees. Subp. 9 Fee refunds

The municipality shall establish a permit and plan review fee refund policy.

Example



Doc 292-vB110321-0419

Permit Fee Refunds Request

When **no work** has been done under a permit issued in accordance with the building code and the permit application is withdrawn, a portion of the permit fee may be refunded. Twenty-percent (20%) of the permit fee but not more than \$100.00 shall be retained by the city of Duluth.

When a permit application is withdrawn before any plan reviewing is done, a portion of the plan review fee may be refunded. Twenty-percent (20%) of the plan review fee but not more than \$100.00 shall be retained by the city of Duluth.

Refunding of any fee will only be considered upon written request filed by the original permittee not later than 180 days after the date of fee payment.

1300.0160 Fees. Subp. 10 State surcharge fees

All municipal permits issued for work under the code are subject to a surcharge fee. The fees are established by Minnesota Statutes, section 326B.148.

Surcharge fees imposed by the state are in addition to municipal permit fees.

EXAMPLE:

Permit, Plan Check, and State Surcharge fees for typical plan

Building Valuation: \$350,000.00

Permit fee: \$2,777.00

(\$1,027.00 -1st \$100,000.00 and \$7.00 per additional \$1,000.00)

$(\$350,000 - 100,000 = 250,000 / 1,000 = 250 \times 7.00 = \$1,750 + \$1,027 = \$2,777.00)$

Plan check fee: \$1,805.05 (65% of permit fee)

$(\$2,777.00 \times 0.65 = \$1,805.05)$

State Surcharge: \$175.00 ($\$350,000.00 \times 0.0005$)

(MS 326B.148: (1) if the valuation of the structure, addition, or alteration is \$1,000,000 or less, the surcharge is equivalent to one-half mill (.0005) of the valuation of the structure, addition, or alteration)

1300.0160 Fees. Subp. 10 State surcharge fees (cont)

326B.148 SURCHARGE.

Subdivision 1. **Computation.** To defray the costs of administering sections [326B.101](#) to [326B.194](#), a surcharge is imposed on all permits issued by municipalities in connection with the construction of or addition or alteration to buildings and equipment or appurtenances after June 30, 1971. The commissioner may use any surplus in surcharge receipts to award grants for code research and development and education.

If the fee for the permit issued is fixed in amount the surcharge is equivalent to one-half mill (.0005) of the fee or \$1, except that effective July 1, 2010, until June 30, 2015, the permit surcharge is equivalent to one-half mill (.0005) of the fee or \$5, whichever amount is greater. For all other permits, the surcharge is as follows:

- (1) if the valuation of the structure, addition, or alteration is \$1,000,000 or less, the surcharge is equivalent to one-half mill (.0005) of the valuation of the structure, addition, or alteration;
- (2) if the valuation is greater than \$1,000,000, the surcharge is \$500 plus two-fifths mill (.0004) of the value between \$1,000,000 and \$2,000,000;
- (3) if the valuation is greater than \$2,000,000, the surcharge is \$900 plus three-tenths mill (.0003) of the value between \$2,000,000 and \$3,000,000;
- (4) if the valuation is greater than \$3,000,000, the surcharge is \$1,200 plus one-fifth mill (.0002) of the value between \$3,000,000 and \$4,000,000;
- (5) if the valuation is greater than \$4,000,000, the surcharge is \$1,400 plus one-tenth mill (.0001) of the value between \$4,000,000 and \$5,000,000; and
- (6) if the valuation exceeds \$5,000,000, the surcharge is \$1,500 plus one-twentieth mill (.00005) of the value that exceeds \$5,000,000.

1300.0170 Stop work orders.

If the building official finds any work regulated by the code being performed in a manner contrary to the provisions of the code or in a dangerous or unsafe manner, the building official may issue a stop work order.

The stop work order shall be in writing and issued to the owner of the property, owner's agent, or person doing the work.

STOP WORK ORDER

The following work HAS NOT BEEN APPROVED

Because _____

This tag is legal notice to stop all work until
The proper corrections have been made.

Call _____

at 651-xxx-xxxx 7:30 – 9:00 for further
information.

Address _____

Date _____

DLI/CCLD Illustration

1300.0170 Stop work orders.

(cont)

Upon issuance of a stop work order, the cited work shall immediately cease.

The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

**STOP WORK
ORDER**

The following work HAS NOT BEEN APPROVED

Because _____

This tag is legal notice to stop all work until
The proper corrections have been made.

Call _____

at 651-xxx-xxxx 7:30 – 9:00 for further
information.

Address _____

Date _____

DLI/CCLD Illustration

1300.0180 Unsafe buildings or structures.

A building or structure regulated by the code is unsafe, for purposes of this part, if it is structurally unsafe, not provided with adequate egress, a fire hazard, or otherwise dangerous to human life.

Building service equipment that is regulated by the code is unsafe, for purposes of this part, if it is a fire, electrical, or health hazard, an unsanitary condition, or otherwise dangerous to human life.



MR 1300 – Administration

1300.0180

1300.0180 Unsafe buildings or structures. (cont)

Appendages or structural members that are supported by, attached to, or a part of a building and that are in deteriorated condition or otherwise unable to sustain the design loads that are specified in the code are unsafe.

The building official shall order any building or portion of a building to be vacated if continued use is dangerous to life, health, or safety of the occupants.

The order shall be in writing and state the reasons for the action.



<https://www.duluthnewtribune.com/news/board-of-trade-building-remains-closed-because-of-storm-damage> (from 2016)

MR 1300 – Administration

1300.0180

1300.0180

Unsafe buildings or structures.

(cont)

All unsafe buildings, structures, or appendages are public nuisances and must be abated by repair, rehabilitation, demolition, or removal.

See MS § 463.15 to 463.26 commonly known as the “Hazardous Building Law”.



<https://www.duluthnewtribune.com/news/lincoln-park-building-condemned-after-roof-collapse>



More essential information in the League of Minnesota Cities’ “Dangerous Properties” memo.

<https://www.lmc.org/wp-content/uploads/documents/Dangerous-Properties.pdf>

Highly recommended reading.

1300.0190 Temporary structures and uses.

General

The building official may issue a permit for temporary structures and temporary uses.

Conformance

Temporary structures and uses shall conform to structural strength, fire safety, accessibility, means of egress, light, ventilation, sanitary requirements.

Termination of Approval

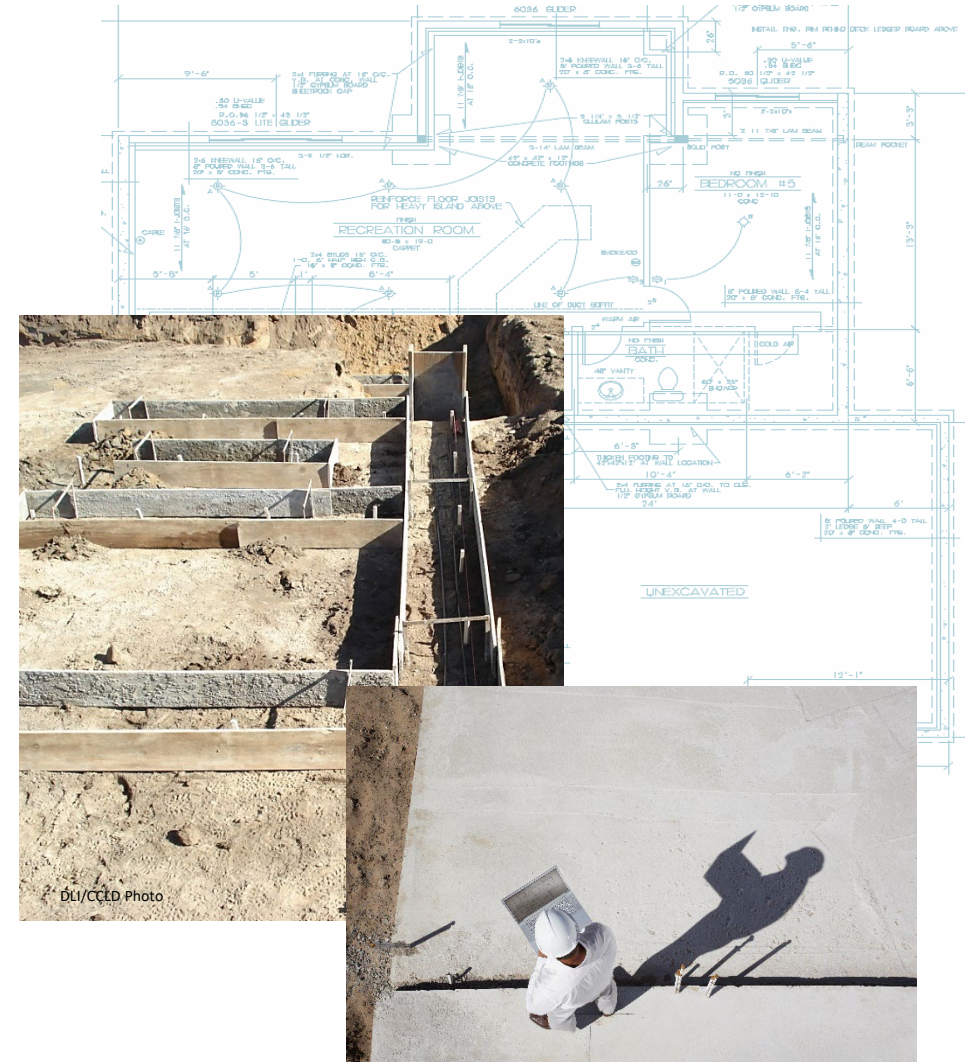
The building official may terminate the permit for a temporary structure or use and order the temporary structure or use to be discontinued.

MR 1300 – Administration

1300.0210

1300.0210 Inspections. Subp. 1 General

- Construction or work for which a permit is required is subject to inspection by the building official
- The construction or work shall remain accessible and exposed for inspection purposes until approved
- Approval of an inspection is not approval of a violation of the code or of other ordinances of the jurisdiction
- Inspection presuming to give authority to violate or cancel the provisions of the code or of other ordinances of the jurisdiction are not valid



1300.0210 Inspections. Subp. 1 General (cont)

- It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes.
- Neither building official or jurisdiction is liable for expense for the removal or replacement of any material required to allow inspection.



Rather than assume that the permit holder knows the nuances of their responsibility, consider a pre-construction meeting or discussion to go over responsibilities, processes, and expectations. These can be formal meetings with all subcontractors, special inspectors, and designers, or can be casual one-on one conversations. Communication is key to a positive outcome.

1300.0210 Inspections. Subp. 2 Preliminary inspection

Before issuing a permit, the building official may examine, or cause to be examined, buildings, structures, and sites for which an application has been filed.

What are some reasons it might be beneficial to visit a project site before a permit is issued?

MR 1300 – Administration

1300.0210

1300.0210 Inspections. Subp. 3 Inspection record card

- The building official shall identify which inspections are required for the work requiring a permit.
- Work requiring a permit shall not be commenced until the permit holder has posted or otherwise made available an inspection record card that allows the building official to make all required entries regarding inspection of the work.
- The inspection card shall be maintained and made available by the permit holder until final approval has been granted by the building official.

Required Final Inspections	Inspector	Date
FOOTING & FOUNDATION		
SLAB & UNDER-FLOOR		
SITE UTILITIES		
INSULATION/ENERGY CODE		
FIRE STOPPING		
GYPSON BOARD & LATH		
STRUCTURAL FRAME		
PLUMBING		
MECHANICAL		
ELECTRICAL		
FIRE ALARM SYSTEM		
FIRE SPRINKLERS		
FIRE CODE		
HEALTH DEPARTMENT		
SPECIAL INSPECTION		
FINAL OCCUPANCY		

PROJECT TITLE _____ PROJECT NO. _____
LOCATION/ADDRESS _____ DATE PERMIT ISSUED _____
CONTRACTOR _____ DESIGNER _____

** For inspection log, see inside cover **
THIS CARD MUST BE POSTED IN A CONSPICUOUS LOCATION ON THE JOBSITE

DLI/CCLD Photos



1300.0210 Inspections. Subp. 4 Inspections requests

- The building official shall provide the applicant with policies, procedures, and a timeline for requesting inspections.
- The person doing the work authorized by a permit shall notify the building official that the work is ready for inspection.
- The person requesting an inspection required by the code shall provide access to and means for inspection of the work.

MR 1300 – Administration

1300.0210

1300.0210 Inspections. Subp. 5 Approval required

- Work shall not proceed beyond the point indicated in each successive inspection without first obtaining the approval of the building official.
- The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or an agent of the permit holder of any failures to comply with the code.
- Any portion that does not comply shall be corrected and the portion shall not be covered or concealed until authorized by the building official.

CORRECTION NOTICE

ADDRESS _____ PERMIT NO. _____

A routine inspection indicates that the following violations of _____ Ordinances exist at the above address and should be corrected. Please call for re-inspection when correction of work is completed. If you have any questions pertaining to this matter, or need additional explanation, please contact the Building Inspector as indicated below.

INSPECTION TYPE: FINAL

1) VERIFY ENV. HEALTH FINISH
2) PROVIDE ANTI-CORROSION FINISH
3) PROVIDE LIGHT BURNED TO TEST LIGHTS
4) COMPLETE PERK BURN OUT 3' FROM PERK.

J.P. CHILC

Date _____ Inspector _____
REV 7/10 Phone # _____
FOR RE-INSPECTION CALL: _____ DLI/CCLD Photo

Correction Required

OK to Cover

1300.0210 Inspections. Subp. 6 Required inspections

The building official, upon notification, shall make the inspections in this part.
See full text for required inspections A – M.

- A. Footing....
- B. Foundations...
- C. Concrete slab...
- D. Rough-in inspections...
- E. Framing...
- F. Energy Code...
- G. Lath and gypsum...
- H. Joints and penetrations...
- I. Installation of manufactured homes...
- J. Fireplaces...
- K. Final inspection...
- L. Special inspections...
- M. Building official is authorized to require other inspections...

1300.0210 Inspections. Subp. 7 Inspection agencies

The building official is authorized to accept inspection reports by approved agencies.

Examples

- Geotechnical report for existing soils condition or soil corrections
- Structural report for a truss repair
- Structural report for structural steel installation or repair

1300.0215 Plumbing.

Review on your own - MR 1300.0215 Plumbing.

Printed on pages 13-14 in front of MRC book.

1300.0215 PLUMBING.

Subpart 1. **Inspections, testing, and permits.** "administrative authority" is defined in part 4714.0203.

A. For purposes of this part, "new plumbing systems or parts of existing plumbing systems that have been altered, extended, or repaired shall be tested and approved by the administrative authority before the plumbing system is put into use. The administrative authority shall approve the final inspection and witness the test. The administrative authority shall approve the plumbing requirements, and the requirements of any plan approved pursuant to subpart 6. Plumbing system tests shall comply with chapter 4714.

C. Unless the plumbing work poses an unsanitary or hazardous condition, the administrative authority is authorized to waive the permit, inspection, and testing requirements for the following plumbing work performed in one- and two-family dwellings:

- (1) the reconnection of an existing water supply line to a replacement appliance that does not involve the replacement or alteration of the existing water supply line;
- (2) replacement of the internal working components of existing water closets, faucets, or valves;
- (3) replacement of sink faucets when the work does not include alterations to the existing plumbing piping system; or
- (4) replacement or resetting of water closets when the work does not include alterations to the existing plumbing piping systems.

D. The administrative authority is permitted to waive testing requirements for plumbing work that does not include any addition to or replacement, alteration, or relocation of any water supply, drainage, or vent piping, if it does not create a hazardous or unsanitary condition.

Subp. 2. [Repealed, 39 SR 91]

Subp. 3. **Covering of work.** No building drainage or plumbing system or part thereof shall be covered until it has been inspected, tested, and approved as herein prescribed.

If any building drainage or plumbing system or part thereof is covered before being regularly inspected, tested, and approved, as herein prescribed, it shall be uncovered upon the direction of the proper administrative authority.

Subp. 4. **Building sewer.** The building sewer shall be inspected by the proper administrative authority to ensure compliance with the provisions of the code.

Subp. 5. **Certificate of approval.** Upon the satisfactory completion and final inspection of the plumbing system, a certificate of approval shall be issued by the proper administrative authority.

Subp. 6. **Plans and specifications.** Prior to the installation by any person, corporation, or public agency, of a system of plumbing that serves the public or that serves any considerable number of persons, or any plumbing system that shall affect the public health in any manner, complete plans and specifications, together with any additional information that the commissioner of labor and industry may require, shall be submitted and approved by the commissioner. The appraisal of the public health shall reflect the degree to which these plans and specifications affect the construction shall proceed except in accordance with approved plans and specifications. Any material alteration or extension of the existing system shall be subject to these same requirements. This rule shall not apply to cities of the first class, except those plumbing installations in state-licensed health care facilities or in buildings in these cities owned by the state government.

Except as approved in chapter 4714, there shall be no physical connection between water supply systems that are safe for domestic use and those that are unsafe for domestic use. There shall be no apparatus through which unsafe water may be discharged or drawn into a safe water supply system.

Link to Minnesota Revisor Site (Statutes and Rules)
<https://www.revisor.mn.gov/>

MR 1300 – Administration

1300.0220

1300.0220 Certificate of occupancy. Subp. 1 Use and occupancy

- No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building, shall be made until the building official has issued a certificate of occupancy for the building.
- A certificate of occupancy is not approval of a violation of the code or other ordinances of the municipality.
- Certificates presuming to give authority to violate or cancel the code or other ordinances of the municipality are not valid.

<i>Certificate of Occupancy</i> Office of the Building Official		
Property Address:	Stipulations, Conditions, Variances:	
Approved As: Pre-Existing Condition (No Change) New Structure Alteration Change of Occupancy Temporary Occupancy		
Use Groups:		Occupancy Description:
Primary:		
Accessory:		
Accessory:		
Mixed Use:		
Attached Floor Plan dated _____ indicates of how areas are approved and design occupancy loads	<p>This Certificate represents an approval that is valid only when the building and its facilities are used as stated and is conditional upon all building systems being maintained and tested in accordance with the applicable _____ Board of Building Standards rules and applicable equipment or system schedules.</p> <p>This certifies conformance with Chapters 3781, and 3791, of the Revised Code and the applicable provisions of the rules of the _____ Board of Building Standards.</p>	
Construction Type:		
Fire Sprinkler Systems: N/A <input type="checkbox"/> Required <input type="checkbox"/> Non-Required <input type="checkbox"/>		
System Type: _____ Location: _____		
Hazard Classification:	<p>This approval is limited to the following portion of the building:</p> <p>The balance of the building is approved pursuant to the following dated C of O:</p> <p style="text-align: right;">Date: _____</p> <p>Building Official: _____</p>	
Storage Height:		
Aisle Width:		
Sprinkler System Demand @ base of riser:		
Standpipe System Demand @ base of riser:		
Plan Approval Application # _____		
Approved pursuant to the following editions of: _____ OBC _____ OMC _____ OPC		

1300.0220 Certificate of occupancy. Subp. 1 Use and occupancy (cont)

Exception

A municipality has the option of requiring certificates of occupancy for:

- "U" occupancies constructed under the International Building Code;
- Accessory structures constructed under the International Residential Code; or
- Used manufactured homes moved into or within a jurisdiction.

1300.0220 Certificate of occupancy. Subp. 2 Existing structures

The legal occupancy of any structure existing on the date of adoption of the code shall be permitted to continue without change.

1300.0220 Certificate of occupancy. Subp. 3 Change in use

Changes in the character or use of an existing structure shall not be made except as specified in chapter 1305 or 1311.

1300.0220 Certificate of occupancy. Subp. 4 Moved Buildings

Buildings or structures moved into or within a jurisdiction shall comply with the provisions of the code for new buildings or structures.

Exception

- Buildings designed to comply with chapter 1311; or
- A residential building relocated within or into a municipality need not comply with the Minnesota Energy Code or Minnesota Statutes, section 326B.439 (ban on lead in plumbing).

1300.0220 Certificate of occupancy. Subp. 5 Certificate issued

After the building official inspects a building or structure and finds no violations of the code or other laws that are enforced by the Department of Building Safety, the building official shall issue a certificate of occupancy containing the following:

- A. The building permit number;
- B. The address of the structure;
- C. The name and address of the owner;
- D. A statement that the described portion of the structure has been inspected for compliance with the requirements of the code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified;
- E. The name of the building official;
- F. The edition of the code under which the permit was issued;
- G. The use and occupancy classification;
- H. The type of construction;
- I. If an automatic sprinkler system is provided; and
- J. Any special stipulations and conditions of the building permit.

1300.0220 Certificate of occupancy. Subp. 6 Temporary occupancy

- The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that the portion or portions shall be occupied safely.
- The building official shall set a time period during which the temporary certificate of occupancy is valid.

1300.0220 Certificate of occupancy. Subp. 7 Revocation

The building official may issue a written suspension or revocation of a certificate of occupancy issued under the code if:

- The certificate is issued in error or on the basis of incorrect information supplied, or;
- If the building or use of the building, structure, or portion of the building or structure is in violation of any ordinance or regulation or a provision of the code.

1300.0225 Maintenance.

- All buildings and structures, both existing and new, and all parts of the buildings or structures, shall be maintained in a safe and sanitary condition.
- All devices or safeguards required by this code shall be maintained in conformance with the code editions under which the devices or safeguards are installed.
- The owner or the owner's designated agent shall be responsible for the maintenance of buildings and structures.
- A building official is authorized to require reinspection of a building or structure if the building official is unable to determine whether or not the building or structure complies with this part.

1300.0230 Board of appeals.

In order to hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals.

- The building official shall be an ex officio member of said board but shall have no vote on any matter before the board.
- The board of appeals shall be designated by the governing body.
- Appeals hearings must occur within ten working days from the date the municipality receives a properly completed application for appeal.
- If an appeals hearing is not held within this time, the applicant may appeal directly to the State Building Code Appeals Board.

1300.0230 Board of appeals.

(cont)

- The board shall adopt rules of procedures for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official and to the state building official within five working days of the decision.
- For jurisdictions without a board of appeals, the appellant may appeal to an appeals board assembled by the State of Minnesota, Department of Labor and Industry's Construction Codes and Licensing Division.
- Find details for the MN CCLD Board of Appeals here:
<https://www.dli.mn.gov/about-department/boards-and-councils/state-appeals-board>
- The Commissioner has final interpretive authority to all codes adopted as part of the State Building Code, except the Plumbing Code, Electrical Code, and High Pressure Piping Code.

Thank you!

Wendy Rannenbergs | Construction Code Representative | Building Plan Review

wendy.rannenbergs@state.mn.us

651-284-5415



Minnesota State Building Code Rules Chapter 1303 2020 Minnesota Provisions

Wendy Rannenberg | Construction Code Representative | Building Plan Review

MR 1303 - Minnesota Provisions

1303.1000 Minnesota Provisions.

1303.1000	TITLE
1303.1100	PURPOSE
1303.1200	RESTROOM FACILITIES IN PUBLIC ACCOMMODATIONS
1303.1300	SPACE FOR COMMUTER VANS
1303.1400	AUTOMATIC GARAGE DOOR OPENING SYSTEMS
1303.1500	RECYCLING SPACE
1303.1600	FOOTING DEPTH FOR FROST PROTECTION
1303.1700	GROUND SNOW LOAD
1303.2000	EXTERIOR WOOD DECKS, PATIOS, AND BALCONIES
1303.2100	BLEACHER SAFETY
1303.2200	SIMPLIFIED WIND DESIGNS
Radon	
1303.2400	PURPOSE AND SCOPE
1303.2401	DEFINITIONS
1303.2402	REQUIREMENTS FOR PASSIVE RADON CONTROL SYSTEMS
1303.2403	REQUIREMENTS FOR ACTIVE RADON CONTROL SYSTEMS

MR 1303 - Minnesota Provisions

1303.1000-1100

1303.1000 Title.

This Chapter shall be known as Minnesota Provisions.

1303.1100 Purpose

This chapter contains requirements of the code that are

- Mandated by Minnesota Statutes,
- Needed to address Minnesota's climatic conditions, or
- Otherwise determined necessary to provide a safe minimum level of construction in an area not appropriately regulated by the International Building Code or International Residential Code.

1303.1200 Restroom Facilities in Public Accommodations.

Ratio

In places of public accommodation subject to this part, the ratio of water closets for women to the total of water closets and urinals provided for men must be at least three to two, unless there are two or fewer fixtures for men.

Application

This part applies only to the construction of buildings or structures of public accommodation or where the cost of alterations to an existing place of public accommodations exceeds 50 percent of the estimated replacement value of the existing facility. (also see MS § 326B.109)

Definition

For purposes of this part, “place of public accommodation” means a publicly or privately owned sports or entertainment arena, stadium, theater, community or convention hall, special event center, amusement facility, or special event center in a public park, that is designed for occupancy by 200 or more people.

MR 1303 - Minnesota Provisions

1303.1300

1303.1300 Space for Commuter Vans

- Every parking ramp or other parking facility must include spaces for the parking of motor vehicles having a capacity of seven to 16 persons.
- The number of required spaces must be determined by two percent of the gross designed parking area with a minimum of two spaces.
- The minimum vertical clearance to and within required spaces is 98-inches.



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MR 1303 - Minnesota Provisions

1303.1400

1303.1400 Automatic Garage Door Opening Systems.

All automatic garage door opening systems that are installed, serviced, or repaired for garages serving residential buildings, must comply with the provisions of Minnesota Statutes, section 325F.82 and 325.83.

(Since 1991, automatic closing requires sensors, etc.)



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1303.1500 Recycling Space.

- Space must be provided for the collection, separation, and temporary storage of recyclable materials within or adjacent to all new or significantly remodeled buildings or structures that contain 1,000 square feet or more.

Exception

Residential structures with fewer than four dwelling units.

- Location and size must be identified on plans.
- Minimum space required per Table 1-A (next slide).
- See full text in code and MS 326B.106.



MR 1303 - Minnesota Provisions

1303.1500

1303.1500 Recycling Space.

TABLE 1-A MINIMUM RECYCLING SPACE REQUIREMENTS.

<u>USE¹</u>	<u>FACTOR</u>
1. Aircraft hangers (no repair)	.001
2. Auction rooms	.0025
3 ² . Auditoriums, reviewing stands, stadiums, gymnasiums, public swimming pools, skating rinks	.001
4. Lodge rooms, conference rooms, lounges, stages, exhibit rooms	.0025
5. Dance floors, churches ³ and chapels, lobby	.001
6. Dining rooms	.003
7 ³ . Drinking establishments	.004
8 ³ . Bowling alleys (excluding lanes)	.0025
9 ³ . Children's homes and homes for the aged	.0025
10. Classrooms	.002
11. Courtrooms	.001
12. Dormitories	.0025
13. Exercise rooms	.001
14. Garages, parking	.001
15 ³ . Hospitals and sanitariums, nursing homes	.0025
16 ³ . Hotels	.002
17. Apartments	.0025
18. Kitchens - commercial	.003
19 ³ . Libraries	.002
20. Locker rooms	.001
21. Malls	.0025
22. Manufacturing areas	.0025
23. Mechanical equipment rooms	.001
24 ³ . Nurseries for children (day care)	.002
25. Offices	.0025
26. School shops and vocational rooms	.0025
27. Storage and stock rooms	.0025
28. Warehouses	.001
29. All others	.0025

Footnotes:
¹ The area of a use must include all areas serving or accessory to a use (corridors, accessory use areas, etc.).
² Exclude playing areas, courts, fields, and like areas.
³ The factors for these uses are intended to include all incidental uses typical of these types of facilities.

If the provisions of Table 1-A are excessive due to a specific use, space for recycling may be considered individually by the administrative authority.

DLI/CCLD Document

Example

Given 50,000 s.f. manufacturing facility

Factor .0025/s.f

Requires 125 s.f of recycle space

(50,000 s.f. x .0025 = 125 s.f)

MR 1303 - Minnesota Provisions

1303.1600

1303.1600 Footing depth for frost protection.

Subp. 1 Minimum footing depth

- In the absence of a determination by an engineer competent in soil mechanics, the minimum allowable footing depth in feet due to freezing is five feet (60”) in Zone 1 and 3-1/2 feet (42”) in Zone II.
- Lesser depth may be permitted when supporting evidence is presented by an engineer competent in soil mechanics.

(See full text for Zone I and Zone II counties and exceptions)

FROST DEPTH

MSBC RULES 1303.1600

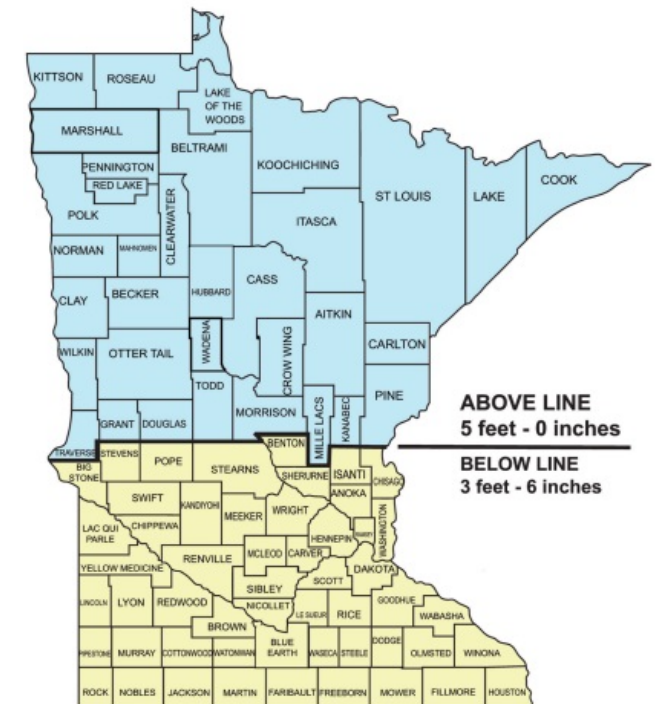


FIGURE 3-4 Minnesota Frost Depth Map

Illustration citation: Illustrated Field Guide to the MN Residential Code. P 40. ICC & MDL. https://codes.iccsafe.org/content/MNIFGMNRC2020P1/chapter-3-site-preparation#MNIFGMNRC2020P1_PtII_Ch03_SecSOIL_PROPERTIES

1303.1600 Footing depth for frost protection.

Subpart 2. Soil under slab on grade construction for buildings

- When soil, natural or fill, is sand or pit run sand and gravel, and of depth in accordance with minimum footing depth requirements for each zone, slab on grade construction which is structurally designed to support all applied loads is permitted.
- Sand must contain less than 70 percent material that will pass through a U.S. Standard No. 40 sieve and less than five percent material that will pass through a No. 200 sieve (five percent fines) or be approved by an engineer competent in soil mechanics.

MR 1303 - Minnesota Provisions

1303.1600

1303.1600 Footing depth for frost protection.

Subpart 2. Soil under slab on grade construction for buildings

Exception

Slab on grade construction may be placed on any soil except peat or muck for detached one-story private garage, carport, and shed buildings not larger than 1,000 square feet.

Foundation still needs to comply with the 2020 Minnesota Residential Code.



MR 1303 - Minnesota Provisions

1303.1700

1303.1700 Ground snow load.

- The ground snow load, P_g , to be used in determining the design snow load for buildings and other structures shall be 60 pounds per square foot in the following counties:
Aitkin, Becker, Beltrami, Carlton, Cass, Clearwater, Cook, Crow Wing, Hubbard, Itasca, Kanabec, Kittson, Koochiching, Lake, Lake of the Woods, Mahanomen, Marshall, Mille Lacs, Morrison, Norman, Otter Tail, Pennington, Pine, Polk, Red Lake, Roseau, St. Louis, Todd and Wadena.
- The ground snow load, P_g , to be used in determining the design snow loads for buildings and other structures shall be 50 pounds per square foot in all other counties.

SNOW LOAD

MSBC RULES 1303.1700 table R301.2(1)

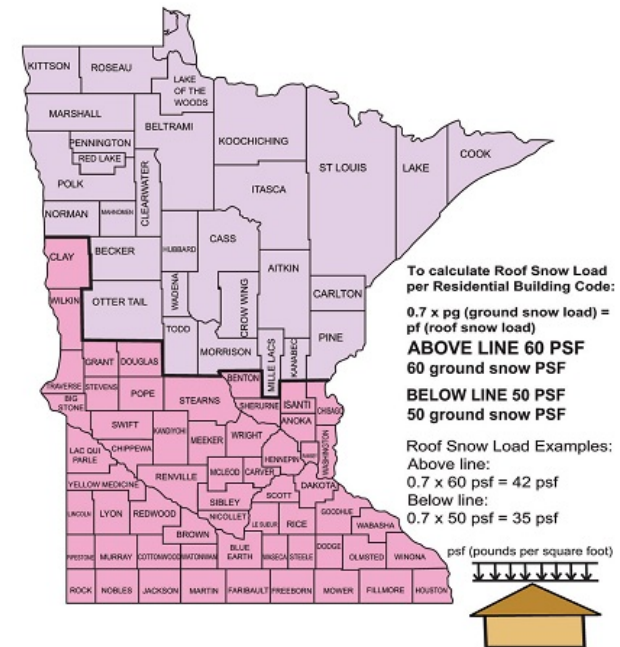


FIGURE 4-7 Minnesota Snow Map

Illustration citation: Illustrated Field Guide to the MN Residential Code. P 60. ICC & MDL. https://codes.iccsafe.org/content/MNIFGMNRC2020P1/chapter-4-structural-design-criteria#MNIFGMNRC2020P1_PtIII_Ch04_SecWIND_SNOW_SEISMIC_AND_FLOOD_LOADS

1303.2000 Exterior wood decks, patios, and balconies

The decking surface and upper portions of exterior wood decks, patios, and balconies may be constructed of any of the following materials:

- The heartwood from species of wood having natural resistance to decay or termites, including redwood and cedars
- Grades of lumber which contain sapwood from species of wood having natural resistance to decay or termites, including redwood and cedars
- Treated wood

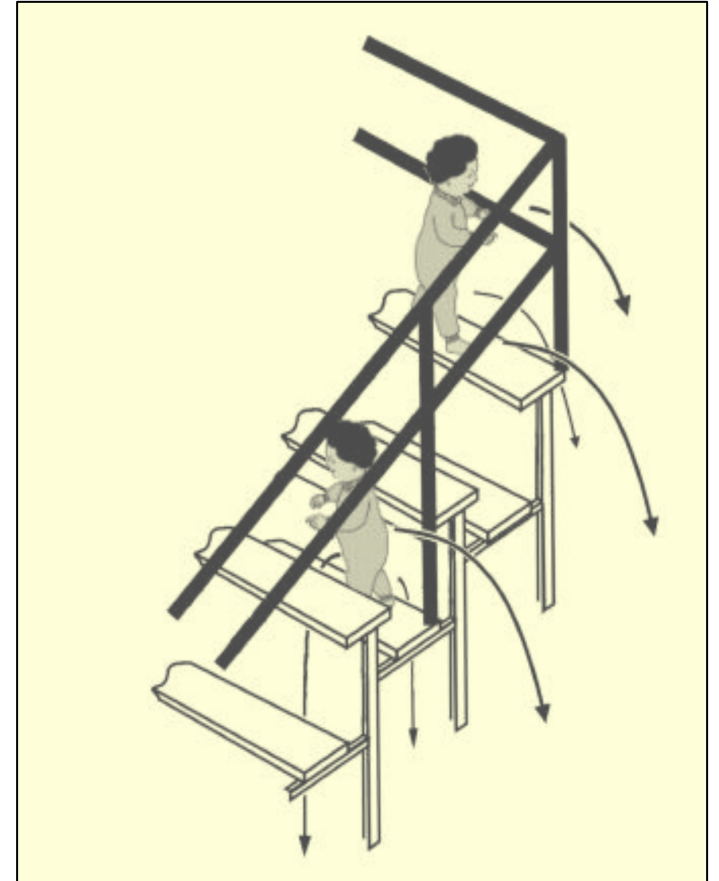
The species and grades of wood products used to construct the decking surface and upper portions of exterior decks, patios, and balconies must be made available to the building official on request before final construction approval. (Also see MS § 326B.106)

MR 1303 - Minnesota Provisions

1303.2100

1303.2100 Bleacher safety.

All new bleachers manufactured, installed, sold or distributed where the bleachers or bleacher open spaces will be over 55 inches above grade or the floor below, and all bleacher guardrails if any part or the guardrail will be over 30 inches above grade or the floor below must comply with the State Building Code in effect and the provisions of Minnesota Statutes 326B.112.



US CPSC Illustration

MR 1303 - Minnesota Provisions

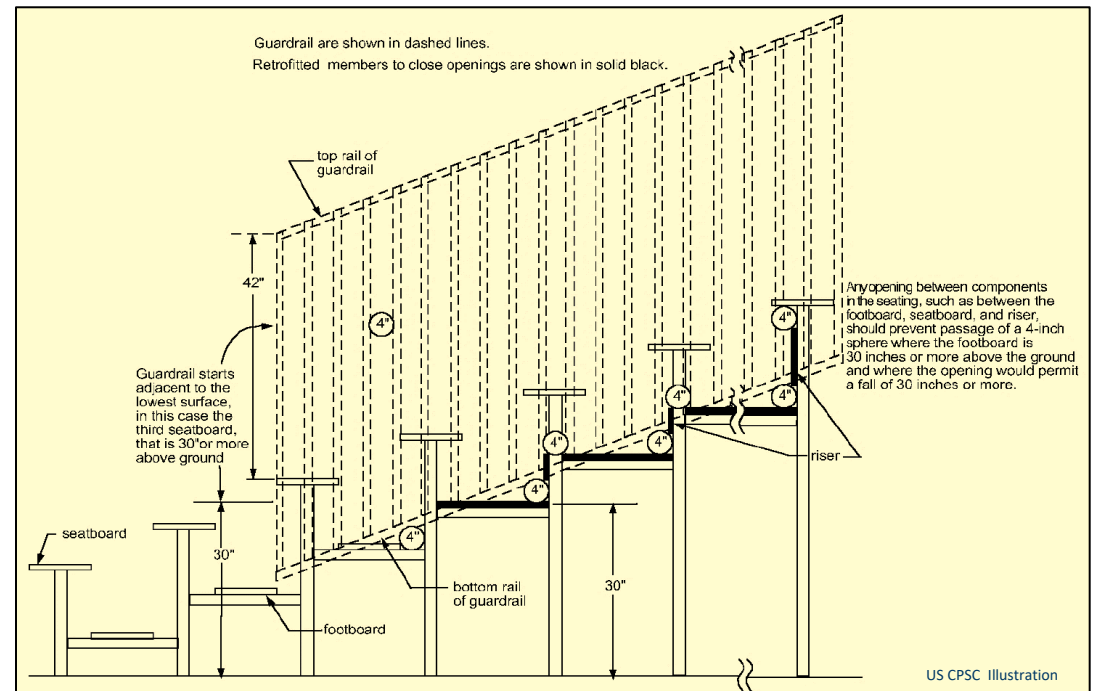
1303.2100

1303.2100 Bleacher safety.

MS 326B.112 Subd. 3. Safety requirements

In places of public accommodation using bleacher seating, all bleachers or bleacher open spaces over 55 inches above grade or the floor below, and all bleacher guardrails if any part of the guardrail is over 30 inches above grade or the floor below must conform to the following safety requirements:

- The open space between bleacher footboards, seats, and guardrails must not exceed four inches, unless approved safety nets are installed
- All new bleachers manufactured, installed, sold or distributed meeting the dimensional description cited must comply with the current Minnesota State Building Code and MS 326B.112.



1303.2100 Bleacher safety.

MS 326B.112 Subd. 3. Safety requirements (cont)

Exceptions

- Retractable bleachers already in place as of January 1, 2001, may have open spaces not exceeding nine inches
- Any bleachers owned by the University of Minnesota, the Minnesota State Colleges and Universities, or a private college or university may have open spaces not exceeding nine inches

Inspections are required every 5 years, structural every 10 years. (See entire text of MS 326B.112)

1303.2401 Definitions (radon).

1303.2402 Requirements for passive radon control systems.

1303.2403 Requirements for active radon control systems.

“See section text and requirements”



Thank you!

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