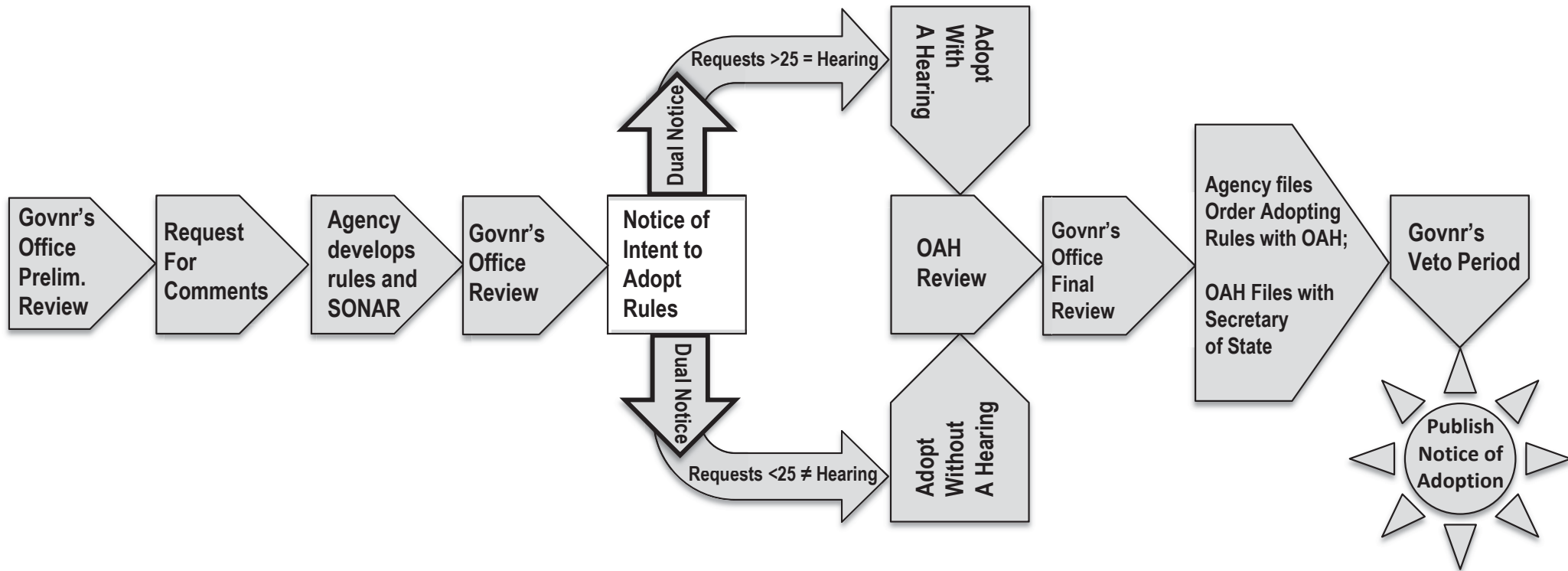
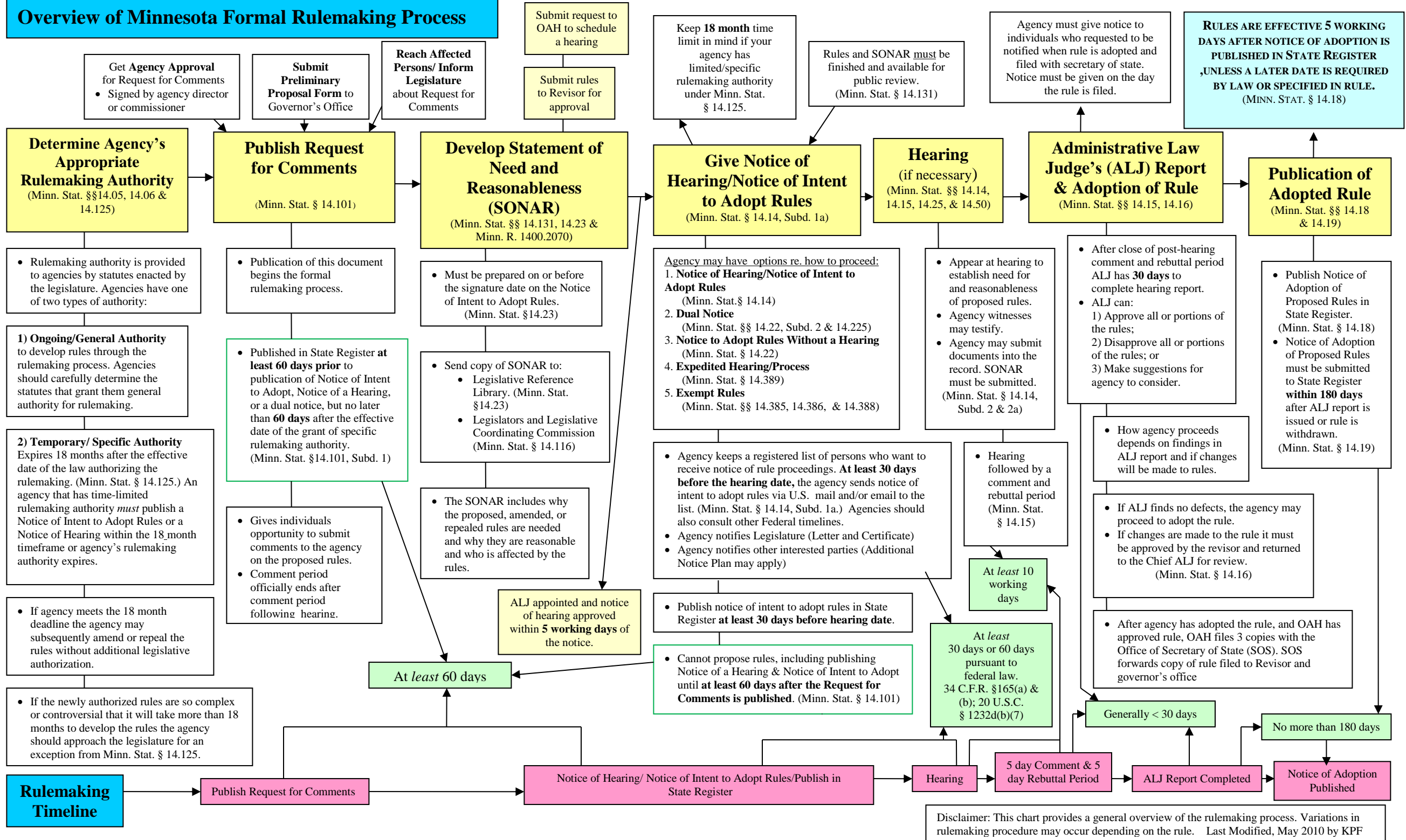


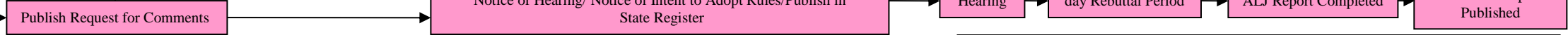
Rulemaking Progress Chart



Overview of Minnesota Formal Rulemaking Process



Rulemaking Timeline



Disclaimer: This chart provides a general overview of the rulemaking process. Variations in rulemaking procedure may occur depending on the rule. Last Modified, May 2010 by KPF

RULES ARE EFFECTIVE 5 WORKING DAYS AFTER NOTICE OF ADOPTION IS PUBLISHED IN STATE REGISTER, UNLESS A LATER DATE IS REQUIRED BY LAW OR SPECIFIED IN RULE.
(MINN. STAT. § 14.18)

Keep **18 month** time limit in mind if your agency has limited/specific rulemaking authority under Minn. Stat. § 14.125.

Agency must give notice to individuals who requested to be notified when rule is adopted and filed with secretary of state. Notice must be given on the day the rule is filed.

Rules and SONAR must be finished and available for public review.
(Minn. Stat. § 14.131)

Submit request to OAH to schedule a hearing
Submit rules to Revisor for approval

Reach Affected Persons/ Inform Legislature about Request for Comments

Submit Preliminary Proposal Form to Governor's Office

Get Agency Approval for Request for Comments
• Signed by agency director or commissioner

CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/26/2024

Email address: Greg.Metz@State.MN.US

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Bldg Code Scoping

Code or rule section to be changed: **1300.0040 Subp. 2 Building Code Scoping Exceptions**

Intended for Technical Advisory Group ("TAG"):

General Information

Yes No

- | | | |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Is the proposed change required due to climatic conditions of Minnesota? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Will the proposed change remedy a problem? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).

- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

- delete language contained in the model code book? If so, list section(s).

- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~strikethrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.
4. Subp. 2. **Compliance.** Structures classified under part 1300.0070, subpart 12b, as IRC-1, IRC-2, IRC-3, and IRC-4 occupancies not more than three stories above grade plane in height with a separate means of egress shall comply with chapter 1309 and other applicable rules. Other buildings and structures and appurtenances connected or attached to them shall comply with chapter 1305 and other applicable rules.

Exceptions: ~~The following structures that meet the scope of Chapter 1305 shall be permitted to be designed to comply with Minnesota Rules, Chapter 1311;~~

~~1) Existing buildings undergoing repair, alteration, change of occupancy, addition, or being moved; and~~

~~2) Historic buildings.~~

1. Existing structures and existing buildings that meet the scope of chapter 1305 and undergoing repair, alteration, change of occupancy, addition, or being moved shall be permitted to be designed to comply with Minnesota Rules, Chapter 1311.
2. Historic buildings shall be permitted to be designed to comply with Minnesota Rules, Chapter 1311.

If different provisions of the code specify different materials, methods of construction, or other requirements, the most restrictive provision governs. If there is a conflict between a general requirement and a specific requirement, the specific requirement applies.

If reference is made in the code to an appendix, the provisions in the appendix do not apply unless specifically adopted by the code. Optional appendix chapters of the code identified in part 1300.0060 do not apply unless a municipality has specifically adopted them.

5. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. N/A

Need and Reason

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

The purpose of this change is to allow documented historic homes to comply with the conservation code for existing buildings which provides some greater latitude with regards to existing conditions being allowed to remain if not deemed dangerous or unsafe. Existing historic homes do not have access to conservation code language under current rule and Minnesota Rule Chapter 1311 would provide greater flexibility with compliance while maintaining the critical historic character of buildings.

2. Why is the proposed code change a reasonable solution?
Minnesota Rules Chapter 1311 is already established and provides the flexibility and nationally vetted allowances for existing older buildings and historic buildings.
3. What other factors should the TAG consider?
Potential to coordinate adoption of an IRC appendix into Minnesota Rule 1309 as an alternative for all existing homes, not just historic ones.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.
Costs will decrease for historic homeowners because non-critical compliance criteria will be relaxed.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.
N/A
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.
N/A
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
No. The local code official is already charged with enforcing MR 1311, this would be merely an expansion of those allowances into another construction type.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.
No.

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Architects, engineers, home designers, architectural historians, construction contractors, building officials and building inspectors, home owners.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.
Write amendments to Minnesota Rule 1309 to adopt a related conservation appendix to the Minnesota Residential Code.
3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?
Existing historic homes will not be able to remodel, renovate, or add on to existing buildings in cost effective ways without potentially destroying some historic character of the building in order to meet a code requirement.
4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.
No

***Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/26/2024

Email address: Greg.Metz@State.MN.US

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Bldg Code
Definitions

Code or rule section to be changed: **1300.0070 Subp. 1 Definitions**

Intended for Technical Advisory Group ("TAG"):

General Information

Yes No

- | | | |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Is the proposed change required due to climatic conditions of Minnesota? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Will the proposed change remedy a problem? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 1. **Scope; incorporation by reference.** The definitions in this part apply to parts 1300.0010 to 1300.0250. For terms that are not defined through the methods authorized by this chapter but are included in other rules chapters of the Minnesota State Building Code, such terms shall have the meanings as ascribed to them in those rules chapters. For terms that are not defined through the Minnesota State Building Code, the Merriam-Webster Collegiate Dictionary, available at www.m-w.com, shall be considered as providing ordinarily accepted meanings. The dictionary is incorporated by reference, is subject to frequent change, and is available through the Minitex interlibrary loan system.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. N/A

Need and Reason

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

The proposed change adds a first default for definitions to the other rules chapters in the State Building Code before simply going to the dictionary.

2. Why is the proposed code change a reasonable solution?
Construction code definitions are highly technical and often integrated with other codes. Meanings found in other rules chapters of the state building code will be more applicable for interpretation than those found in the general dictionary.
3. What other factors should the TAG consider?
Potential conflicts between terms used but not defined in MR 1300 that may be defined in other Minnesota State Building Code related rules chapters and their intended meaning within the context of MR 1300. There have been no such conflicts found that are not identified in other code change proposals.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.
No cost change.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.
N/A
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.
N/A
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
No. No cost change and no additional enforcement costs.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Since these are the general administrative provisions, the potential is to affect anyone associated with or affected by construction in Minnesota.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No better means. This is a clarifying change.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

No costs. This is merely clarifying definitions.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

***Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/26/2024

Email address: Greg.Metz@State.MN.US

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Definition-
Correctional Facility

Code or rule section to be changed: **1300.0070 Subp. 9a. Correctional Facility**

Intended for Technical Advisory Group ("TAG"):

General Information

Yes No

- | | | |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Is the proposed change required due to climatic conditions of Minnesota? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Will the proposed change remedy a problem? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 9a. Correctional Facility. “Correctional Facility” means a building or portion of a building licensed by the Minnesota Department of Corrections for detainment or incarceration of people for more than 36 hours.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. N/A

Need and Reason

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

Correctional Facility is not currently defined in code but is designated as part of DLI/CCLD jurisdiction. There is confusion on where the differentiation between a police station detention area, jail, and a correctional facility lay.

2. Why is the proposed code change a reasonable solution?
The definition is consistent with the Department of Corrections requirement for licensing which is traditionally where DLI/CCLD has taken jurisdiction.
3. What other factors should the TAG consider?
None

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.
No cost change.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.
N/A
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.
N/A
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
No. No cost change and no additional enforcement costs.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Designers of correctional facilities, correctional facility owners, DLI/CCLD and DLI/CCLD code compliance delegates.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No better means. This is a clarifying change.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

No costs. This is merely clarifying definitions.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

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CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/26/2024

Email address: Greg.Metz@State.MN.US

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Definition- IRC
Occupancy Classifications

Code or rule section to be changed: **1300.0070 Subp. 12b. IRC occupancy classifications**

Intended for Technical Advisory Group ("TAG"):

General Information

Yes No

- | | | |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Is the proposed change required due to climatic conditions of Minnesota? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Will the proposed change remedy a problem? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Proposed Language

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 - change language contained the model code book? If so, list section(s).
 - change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
 - delete language contained in the model code book? If so, list section(s).
 - delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
 - add new language that is not found in the model code book or in Minnesota Rule.
2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 12b. **International residential code (IRC) occupancy classifications.** International residential code (IRC) occupancy classifications are as follows:

IRC-1 single-family dwellings;

IRC-2 two-family dwellings;

IRC-3 townhouses (non-transient); and

IRC-4 accessory structures under 2,500 square feet and not containing dwelling or sleeping units):

A. garages;

B. storage sheds; and

C. similar structures.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. N/A

Need and Reason

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

Buildings scoped to the IRC presume that the occupant of the building is very familiar with the surroundings so that they can respond appropriately in an emergency, and the occupant has the ability to adapt the built environment to suit their own needs. Transient occupants are not in character with this assumption.

Accessory structures are taking on all new proportions, uses, and functions never intended by the model code. These “accessory structures” are used for storage of any number of things including furniture.

Accessory structures do not provide the safeguards necessary for occupant protection and life safety when people are asleep inside. The proposed eliminates categorization of an accessory structure from having a designated place where people will sleep.

2. Why is the proposed code change a reasonable solution?

Minnesota Rule 1305 specifically classifies transient use as Occupancy Classification R-1, which can by exception be reclassified to Group R-3 and provides those features and protections specific to transient use.

Accessory structures with sub-descriptions of garages (a place to store vehicles), storage sheds, and other similar structures was clearly not intended to mean another house with multiple occupiable spaces and spaces where people will sleep. Minnesota rule 1305 limits storage buildings for “domestic storage” to 2,500 square feet unless they are sprinkled. As a MR1309 building, setbacks from property lines are significantly less, but the hazard level is the same a MR 1305 building with the exact same use.

3. What other factors should the TAG consider?

When constructed with the intent of transient use, sprinkler provisions of Minnesota Rule 1305 with regards to R-3 structures has a threshold of 4,500 square feet and Group R-3 buildings have accessibility requirements.

MR 1305 requires storage buildings that can contain upholstered furniture or mattresses must be sprinkled when over 2,500 square feet and the exterior walls must be one-hour rated when located less than 10 feet from a property line. Since residential accessory buildings can be used to store just about anything, this is not an unreasonable threshold to establish. The application would be that an accessory building that does not meet the criteria of IRC-4 would be scoped to MR 1305. MR 1305 does allow these to be non-sprinkled if they are one story and every storage space has direct access to the exterior.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost change for what is normally deemed as a townhouse or an accessory structure. There may be some increased costs for those who “push the envelope” of current code allowances.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

For projects that “push the envelope” of current code allowances, the increased costs may be in the form of providing handicap accessibility for intended transient use, providing sprinkler systems when transient use is intended and the home is over 4,500 square feet, and providing sprinkler systems for residential accessory buildings that are over 2,500 square feet and not defined as “agricultural.”

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

Developers and property owners will bear the costs of these luxury facilities or investment properties.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No. No cost change and no additional enforcement costs.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?

Architects, engineers, developers, home designers, builders, residential contractors.

2. Can you think of other means or methods to achieve the purpose of the proposed code change?

What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

Create another category within MR 1300 for IRC scoped buildings intended for use as hotels, and another category within MR 1300 for private mixed use buildings.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Consequences of not adopting the change will result in continued mis-interpretation of code and mis-use of what was intended to be a simple allowance for small, inconsequential buildings.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

***Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/26/2024

Email address: Greg.Metz@State.MN.US

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Definition- Non-transient

Code or rule section to be changed: **1300.0070 Subp. 18a. Non-transient**

Intended for Technical Advisory Group ("TAG"):

General Information

Yes No

- | | | |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Is the proposed change required due to climatic conditions of Minnesota? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Will the proposed change remedy a problem? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
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- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 18a. **Non-transient.** “Non-transient” means that a dwelling or sleeping unit that is occupied by the same party for more thirty consecutive calendar days.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. N/A

Need and Reason

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

Buildings for transient use by the general public should be equitably available to the entire general public including the disabled public.

2. Why is the proposed code change a reasonable solution?

Transient living facilities are addressed in Minnesota Rule 1305 as an R-1 Occupancy classification. This is the ONLY classification for transient living facilities addressed in the model building codes. Non-transient building occupants have the ability to adapt their living environment to suit their individual needs, including needs for handicap accessibility. Non-transient building occupants are familiar with their surroundings and know where to go during an emergency. They are more likely to know where power panels are, where gas valves are, and where water main valves are located. Transient occupants should be afforded the additional accessibility accommodations and means of egress safeguards and other building safeguards provided by Minnesota Rule 1305.

3. What other factors should the TAG consider?

When constructed with the intent of transient use, sprinkler provisions of Minnesota Rule 1305 with regards to R-3 structures has a threshold of 4,500 square feet and Group R-3 buildings have accessibility requirements.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost change for what is normally scoped to Minnesota Rule 1309. There may be some increased costs for those who “push the envelope” of current code allowances.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

For projects that “push the envelope” of current code allowances, the increased costs may be in the form of providing handicap accessibility for intended transient use, providing fire protection from adjacent properties where buildings are constructed less than 10 feet from property lines, and providing sprinkler systems when transient use is intended and the home is over 4,500 square feet.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

Developers and property owners will bear the costs of these luxury facilities or investment properties.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
No. No cost change and no additional enforcement costs.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

Create another category within MR 1300 for IRC scoped buildings intended for use as hotels, and another category within MR 1300 for private mixed use buildings.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Consequences of not adopting the change will result in continued mis-interpretation of code and mis-use of what was intended to be a simple allowance for small, inconsequential buildings.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

***Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can be considered by the TAG.

CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/26/2024

Email address: Greg.Metz@State.MN.US

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Definition- Single family dwelling

Code or rule section to be changed: **1300.0070 Subp. 18a. Non-transient**

Intended for Technical Advisory Group ("TAG"):

General Information

Yes No

- | | | |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Is the proposed change required due to climatic conditions of Minnesota? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Will the proposed change remedy a problem? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 22a. **Single family dwelling.** “Single family dwelling” means that a single freestanding detached structure with one family of non-transient occupants containing occupiable space including spaces for living, sleeping, eating, cooking, toileting and bathing. The structure may include an attached garage space for storage of private passenger vehicles. The structure shall not contain uses with occupancy classifications listed in Minnesota Rule 1305.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No.

Need and Reason

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

Single family dwelling is currently undefined. With the pressure to expand uses of single family dwellings to many functions other than housing one family in a detached structure, this definition for direct deferral to Minnesota Rule 1309 is needed.

2. Why is the proposed code change a reasonable solution?

This definition will clarify the scoping requirements for direct deferral to Minnesota Rule 1309. Other uses will be first deferred to Minnesota Rule 1305 where other criteria may be applied specific to the use, AND allowances may be made for construction of the building itself to be per Minnesota Rule 1309 by exception when applicable.

3. What other factors should the TAG consider?
 - Fire separation requirements for buildings that end up ONLY being scoped to MR 1305.
 - Handicap accessibility requirements for buildings scoped to MR 1305.
 - Fire sprinkler system requirements for buildings scoped to MR 1305.
 - Transient use requirements as a function of initial construction and developer intent vs. private property owners using their own private property for other occasional purposes.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost change for what is normally scoped to Minnesota Rule 1309. There may be some increased costs for those who “push the envelope” of current code allowances.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

For projects that “push the envelope” of current code allowances, the increased costs may be in the form of providing handicap accessibility for intended transient use, providing fire protection from adjacent properties where buildings are constructed less than 10 feet from property lines, and providing sprinkler systems when transient use is intended and the home is over 4,500 square feet.

No anticipated cost increases for what is normally considered a single-family home.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.
Developers and property owners will bear the costs of these luxury facilities or investment properties.
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
No. No cost change and no additional enforcement costs.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

Create another category within MR 1300 for IRC scoped buildings intended for use as hotels, and another category within MR 1300 for private mixed-use buildings.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Consequences of not adopting the change will result in continued misinterpretation of code and mis-use of what was intended to be a simple allowance for small, inconsequential buildings.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

***Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can be considered by the TAG.

CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/26/2024

Email address: Greg.Metz@State.MN.US

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Definition- State Licensed facility

Code or rule section to be changed: **1300.0070 Subp. 25. State licensed facility**

Intended for Technical Advisory Group ("TAG"):

General Information

Yes No

- | | | |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Is the proposed change required due to climatic conditions of Minnesota? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Will the proposed change remedy a problem? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striethrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 25. State licensed facility. “State licensed facilities” ~~means, pursuant to~~ is defined by Minnesota Statutes, section 326B.103, subdivision 13, ~~a building and its grounds that are licensed by the state as a hospital, nursing home, supervised living facility, free standing outpatient surgical center, correctional facility, boarding care home, or residential hospice.~~

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. N/A

Need and Reason

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

The current rule does not include newly added assisted living facilities and assisted living facilities with dementia care and must be changed so that the rule is not in conflict with state statute.

2. Why is the proposed code change a reasonable solution?

Because the definition already exists in its entirety in state statute, it is better to simply directly reference the statute such that if the statute would change again in the future, there would be no further need to change the definition in the rule to create identical language in two places.

3. What other factors should the TAG consider?
None.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.
No cost change.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

N/A.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

N/A.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No. No cost change and no additional enforcement costs.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Consequences of not adopting the change will result in a conflict between rule and statutory language.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

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CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/26/2024

Email address: Greg.Metz@State.MN.US

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Definition-Townhouse

Code or rule section to be changed: **1300.0070 Subp. 27. Townhouse**

Intended for Technical Advisory Group ("TAG"):

General Information

Yes No

- | | | |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Is the proposed change required due to climatic conditions of Minnesota? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Will the proposed change remedy a problem? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 27. **Townhouse.** See Minnesota rule Chapter 1309 for definition of Dwelling, Townhouse.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. N/A

Need and Reason

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

MR 1300.0070, Subpart 12b references Townhouses for scoping but the rule chapter does not define what a townhouse is. Minnesota Rule 1309 and Minnesota Rule 1305 both have definitions for townhouses, but they are different from each other.

2. Why is the proposed code change a reasonable solution?

For the purposes of scoping to Minnesota Rule 1309, it is most appropriate to reference the definition found in Minnesota Rule 1309.

3. What other factors should the TAG consider?
None.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.
No cost change.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

N/A.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

N/A.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
No. No cost change and no additional enforcement costs.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Consequences of not adopting the change will result in continued mis-interpretation of code and mis-use of how townhouses are supposed to be constructed by blending requirements from both 1309 and 1305, especially regarding separation of utilities and division of buildings by property lines.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

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CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/29/2024

Email address: Greg.Metz@State.MN.US

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Definition- Two family dwelling

Code or rule section to be changed: **1300.0070 Subp. 28. Two-family dwelling**

Intended for Technical Advisory Group ("TAG"):

General Information

Yes No

- | | | |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Is the proposed change required due to climatic conditions of Minnesota? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Will the proposed change remedy a problem? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Proposed Language

1. The proposed code change is meant to:
 - change language contained the model code book? If so, list section(s).
 - change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
 - delete language contained in the model code book? If so, list section(s).
 - delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
 - add new language that is not found in the model code book or in Minnesota Rule.
2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 28. Two-family dwelling. “Two-family dwelling” means a single freestanding detached structure containing two separate dwelling units for two families of non-transient occupants each dwelling unit containing occupiable spaces for living, sleeping, eating, cooking, toileting and bathing. The structure may include attached garage space for storage of private passenger vehicles. The structure shall not contain uses within occupancy classifications listed in Minnesota Rule 1305

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. N/A

Need and Reason

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

There is currently no definition for two-family dwellings. Since this is a primary scoping provision, a definition is needed to clarify what is and is not in scope.

2. Why is the proposed code change a reasonable solution?

It essentially takes the definition for single-family dwelling and expands it to two families.

3. What other factors should the TAG consider?
None.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.
No cost change.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

N/A.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

N/A.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No. No cost change and no additional enforcement costs.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Consequences of not adopting the change will result in continued mis-interpretation of code and mis-use of how townhouses are supposed to be constructed by blending requirements from both 1309 and 1305, especially regarding separation of utilities and division of buildings by property lines.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

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CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/29/2024

Email address: Greg.Metz@State.MN.US

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300.0110

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Duties and Powers- General

Code or rule section to be changed: **1300.0110 Subp. 1. General**

Intended for Technical Advisory Group ("TAG"):

General Information

Yes No

- | | | |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Is the proposed change required due to climatic conditions of Minnesota? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Will the proposed change remedy a problem? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 1. **General.** The building official as an agent of the commissioner of labor and industry is authorized and directed to enforce the provisions of this code. The building official has the authority to render interpretations of the code and adopt policies and procedures in order to clarify the application of the provisions. The interpretations, policies, and procedures shall comply with the intent and purpose of the code. The policies and procedures shall not have the effect of waiving requirements specifically provided for in the code.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

Need and Reason

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

Some municipal building officials have expressed that they are essentially free agents to administer or not administer the state building code however they deem fit.

2. Why is the proposed code change a reasonable solution?

The additional language clarifies the application of Minnesota Statute 326B.121, subpart 3; Minnesota Statute 326B.127, Subpart 5, and Minnesota Statute 326B.133, Subd. 4 that municipal building officials work may be directed by the commissioner of labor and industry and are therefore agents of the commissioner.

3. What other factors should the TAG consider?

The clarification is not a change and does not indicate a change in departmental policy that DLI/CCLD will become more active in municipal code compliance than the agency is now. The modification recommended to clarify that when DLI/CCLD makes official code interpretations, that they are in-fact binding on local municipal code officials.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost change.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

N/A.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

N/A.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
No. No cost change and no additional enforcement costs.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Consequences of not adopting the change will perpetuate less unified application of the state building codes where municipal code officials are providing compliance services.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

***Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/29/2024

Email address: Greg.Metz@State.MN.US

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300.0110

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Duties and Powers- Notices and Orders

Code or rule section to be changed: **1300.0110 Subp. 4. Notices and Orders**

Intended for Technical Advisory Group ("TAG"):

General Information

Yes No

- | | | |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Is the proposed change required due to climatic conditions of Minnesota? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Will the proposed change remedy a problem? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striethrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 4. **Notices and orders.** The building official shall issue all necessary notices and orders to ensure compliance with the code. Notices and orders shall be in writing and provided to the applicant in hard copy or electronically unless waived by the permit applicant, contractor, owner, or owner's agent. Notices and orders shall be based on the edition of the code under which the permit has been issued.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

Need and Reason

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

Technology has changed and electronic correspondence and electronic communication is more prevalent in the construction industry. The rules do not currently address or allow any type of official communication other than hard-copy.

2. Why is the proposed code change a reasonable solution?

The additional language clarifies that the information to be communicated must still be in writing, but may be in hard copy or electronic format.

3. What other factors should the TAG consider?

Maintenance and documentation of the compliance record. Required on-site documents.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost increase. Potential for cost savings.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

N/A.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

N/A.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No. No cost change and no additional enforcement costs.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

None. It could be interpreted that written electronic communications currently complies with rule.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

***Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/29/2024

Email address: Greg.Metz@State.MN.US

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300.0110

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Duties and Powers- Inspections

Code or rule section to be changed: **1300.0110 Subp. 5. Inspections**

Intended for Technical Advisory Group ("TAG"):

General Information

Yes No

- | | | |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Is the proposed change required due to climatic conditions of Minnesota? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Will the proposed change remedy a problem? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
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Subp. 5. **Inspections.** The building official shall make all of the required inspections or accept reports of inspection by approved agencies or individuals. Results of inspections shall be documented on the job site inspection card and in the official records of the municipality, including type of inspection, date of inspection, identification of the responsible individual making the inspection, and comments regarding approval or disapproval of the inspection. The building official is authorized to engage an expert opinion at the cost of the applicant as deemed necessary to report on any unusual technical issues that arise.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

Need and Reason

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

Who pays for the cost of an expert opinion when the code official requires one is currently unclear and could be interpreted to be at the cost to the municipality as a condition of code compliance verification.

2. Why is the proposed code change a reasonable solution?

The applicant is responsible for code compliance and all related costs associated with the project.

3. What other factors should the TAG consider?

Maintenance and documentation of the compliance record. Required on-site documents.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost increase.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

N/A.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

N/A.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No. No cost change and no additional enforcement costs.

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1. What parties or segments of industry are affected by this proposed code change?
Architects, engineers, developers, home designers, builders, residential contractors.
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No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Continued debate between applicants and code officials on who pays for additional inspections or evaluations criteria not specifically listed in code, but required by the code official.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

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