

Significant changes to MN Rules 1300 Code Administration



Presented by the Construction Codes and Licensing Division

Disclaimer



Information in this seminar may contain code language that has been paraphrased or summarized in order to provide more clarity for instruction purposes.

When inquiries arise in the field, reference must be made to the actual code language contained in Rule Chapter 1303 of the Minnesota State Building Code in order to form resolutions which would be code compliant.

Minnesota Department of Labor and Industry
Construction Codes and Licensing Division
443 Lafayette Road North, St. Paul, MN 55155
www.dli.mn.gov
Phone 651-284-5068 Fax 651-284-5749

Presenters:

Herman Hauglid (IRC & Radon)	651-284-5953	Herman.Hauglid@state.mn.us
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Other department staff:

Rich Lockrem (IRC & IBC)	651-284-5868	Rich.Lockrem@state.mn.us
Don Sivigny (Energy, IRC & Radon)	651-284-5874	Don.Sivigny@state.mn.us
Kelly Denno (Lic. exams & Sem. Reg)	651-284-5845	Kelly.Denno@state.mn.us
Scott Nelson P.E. (Mechanical)	651-284-5850	Scott.Nelson@state.mn.us

Licensing staff:

Josie Steinhoff (CE Programs)	651-284-5814	Josiphine.Steinhoff@state.mn.us
Yvonne Petsch (BO Renewals)	651-284-5885	Yvonne.Petsch@state.mn.us

Housekeeping Items



- ❖ Color Coding
 - Existing language
 - New or modified language
 - Deleted language

1300.0010 Administration



Subp. 2. Minnesota Electrical Act.

Chapter 1315 shall be administered according to chapter ~~3800~~; 3801 and the Minnesota Electrical Act, Minnesota Statutes, sections 326B.31 to ~~326B.39~~ 326B.399.

Provisions of this chapter that do not conflict with the Minnesota Electrical Act also apply.

1300.0010 Administration



Subp. 3. Minnesota Plumbing Code.

Chapter 4715, the Minnesota Plumbing Code, and applicable provisions of this chapter shall be administered and enforced statewide by the commissioner under Minnesota Statutes, section 326B.106, subdivision 3, unless an agreement exists between the commissioner and a municipality to enforce the Minnesota Plumbing Code under Minnesota Statutes, section 326B.43, subdivision 2.

1300.0030 Purpose and application



Subp. 2 Application.

(A) 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. The State Building Code supersedes the building code of any municipality. The State Building Code does not apply to agricultural buildings except with respect to state inspections required or rulemaking authorized by Minnesota Statutes, sections 103F.141, 326B.36, and 326B.121, subdivision 1, paragraph (c), clause (2).

1300.0040 Scope



Subpart 1. Applicability.

The code applies to the design.....

Exception: When approved by the building official, buildings, structures, or portions thereof, used exclusively by military personnel, police, fire, or first responders for training purposes may be designed to reflect actual conditions that may be encountered in field operations, maneuvers, or tactics, however, structural provisions must apply.

1300.0040 Scope



Subp. 2. Compliance.

Exception: 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.

If different provisions.....

1300.0050 SBC Chapters



A thru D	No Changes
E.	1305 Adoption of the International Building Code Minnesota Building Code.
F and G	No Changes
H	1309 Adoption of the International Residential Code Minnesota Residential Code
I	No changes
J	1315 Adoption of the National Electrical Code Minnesota Electrical Code
K	No Changes
L	1330 Fall Out Shelters
M L	1335 Floodproofing Regulations
N M	1341 Minnesota Accessibility Code
O N	1346 Minnesota Mechanical Code
P O	1350 Manufactured Homes
Q P	1360 Prefabricated Structures
R Q	1361 Industrialized/Modular Buildings
S R	1370 Storm Shelters
T S	4517 Minnesota Plumbing Code
U T	7670, 7672, 7674, 7676 and 7678 1322 & 1323 Minnesota Energy Code
U	5230 Minnesota High Pressure Piping Systems

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 the building official



Subp. 3 Applications and permits.

The building official shall receive applications, review construction documents, and issue permits for the erection, alteration, demolition, moving, and repair of buildings and structures, including all other equipment and systems regulated by the code. When requested by a permit applicant, the building official shall meet with the permit applicant prior to the application for a construction permit to discuss plans for the proposed work. The meeting shall be held at a mutually agreeable location. Municipalities may establish a fee for this service.

1300.0110 Duties and powers of the building official



Subp. 9 Liability.

The building official, member of the Board of Appeals, or employee.....

The building official, member of the Board of Appeals, or an employee charged with the enforcement of the code, is not liable for costs in any action, suit, or proceeding that is instituted in pursuance of the provisions of this code.

1300.0120 Permits



Subp. 4 Work exempt from permits.

Exemptions from permit requirements.....

Permits shall not be required for the following:

A. Building:

(1) one-story detached accessory structures, used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed ~~120~~ 200 square feet.

1300.0120 Permits



Subp. 4 Work exempt from permits.

Exemptions from permit requirements.....

Permits shall not be required for the following:

A. Building:

(2) fences not over ~~six~~ seven feet high

1300.0120 Permits



Subp. 10 Validity of permit

The issuance or granting 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 other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of the code or other ordinances of the jurisdiction are not valid. ~~The 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. The building official may also prevent occupancy or use of a structure that violates the code or any other ordinance of this jurisdiction.~~

1300.0120 Permits



Subp. 10 Validity of permit (continued)

Any permit issued shall become invalid if the work authorized by the permit is suspended or abandoned for more than 180 days. The 180 days shall commence from the first day the work is suspended or abandoned.

1300.0120 Permits



Subp. 11 Expiration

Every permit issued shall ~~become invalid~~ Expire unless the work authorized by the permit is commenced within 180 days after its issuance, ~~or if the work authorized by the permit is suspended or abandoned for a period of 180 days after the time the work is commenced.~~ The building official may grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

1300.0120 Permits



Subp. 13 Information and Placement of Permits

The building permit or a copy shall be kept on the site of the work until the completion of the project. Pursuant to Minn. Stat. § 15.41, the permit shall specify the name and address of the applicant, and the general contractor, if one exists. All construction permits shall be posted in a conspicuous and accessible place at the premises or site of construction.

1300.0120 Permits



Subp. 14 Responsibility.

Every person who performs work for 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.

1300.0130 Construction documents



Subp. 6 Approval of construction documents.

(A). If the building official issues a permit, the construction documents shall be approved in writing or by a stamp, stating "Reviewed for Code Compliance," dated, and signed by the building official or an authorized representative. One set of the construction documents that were reviewed shall be retained by the building official. The other set shall be returned to the applicant, kept at the site of the work, and open to inspection by the building official or an authorized representative.

1300.0130 Construction documents



Subp. 6 Approval of construction documents.

(B) Any code deficiencies identified by the building official during the plan review process for construction documents that are prepared by a design professional who is licensed or certified under Minnesota Statutes, sections 326.02 to 326.15, must be itemized by the building official through a comprehensive plan review letter only.

1300.0130 Construction documents



Subp. 6 Approval of construction documents.

(B) (continued)

Any code deficiencies identified by the building official during the plan review process for construction documents that **are not** prepared by a licensed or certified design professional may be marked directly on the document or itemized by the building official through a comprehensive plan review letter.

1300.0130 Construction documents



Subp. 6 Approval of construction documents.

(B) (continued)

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. All sets of required construction documents, including the site copy, municipality copy, or inspector copy, must be marked identically by the building official, with one copy retained by the building official after construction is completed.

1300.0130 Construction documents



Subp. 6 Approval of construction documents.

(B) (continued)

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.

1300.0160 Fees



Subp. 6(3) Plan review of similar plans.

Exception: The following modifications to the master plan are not considered to be significant modifications, according to Minnesota Statutes, section 326B.106, subdivision 1, and are permitted for dwelling units and their accessory structures built to the International Residential Code, and residential occupancies built to the International Building Code that are three stories or less in height and their accessory structures:

1300.0160 Fees



Subp. 6(3) Plan review of similar plans.

Exception: (continued)

(a) foundation configurations of walkout, lookout, and full basements;

1300.0160 Fees



Subp. 6(3) Plan review of similar plans.

Exception: (continued)

- (a) foundation configurations of walkout, lookout, and full basements;
- (b) alternate foundation materials approved by the building official;
- (c) and (d) unchanged

1300.0160 Fees



Subp. 8 Work commencing before permit issuance.

If work for which a permit is required by the code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for the work. An investigation fee established by the municipality shall be collected whether or not a permit is issued and is in addition to the required permit fees, but it may not exceed the permit fee.

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~~ is authorized to issue a stop work order or a notice or order pursuant to part 1300.0110, subpart 4.

1300.0170 Stop work orders



The stop work order shall be in writing and issued to the owner of the property involved, to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. A person who continues work after having been served with a stop work order, except for work that the person is directed to perform to remove a violation or unsafe condition, is subject to penalties as prescribed by law. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

1300.0180 Unsafe buildings or structures



The building official ~~may~~ 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 building official shall have the authority to order disconnection of utility services to the building, structure, or system, regulated by the code, in case of an emergency to eliminate a hazard to life or property. The order shall be in writing and state the reasons for the action.

1300.0190 Temporary structures and uses



Subpart 1. General.

The building official may issue a permit for temporary structures and temporary uses. ~~The permit shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official may grant extensions for demonstrated cause.~~

1300.0220 Certificate of occupancy



Subp. 3. Change in use.

Changes in the character or use of an existing structure must comply with chapter 1305 or 1311.

1300.0220 Certificate of occupancy



Subp. 4. Moved Building

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

Exception:

- A) Buildings designed to comply with chapter 1311; or
- B) A residential building relocated with or into a municipality need not comply with the MN energy Code or Minn. Stat. § 326B.439



THE END