

Minnesota Rule Chapter 1300 Committee Meeting Notes

March 12, 2012

Third Meeting

- Mike Godfrey called the meeting to order at 8:30 AM.
- Those in attendance:
 - Mike Godfrey, committee chair, Construction Codes and Licensing Division (CCLD).
 - Doug Nord, committee co-chair, CCLD.
 - Jim Williamette, committee member, Association of Minnesota Building Officials.
 - Michele Engberg, committee member, Minnesota Building Permit Technician Association.
 - Scott Qualle, committee member, Greater Minnesota Building Officials.
 - Frank Martin, committee member, League of Minnesota Cities.
 - Gary Thadin, interested party.

The following code change proposals were reviewed at this meeting:

Administration #10

Proponent: Rick Davidson

1300.0160 FEES; Subp. 4. Exception (4).

Proposal to strike “replacement of a residential fixture or appliance cannot exceed the permit fee limitation established by Minnesota Statutes, section 16B.665.

Action: Approved (note: this was already addressed in the division draft of 1300).

Administration #11

Proponent: Rick Davidson

1300.0160 FEES; Subp. 6. Plan review of similar plans.

The proponent withdrew this proposal prior to this meeting.

Administration #12

Proponent: Rick Davidson

1300.0160 FEES; Subp. 6. Plan review of similar plans, (3) Exception.

Proposal to strike the exception section.

Mike Godfrey would like to table this proposal until the next meeting to talk to some of those involved in the creation of these exceptions.

Action: Tabled until the next meeting.

Administration #13

Proponent: James Williamette

1300.0160 FEES; Subp. 2. Fees commensurate with service.

Proposal to add to the last sentence in this section: “and all fees collected must be dictated to the building department fund only”.

Mike Godfrey gave some history regarding fees in the code and felt us as a committee would not have the authority to make that change. There was much discussion regarding this and James Williamette requested to withdraw the proposal.

Action: Proposal withdrawn.

Administration #14

Proponent: James Williamette

1300.0160 FEES; Subpart 6. Plan review of similar plans.

(3) Exception.

Proposal to strike the entire exception.

Action: Tabled until the next meeting.

Subpart 8. Work commencing before permit issuance.

Proposal to follow closer to the language in the national code which includes establishing additional fees by the building official.

Action: Denied

Subp. 9. Refunds.

Proposal to state: The building official is authorized to establish a refund policy.

The committee felt it is up to the jurisdiction to set fees, not the building official.

Action: Denied

Subp. 10. State surcharge fees.

Proposal to add "to the attention of the state building official".

This was struck out in the division draft of 1300 which Mike Godfrey explained why that was in 1300 back when Building Codes and Standards was under the Department of Administration and the two were not located at the same address.

Action: Denied

Administration #15

Proponent: Scott Qualle

1300.016 FEES; Subp. 6. Plan review of similar plans.

(3) Exception.

Proposal to strike exceptions; (a), (c), and (f).

Action: Tabled until the next meeting.

Administration #16

Proponent: James williamette

1300.0170 Stop Work Order

Proposal to add at the end of this section; "Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law."

Action: After much discussion the committee will table until the next meeting and the proponent will reword into the main body of the language of "Stop Work Order".

At this time, Mike Godfrey asked the committee to jump ahead to address code change proposal #25, as the interested party in attendance was at the meeting for this specific change.

Administration 25

Proponent: Scott Qualle

1300.0130 Construction Documents. Subp. 1. Submittal Documents.

Proposed: Change the building official "may" to "shall" require plans or other data be prepared according to the rules of the Board of Architecture..... And in the last sentence of this section, strike "additional".

Action: Mike Godfrey gave some previous history regarding the issue of changing may to shall. The committee had lengthy discussion and the proponent of this change requested to withdraw this proposal.

Administration 17

Proponent: James Williamette.

1300.0180 Unsafe Buildings or Structures.

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

~~Building service equipment that is regulated by the code is unsafe, for purposes of this part, if it is a fire, electrical, or health hazard; an unsanitary condition; or otherwise dangerous to human life. Use of a building, structure, or building service equipment constituting a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage, or abandonment is, for the purposes of this part, an unsafe use.~~

Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe. Parapet walls, cornices, spires, towers, tanks, statuary, and other appendages or structural members that are supported by, attached to, or a part of a building and that are in deteriorated condition or otherwise unable to sustain the design loads that are specified in the code are unsafe building appendages.

The building official may order any building or portion of a building to be vacated if continued use is dangerous to life, health, or safety of the occupants and have the authority to order disconnection of utility services to the building, structure or system, regulated by the code, in case of emergency where necessary to eliminate a hazard to life or property. The order shall be in writing and state the reasons for the action. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

Exception: Electrical systems under the jurisdiction of the Commissioner of Labor and Industry.

All unsafe buildings, structures, or appendages are public nuisances and must be abated by repair, rehabilitation, demolition, or removal according to Minnesota Statutes, sections 463.15 to 463.26.

SERVICE UTILITIES

Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the building official.

Temporary connection. The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

Action: The committee tabled this proposal until the next meeting as the proponent would like to bring in more need and reason to the committee. Frank Martin would like to talk to the League of Minnesota Cities regarding this section.

Administration 18

Proponent: Scott Qualle

1300.0190 Temporary Structures and uses. Subp. 1. General

Proposal: The building official may issue a permit for temporary structures and temporary uses. The use, whether a permit is issued or not, permit shall be limited as to time of service, but shall not be permitted for more than 180 days. The building or structure shall be removed from the property for a period of not less than 180 days before it may be reinstalled or reconstructed. The building official may grant extensions for demonstrated cause.

Action: After much discussion the proponent will re-submit for the next meeting. Tabled until the next meeting.

Administration 19

Proponent: Scott Qualle

1300.0210 Inspections. Subp. 4. Inspection requests.

Proposed: To add a sentence at the end of this section which states: “The building official/inspections department shall not be responsible for costs associated with not performing a scheduled inspection in a timely manner.

Action: After much discussion the proponent withdrew the proposal.

Administration 20

Proponent: James Williamette

1300.0210 Inspections. Subp. 6. Required inspections. (F), (H), and Subp. 7. Inspection agencies.

Proposed: **F.** To add “and shall include, but not be limited to, inspections for: envelope insulation R- and U-values, fenestration U-value, duct system R-value, and HVAC and water-heating equipment efficiency”.

Action: Denied

H. Strike existing language and change to; “Protection of joints and penetrations in fire-resistance rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved”.

Action: Proponent will reword and re-submit for the next meeting. Note: Scott Qualle will re-submit and James will be out of the office.

Subp. 7. To add at the end of the statement; “provided such agencies satisfy the requirements as to qualifications and reliability”.

Action: Denied

Administration 21

Proponent: Scott Qualle

1300.0225 Maintenance.

Proposal: To add this sentence at the end of this section: “It shall be the duty of the property owner to demonstrate compliance with the specific provisions of the applicable code edition.

Note: Proposal withdrawn by the proponent.

Administration 22

Proponent: Scott Qualle

1300.0120 Permits. Subp. 4. Work exempt from a permit. A. Building: (10).

Proposal: Strike existing language and replace with: “Residential swimming pools accessory to IRC 1, 2, or 3 structures.

Note: Proposal withdrawn by the proponent.

Administration 23

Proponent: Scott Qualle

1300.0120 Permits. Subp. 12. Expiration.

Proposal: To add the wording “or not inspected” after abandoned.

Note: Proposal withdrawn by the proponent.

Administration 24

Proponent: Scott Qualle

1300.0120 Permits. Subp.15. Responsibility.

Proposal: To add at the end of this section: “The permit ~~holder~~-applicant is responsible for code compliance of work being performed.

Action: After much discussion regarding permit holder vs. applicant the proponent requested to re-submit for the next meeting. The committee will table until the next meeting.

Administration 26

Proponent: James Williamette

1300.0130 Construction Documents. Subp. 2. Information on construction documents.

Proposal to add (A), (B), and (C) at the end of this section.

A) Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance to this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

B) Means of egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress including the path of the exit discharge to the public way in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

C) Exterior wall envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

Action: After much discussion the committee felt lists can be incomplete and not a good idea. Proposal denied.

Administration 27

Proponent: Scott Qualle

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

Proposal to insert the following after the first sentence in this section: Documents shall be marked-up with the required corrections or a comprehensive review letter of all identified deficiencies shall be written to document required corrections. All sets of required construction documents shall be marked identically with one copy retained by the municipality after construction is completed.

Action on this section: The proponent will resubmit language for this to be reviewed at the next meeting.

Then add the following sentence to the end of this section: Work not in compliance with approved construction documents shall not proceed until changes have been submitted and approved.

Action: Approved.

Administration 28

Proponent: James Williamette

1300.0130 Construction Documents. Subp. 9. Design professional in responsible charge. (A)

Proposal: To change language in this part of the section: When structural observation is are required by the code, the ~~inspection program~~ Engineer of Record shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

Action: Proponent will review and re-submit for the next meeting. Tabled.

The committee had some clarification discussion on items brought up by Scott Qualle. Those items were: 1300.0030, Subp. 2A; 1300.0120, Subp. 1; 1300.0120, Subp. 6, and 1300.0160, Subp. 3B.

Mike Godfrey let the committee know the next meeting is scheduled for Monday, March 26, 2012, here at Construction Codes and Licensing Division, starting at 8:30 AM, in the Isanti room. We will be going over tabled and re-submitted code change proposals. This will be the last meeting for the 1300 committee. The committee meeting adjourned at 11:30 AM.