

CHAPTER 1302
DEPARTMENT OF ADMINISTRATION
MINNESOTA STATE BUILDING CODE
CONSTRUCTION APPROVALS

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1302.0100 TITLE.

This chapter shall be known as the "Building Construction Approvals and State Agency Approval Rules."

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*

1302.0200 PURPOSE.

The purpose of this chapter is to establish fees and procedures for the review of building plans, specifications, and related documents and provide for inspection services for certain buildings to determine compliance with the code, and to establish fees and procedures for the review of building plans, specifications, and related documents implementing code content that are required to be submitted to a state agency.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*

1302.0300 SCOPE.

This chapter provides code administrative direction to state and local government officials, school boards and administrators, architects, engineers, contractors, and inspectors, and for the state building inspector to provide for total code administration for certain buildings for compliance with the code.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*

1302.0400 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to this chapter.

Subp. 2. **Certification.** "Certification" means the certification and signature of the designing professional who has prepared the plans, specifications, and other documents in accordance with part 1800.4200.

Subp. 3. **Code.** "Code" has the meaning given in part 1300.2400, subpart 6.

Subp. 4. **Municipality.** "Municipality" has the meaning given in part 1300.2400, subpart 10.

Subp. 5. **Public building.** "Public building" means a building and its grounds, the cost of which is paid for by the state or a state agency.

Subp. 6. **State building inspector.** "State building inspector" has the meaning given in part 1300.2400, subpart 11.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*

1302.0500 PLAN REVIEW FUNCTION.

Subpart 1. **General.** The state building inspector shall:

- A. review building plans and specifications with related documents;
- B. provide for inspection of any public building and its grounds;

C. provide plan review services for any construction project for which plans and specifications are required to be submitted to a state agency; and

D. required to be administered by the commissioner of administration.

Subp. 2. **Materials to be submitted.** Plans and specifications for new construction, additions, and remodeling must be submitted for public buildings and grounds and buildings for which plans and specifications are required to be submitted to a state agency.

Subp. 3. **Quantity of materials required to be submitted.** A person who must submit plans and specifications under this part shall submit:

A. two complete sets of drawings, specification books, and other relevant documents necessary to evidence code compliance, with appropriate certification on each sheet of the drawings and the title page of the specifications book;

B. a completed plan review and construction authorization application form provided by the state building inspector; and

C. the appropriate fee established by part 1302.0600.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*

1302.0600 FEES.

Subpart 1. **General.** Fees for building permits and the review of plans and specifications submitted under part 1302.0500, subpart 2, must be paid as set forth in the following fee schedule or as adopted by a municipality.

A. The total valuation and fee schedule is:

(1) \$1 to \$500, \$15;

(2) \$501 to \$2,000, \$15 for the first \$500 plus \$2 for each additional \$100 or fraction thereof, to and including \$2,000;

(3) \$2,001 to \$25,000, \$45 for the first \$2,000 plus \$9 for each additional \$1,000 or fraction thereof, to and including \$25,000;

(4) \$25,001 to \$50,000, \$252 for the first \$25,000 plus \$6.50 for each additional \$1,000 or fraction thereof, to and including \$50,000;

(5) \$50,001 to \$100,000, \$414.50 for the first \$50,000 plus \$4.50 for each additional \$1,000 or fraction thereof, to and including \$100,000;

(6) \$100,001 to \$500,000, \$639.50 for the first \$100,000 plus \$3.50 for each additional \$1,000 or fraction thereof;

(7) \$500,001 to \$1,000,000, \$2,039.50 for the first \$500,000 plus \$3 for each additional \$1,000 or fraction thereof, to and including \$1,000,000; and

(8) \$1,000,001 and up, \$3,539.50 for the first \$1,000,000 plus \$2 for each additional \$1,000 or fraction thereof.

B. Other inspections and fees are:

(1) inspections outside of normal business hours (minimum charge two hours), \$45 per hour¹;

(2) reinspection fees², \$45 per hour¹;

(3) inspections for which no fee is specifically indicated (minimum charge one-half hour), \$45 per hour¹; and

(4) additional plan review required by changes, additions, or revisions to approved plans (minimum charge one-half hour), \$45 per hour¹.

C. Footnotes to item B:

(1) ¹Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost includes supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.

(2) ²A reinspection fee may be assessed for each inspection or reinspection when a portion of work for which inspection is called is not complete or when corrections called for are not made.

This item is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for inspection or reinspection.

Reinspection fees may be assessed when the permit card is not properly posted on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

To obtain a reinspection, the applicant shall file an application in writing upon a form furnished for that purpose and pay the reinspection fee in accordance with Table No. 3-A or as set forth in the fee schedule adopted by the jurisdiction.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

Subp. 2. Plan review fee. The plan review fee is based on 65 percent of the permit fee determined from the fee schedule. The plan review fee is a separate fee and is in addition to the permit fee. If plans are incomplete or changed so as to require additional plan review, an additional plan review fee must be charged according to the fee schedule.

Subp. 3. Surcharges. Surcharge fees are required for public buildings as required by Minnesota Statutes, section 16B.70 when administration is by a municipality other than the state.

Subp. 4. Fees for prefabricated buildings. Fees for prefabricated building plans submitted are those in accordance with part 1360.3600.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*

1302.0700 REVIEW COMMENTS AND APPROVALS.

The state building inspector or the inspector's agent shall review submittals and prepare written comments defining items not in compliance with the code. The written comments must be mailed to the submitting designer with copies to the municipal building official, when applicable, and the owner, and a copy must be kept on file by the state building inspector. The submitting designer shall respond to the review comments of the state building inspector within 14 days, describing the methods of correcting the errors or omissions in compliance with the comments of the state building inspector or the inspector's agent.

Authorization for construction must be granted when compliance with the requirements of the code is documented.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*

1302.0800 CODE ADMINISTRATION FOR CERTAIN BUILDINGS.

The state building inspector shall provide for the issuance of permits, inspections, and enforcement for certain buildings in the state where administration and enforcement of the code is required of the commissioner of administration. This process may include contracting with other municipalities, qualified individuals, or state agencies or using other legal process to provide the service.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*

1302.0900 CONTRACTING FOR SERVICES.

The state building inspector shall contract with a municipality for plan review, code administration, and code enforcement services for public buildings if (1) the building official of the municipality is a Class II certified building official and can provide all or part of the services, and (2) the state building inspector determines that the contracting municipality has adequately trained and qualified personnel to provide services for the construction project. No fees may be paid by the state to a municipality that contracts with the state building inspector to perform the services. The contracting municipality may charge its established plan review, permit, and inspection fees directly to the applicant.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*