

1300.0070 DEFINITIONS.

Subpart 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, 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.

Subp. 2. **Administrative authority.** "Administrative authority" means a municipality's governing body or its assigned administrative authority.

Subp. 3. [Repealed, 39 SR 91]

Subp. 4. **Agricultural building.** "Agricultural building" means a building that meets the requirements of Minnesota Statutes, section 326B.103, subdivision 3.

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.

Subp. 5. **Building official.** "Building official" means the municipal building code official certified under Minnesota Statutes, section 326B.133, subdivisions 2 and 3.

Subp. 6. **Building service equipment.** "Building service equipment" refers to the plumbing, mechanical, electrical, and elevator equipment, including piping, wiring, fixtures, and other accessories, that provides sanitation, lighting, heating, ventilation, cooling, refrigeration, firefighting, and transportation facilities essential to the occupancy of the building or structure for its designated use and occupancy.

Subp. 7. **City.** "City" means a home rule charter or statutory city.

Subp. 8. **Code.** For the purposes of chapter 1300, "code" means the Minnesota State Building Code adopted under Minnesota Statutes, section 326B.106, subdivision 1, and includes the chapters identified in part 1300.0020.

Subp. 9. **Commissioner.** "Commissioner" means the commissioner of labor and industry.

Subp. 10. **Designate.** "Designate" means the formal designation by a municipality's administrative authority of a certified building official accepting responsibility for code administration.

Subp. 10a. [Repealed, 39 SR 91]

Subp. 11. [Repealed, 39 SR 91]

Subp. 12. [Repealed, 39 SR 91]

Subp. 12a. **Historical building.** "Historical building" means any building or structure that is listed in the National Register of Historic Places, designated as a historic property under local or state designation law; certified as a contributing resource within a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Register of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places.

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; and

IRC-4 accessory structures:

A. garages;

B. storage sheds; and

C. similar structures.

Subp. 13. **Mandatory terms.** "Mandatory terms" include "must" and "shall," which have the same meaning.

Subp. 14. **Manufactured home.** "Manufactured home" has the meaning given in Minnesota Statutes, section 327.31, subdivision 3, and for the purpose of determining occupancy separations, is considered a Group IRC-1 occupancy.

Subp. 15. **Master plan.** "Master plan" is a plan that has been reviewed for code compliance by the building official and stamped "Reviewed for Code Compliance."

Subp. 16. **Mayor and city council.** "Mayor" and "city council" mean governing body whenever they appear in the code.

Subp. 17. **Municipality.** "Municipality" means a city, county, or town; the University of Minnesota; or the state of Minnesota for public buildings and state licensed facilities.

Subp. 18. [Repealed, 39 SR 91]

Subp. 19. **Performance-based design.** An engineering approach to design elements of a building based on agreed upon performance goals and objectives, engineering analysis, and quantitative assessment of alternatives against the design goals and objectives, using accepted engineering tools, methodologies, and performance criteria.

Subp. 20. **Recyclable materials.** "Recyclable materials" means materials that are separated from mixed municipal solid waste for the purpose of recycling, including paper, glass, plastic, metals, automobile oil, and batteries. Refuse-derived fuel or other material that is destroyed by incineration is not a recyclable material.

Subp. 21. **Recycling.** "Recycling" means the process of collecting and preparing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.

Subp. 22. [Repealed, 39 SR 91]

Subp. 23. [Repealed, 39 SR 91]

Subp. 24. **State building official.** "State building official" means the person who, under the direction and supervision of the commissioner, administers the code.

Subp. 25. **State licensed facilities.** "State licensed facilities" means, pursuant to 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.

Subp. 26. **State-owned buildings.** "State-owned buildings" means buildings and structures financed in whole or in part by state funds that are under the exclusive jurisdiction and custodial control of one or more state department or agency.

Statutory Authority: *MS s 16B.59; 16B.61; 16B.64; 326B.02; 326B.101; 326B.106; 326B.13*

History: *27 SR 1471; ; L 2005 c 56 s 2; L 2007 c 140 art 1 s 1; art 4 s 61; art 13 s 4; 32 SR 5; 39 SR 91*

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