

1311.0202 SECTION 202, GENERAL DEFINITIONS.

Subpart 1. **Section 202, General definitions; added.** The following definitions are added to IEBC section 202 as follows:

APPROVED. "Approved" means approval by the building official, pursuant to the Minnesota State Building Code, by reason of: inspection, investigation, or testing; accepted principles; computer simulations; research reports; or testing performed by either a licensed engineer or by a locally or nationally recognized testing laboratory.

CODE. For purposes of this chapter, "the code" or "this code" means Minnesota Rules, chapter 1311, Adoption of the International Existing Building Code.

Subp. 2. **Section 202, General definitions; amended.** The following definitions in IEBC section 202 are amended to read as follows:

CODE OFFICIAL. "Code official" and "building code official" have the same meaning as "building official" in part 1300.0070, subpart 5.

EXISTING BUILDING. "Existing building" means a building erected prior to the effective date of this code, or one for which a legal building permit has been issued.

HISTORIC BUILDING. "Historic building" has the meaning given in part 1300.0070, subpart 12a.

REPAIR. "Repair" means the reconstruction, individual component replacement, or renewal of any part of an existing building for the purpose of its maintenance or to correct damage.

SUBSTANTIAL DAMAGE. "Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. "Substantial improvement" means any repair, alteration, addition, or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the structure, before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either of the following:

1. any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the code official and that is the minimum necessary to ensure safe living conditions; or
2. any alteration of a historic building, provided that the alteration will not preclude the building's continued designation as a historic building.

TECHNICALLY INFEASIBLE, ACCESSIBILITY. "Technically infeasible, accessibility" means an alteration of a building that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a load-bearing member that is an essential part of the structural frame, or because other physical or site constraints prohibit modification or

addition of elements, spaces, or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.

TECHNICALLY INFEASIBLE, STAIR CONSTRUCTION. "Technically infeasible, stair construction" means an alteration of a building that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a load-bearing structural element that is an essential part of the structural frame, or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features which are in full and strict compliance with the minimum requirements for stair construction.

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

History: *27 SR 1479; L 2007 c 140 art 4 s 61; art 13 s 4; 39 SR 95; 44 SR 487*

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