

1 Department of Administration

2

3 Adopted Permanent Rules Relating to the Minnesota State Building

4 Code

5

6 Rules as Adopted

7 1300.2100 PURPOSE AND APPLICATION.

8 Subpart 1. **Purpose.** Parts 1300.2100 to 1300.3100 govern
9 responsibilities undertaken pursuant to Minnesota Statutes,
10 sections 16B.59 to 16B.73. They relate to the administration
11 and enforcement of the Minnesota State Building Code.

12 The purpose of the code is to provide minimum standards to
13 safeguard life and limb, health, property, and public welfare by
14 regulating and controlling the design, construction, quality of
15 materials, use and occupancy, location, and maintenance of all
16 structures within a jurisdiction that adopts and enforces the
17 code, and certain equipment specifically covered by the code.

18 The purpose of the code is not to create or otherwise
19 establish or designate any particular class or group of persons
20 who will or should be especially protected or benefited by the
21 terms of the code.

22 Subp. 2. **Application.** The code applies statewide and
23 supersedes the building code of any municipality. The code does
24 not apply to agriculture buildings except with respect to state
25 inspections required or rulemaking authorized.

26 1300.2300 SCOPE.

27 The code applies to the construction, alteration, moving,
28 demolition, repair, and use of any building or structure within
29 a municipality, except work located primarily in a public way,
30 public utility towers and poles, mechanical equipment not
31 specifically regulated in the code, and hydraulic flood control
32 structures.

33 If different sections of the code specify different
34 materials, methods of construction, or other requirements, the
35 most restrictive section governs. If there is a conflict

1 between a general requirement and a specific requirement, the
2 specific requirement applies.

3 If reference is made in the code to the appendix, the
4 provisions in the appendix do not apply unless a local authority
5 has specifically adopted them.

6 1300.2400 DEFINITIONS.

7 Subpart 1. **Scope.** The definitions in this part apply to
8 parts 1300.2100 to 1300.3100.

9 Subp. 2. **Administrative authority.** "Administrative
10 authority" means building official.

11 Subp. 3. **Agricultural building.** "Agricultural building"
12 means a building that meets the requirements of Minnesota
13 Statutes, section 16B.60, subdivision 5.

14 Subp. 4. **Building official.** "Building official" means the
15 municipal building code administrative authority certified under
16 Minnesota Statutes, section 16B.65, subdivisions 2 and 3.

17 Subp. 5. **City.** "City" means a home rule charter or
18 statutory city.

19 Subp. 6. **Code.** "Code" means the Minnesota State Building
20 Code adopted under Minnesota Statutes, section 16B.61,
21 subdivision 1, including chapters 1300, Code Administration;
22 1301, Certification; 1302, Public Building Approvals; 1305,
23 Adoption of the Uniform Building Code with certain amendments;
24 1310, Building Security; 1315, Adoption of the National
25 Electrical Code; 1320, Adoption of ANSI/ASME A17.1 Safety Codes
26 for Elevators and Escalators with certain amendments; 1330,
27 Fallout Shelters; 1335, Floodproofing Regulations; 1340,
28 Facilities for the Handicapped; 1346, Mechanical Systems; 1350,
29 Manufactured Homes; 1355, Plumbing; 1360, Prefabricated
30 Buildings; and 1365, Appendix on Snow Loads.

31 Subd. 7. **Commissioner.** "Commissioner" means the
32 commissioner of administration.

33 Subp. 8. **Mandatory terms.** Mandatory terms include "must"
34 and "shall," which have the same meaning.

35 Subp. 9. **Mayor and city council.** "Mayor" and "city

1 council" mean governing body whenever they appear in the code.

2 Subp. 10. **Municipality.** "Municipality" means a city,
3 county, or town meeting the requirements of Minnesota Statutes,
4 section 368.01, subdivision 1, the University of Minnesota, or
5 the state of Minnesota for public buildings.

6 Subp. 11. **State building inspector.** "State building
7 inspector" means the person who, under the direction and
8 supervision of the commissioner, administers the code.

9 Subp. 12. **State-owned buildings.** "State-owned buildings"
10 means buildings and structures financed in whole or in part by
11 state funds that are under the exclusive jurisdiction and
12 custodial control of one or more state departments or agencies.

13 Subp. 13. **Town.** "Town" means a town meeting the
14 requirements of Minnesota Statutes, section 368.01.

15 Subp. 14. **UBC.** "UBC" means the Uniform Building Code, as
16 promulgated by the International Conference of Building
17 Officials, Whittier, California, 1988 edition.

18 1300.2500 CODE ADOPTION AND AMENDMENTS.

19 Under Minnesota Statutes, section 16B.61, the code is
20 adopted and periodically updated to include current editions of
21 national model codes in general use and existing statewide
22 specialty codes and their amendments.

23 Under Minnesota Statutes, section 16B.64, ~~subdivision~~
24 subdivisions 5 and 6, amendments to the code may be proposed and
25 initiated by any interested person. Proposed amendments must be
26 submitted in writing on a form provided by the commissioner.

27 1300.2600 APPLICATION FOR APPEAL.

28 Subpart 1. **Form of request.** Under Minnesota Statutes,
29 section 16B.67, a person aggrieved by the final determination of
30 a municipality as to the application of the code may, within 180
31 working days of that determination, appeal to the commissioner.
32 The appeal must be accompanied by a cashier's check, certified
33 check, money order, or equivalent, payable in the amount of \$70
34 to the "Commissioner of Administration."

35 Subp. 2. **Contents of request.** The appeal must contain the

1 following:

2 A. the name and address of the applicant appealing
3 the decision;

4 B. the attorney representing the applicant, if any;

5 C. municipality information, including the name of
6 the municipality, the building official, and the local appeal
7 board chair;

8 D. a description of the property, including the
9 address of property involved;

10 E. a description of the structure, including
11 occupancy, size, and construction type;

12 F. a copy of the municipality's written decision;

13 G. the specific nature of the appeal, including but
14 not limited to code sections that are applicable to the specific
15 question, code sections that may indirectly apply, and a listing
16 of issues involved; and

17 H. any other relevant information requested in
18 writing by the commissioner.

19 Subp. 3. **Hearing.** The commissioner shall arrange for the
20 Office of Administrative Hearings to conduct a hearing on an
21 appeal under Minnesota Statutes, sections 14.57 to 14.69. The
22 party not prevailing shall pay the costs of the contested case
23 hearing, including fees charged by the Office of Administrative
24 Hearings and the expenses of transcript preparation. Costs
25 under this subpart do not include attorney fees.

26 Subp. 4. **Copies of determinations.** Copies of final
27 determinations of the commissioner must be sent to the appellant
28 and the municipality involved or the attorney representing the
29 appellant or municipality.

30 **1300.2700 STATE SURCHARGE FEES.**

31 All municipal permits issued for work under the code are
32 subject to a surcharge fee. The fees are established by
33 Minnesota Statutes, section 16B.70. Reports and remittances by
34 municipalities must be filed with the commissioner, directed to
35 the attention of the state building inspector.

1 Surcharge fees imposed by the state are in addition to
2 municipal permit fees. Surcharge report forms and information
3 may be obtained by writing the commissioner, to the attention of
4 the state building inspector.

5 1300.2800 MINNESOTA STATE BUILDING CODE INFORMATION AND
6 ASSISTANCE.

7 Building code information or assistance may be obtained by
8 contacting the state building inspector in writing or by
9 telephone.

10 1300.2900 REQUIRED AND OPTIONAL ADMINISTRATION.

11 Subpart 1. **Administration required.** The following
12 chapters of the code must be administered by a municipality:

13 A. chapter 1315, electrical code, except when
14 administered by the Board of Electricity;

15 B. chapter 1320, elevators and related machines,
16 except when administered by the Department of Labor and
17 Industry;

18 C. chapter 1330, technical requirements for fallout
19 shelters;

20 D. chapter 1340, facilities for the handicapped;

21 E. chapter 1346, Minnesota Uniform Mechanical Code;

22 F. chapter 1350, manufactured homes;

23 G. chapter 1355, plumbing code;

24 H. chapter 1360, prefabricated structures; and

25 I. chapter 1365, variation on snow loads.

26 Subp. 2. **Administration optional.** The following chapters
27 of the code are not mandatory but may be adopted without change
28 by a municipality:

29 A. chapter 1310, building security; and

30 B. chapter 1335, floodproofing regulations, parts
31 1335.0300 to 1335.3100, sections 200.2 to 1405.3.

32 1300.3000 DISCLAIMER CLAUSE.

33 The inclusion of specific requirements relative to the
34 manner of installation of any plant or equipment in one or more

1 parts of the code does not limit this procedure to any
2 particular type of installer or provide a basis upon which
3 determination of the right to perform a procedure shall be
4 made. The authority for this determination is in the various
5 licensing statutes or ordinances for each type of installer who
6 performs the work.

7 1300.3100 SEVERABILITY.

8 If any provision of the Minnesota State Building Code is
9 held invalid, the invalidity does not affect any other
10 provisions of the code that can be given effect without the
11 invalid provision, and to this end, the provisions of the code
12 are declared to be severable.

13 BUILDING OFFICIAL CERTIFICATION

14 1301.0100 PURPOSE.

15 The purpose of parts 1301.0100 to 1301.0600 is to establish
16 procedures for certification of building officials and
17 prerequisites for persons applying to be certified.

18 1301.0200 FORMS OF CERTIFICATION.

19 Subpart 1. **Grandfathered certification.** A grandfathered
20 certification is identified with the letter "M" on the
21 certification card. This classification is granted to a person
22 who was serving a community as a building inspector on May 27,
23 1971, and continued to serve in that position through July 1,
24 1972. A person with this certification may only serve the
25 community the person was serving on July 1, 1972. This
26 certification requires continuing education the same as a Class
27 II certified individual under subpart 4.

28 Subp. 2. **State certification.** A state certification is
29 identified with the letter "S" on the certification card. This
30 certification is granted to a person who acquired certification
31 by a written test and an oral evaluation. A person with this
32 certification may serve as a building official for any
33 municipality. This certification requires continuing education
34 the same as a Class II certified individual under subpart 4.

1 Subp. 3. **Class I certification.** A Class I certification
 2 is identified as "Class I" on the certification card. This
 3 classification is granted to a person who met a prerequisite and
 4 passed a written examination. This classification places a
 5 restriction to only allow the person to administer the code for
 6 one- and two-family dwellings and their accessory structures.
 7 Effective July 1, 1990, this class will no longer be issued. A
 8 person with this classification may continue to hold this
 9 classification by submitting evidence of fulfilling the
 10 appropriate continuing education programs established by parts
 11 1301.0700 to 1301.1200. A person with this classification may
 12 apply for a Class II certification if the person meets the
 13 qualifications and passes the test in part 1301.0300.

14 Subp. 4. **Class II certification.** A Class II certification
 15 is identified as "Class II" on the certification card. This
 16 certification is granted to a person who met a prerequisite and
 17 passed a written examination. A person certified as Class II
 18 may perform code administration for all buildings and structures
 19 within the scope of the code for any municipality.

20 1301.0300 CERTIFICATION PREREQUISITES.

21 After June 30, 1990, a person desiring certification as a
 22 building official shall comply with one of the prerequisites in
 23 items A to E and pass a written examination on the appropriate
 24 laws and administration requirements for the state. The person
 25 must:

26 A. possess a certificate as a certified building
 27 official issued following successful passage of a written
 28 examination given by the Council of American Building Officials;

29 B. be certified as a certified building inspector and
 30 a certified plans examiner by the International Conference of
 31 Building Officials;

32 C. have a certificate issued by a nationally
 33 recognized testing agency in subject matter that would compare
 34 to item A or B;

35 D. have a certificate offered through a community

1 college system in the discipline of building inspection
2 technology and a minimum of two years of experience with a
3 building inspection department of a municipality; or

4 E. have an Associate in Applied Science degree in
5 building inspection technology offered through the community
6 college system.

7 1301.0400 APPLICATION FOR CERTIFICATION.

8 A person seeking certification as a building official shall
9 submit a completed application to the state building inspector
10 on an application form provided by the commissioner, along with
11 a \$70 fee payable to the state. The state building inspector
12 shall review applications for compliance with prerequisites in
13 part 1301.0300. The state building inspector shall forward the
14 application to the Department of Employee Relations for
15 examination if the prerequisites are satisfied.

16 1301.0500 EXAMINATION.

17 A. An examination must be given by the Department of
18 Employee Relations under the rules of that department,
19 consistent with Minnesota Statutes, section 16B.65, subdivision
20 3.

21 B. If the applicant fails the examination or fails to
22 appear, the applicant shall be permitted to retake the
23 examination or be scheduled for a second administration of the
24 examination at least 30 calendar days after notification of the
25 test results.

26 C. If the applicant fails the examination a second
27 time or fails to appear for a second scheduled administration,
28 the applicant shall wait six months and then may resubmit an
29 application under part 1301.0400.

30 1301.0600 EDUCATION AND TRAINING.

31 Within limitations of personnel and funds, the state
32 building inspector shall provide training programs for municipal
33 building officials, legislative bodies, administrative staff
34 persons, design professionals, the construction industry, and

1 the general public.

2 Information concerning available training programs may be
3 obtained from the state building inspector by written or
4 telephone inquiry.

5 CONTINUING EDUCATION

6 1301.0700 AUTHORITY; PURPOSE.

7 Parts 1301.0700 to 1301.1200 establish the guidelines for
8 building official certification maintenance under Minnesota
9 Statutes, section 16B.65, subdivision 7.

10 1301.0800 DEFINITIONS.

11 Subpart 1. **Scope.** The definitions in this part apply to
12 parts 1301.0700 to 1301.1200.

13 Subp. 2. **Commissioner.** "Commissioner" means the
14 commissioner of administration.

15 Subp. 3. **Continuing education unit.** "Continuing education
16 unit" means ten hours of educational instruction.

17 Subp. 4. **State building inspector.** "State building
18 inspector" means the director of the Building Codes and
19 Standards Division of the Department of Administration.

20 Subp. 5. **Unit of instruction.** "Unit of instruction" means
21 three hours of structured educational participation in a program
22 listed in part 1301.1000.

23 1301.0900 UNITS OF INSTRUCTION REQUIRED.

24 This part establishes the number of units of instruction
25 required within a three-year period to maintain certification.

26 A. A Class I certified building official must receive
27 credit for 18 units of instruction through any of the programs
28 described in part 1301.1000, subpart 1 or 2.

29 B. A Class II certified building official must
30 receive credit for 24 units of instruction through any of the
31 programs described in part 1301.1000, subpart 1 or 2.

32 1301.1000 CREDIT FOR INSTRUCTION.

33 Subpart 1. **Approved programs.** The following programs are
34 approved for the indicated number of units of instruction:

- 1 A. annual Building Official Institute of Minnesota,
2 two units per day of attendance;
- 3 B. Minnesota State Building Codes and Standards
4 Division seminars, 2.5 units per day of attendance;
- 5 C. International Conference of Building Officials
6 seminars, three units per continuing education unit earned;
- 7 D. International Conference of Building Officials
8 annual education and code development conference, two units per
9 day of attendance;
- 10 E. State International Conference of Building
11 Officials chapter meetings, one unit per meeting with a minimum
12 three-hour educational program;
- 13 F. regional building official meetings, one unit per
14 meeting with a minimum three-hour educational program;
- 15 G. area building official luncheon meetings, 0.25
16 unit per meeting;
- 17 H. community college building inspection technology
18 and related courses, three units per credit earned;
- 19 I. area vocational technical training institute
20 courses in construction, management, or supervision, one unit
21 per three hours of instruction or related shop work;
- 22 J. certification in an International Conference of
23 Building Officials certification program taken after January 1,
24 1985, four units per certificate;
- 25 K. certification as a certified building official by
26 the Council of American Building Officials after January 1,
27 1985, six units; and
- 28 L. teaching a course at the community college level
29 in the building inspection technology program or a course at an
30 area vocational technical institute, one unit per three hours of
31 instruction.
- 32 Subp. 2. Other courses. Courses offered by other states,
33 correspondence schools, universities, or other institutes of
34 learning that offer building code administration and
35 enforcement-related courses must be considered on an individual
36 basis. Each building official must prearrange for unit approval

1 with the state building inspector to receive credit. Units must
2 be approved on the basis of comparison with the items in subpart
3 1.

4 Subp. 3. **Mandatory courses.** The state building inspector
5 shall require that specific courses be taken, if necessary, to
6 insure continuing education in relevant code application,
7 administration, or enforcement practices. The requirements may
8 include training courses when new codes or legislative mandates
9 are adopted.

10 Subp. 4. **Credit for repeat of courses.** Credit for an
11 educational offering will be allowed only once during a
12 three-year cycle.

13 Subp. 5. **Review of courses.** All continuing education
14 courses are subject to periodic review and evaluation by the
15 commissioner or the commissioner's agent.

16 1301.1100 REQUIREMENTS FOR RECERTIFICATION.

17 Subpart 1. **Submission of information.** Each certified
18 building official must provide evidence to the state building
19 inspector on forms approved by the state building inspector and
20 provided by the Building Codes and Standards Division of
21 attendance or participation in an educational offering and
22 indicate the number of units of instruction earned. The
23 information must be submitted to the state building inspector 60
24 days before the last day of the third calendar year following
25 the date of the last certification issued. For example, for a
26 person certified before January 1, 1985, the last day of the
27 third calendar year is December 31, 1987.

28 Subp. 2. **Certificate of renewal.** The commissioner shall
29 issue a certificate of renewal, valid for three years, to each
30 applicant who has provided the evidence of units of instruction
31 earned within the time indicated in subpart 1 and has submitted
32 the \$20 renewal fee.

33 Subp. 3. **Extension of time for compliance.** The state
34 building inspector may grant an extension of time for compliance
35 with parts 1301.0700 to 1301.1200 if the person requesting the

1 extension of time shows cause for the extension. The extension
2 does not relieve the building official from complying with the
3 continuing education requirements for the immediate subsequent
4 three-year period.

5 Subp. 4. Reinstatement of certificate. A building
6 official who has let certification lapse must be reinstated
7 based on proof of earning continuing educational units, as
8 required, if no more than three years has passed since the
9 certification has lapsed or since taking the test provided for
10 certification as a building official. In either case, the
11 appropriate fee must be submitted with the application.

12 1301.1200 REMOVAL FROM OFFICE AND REVOCATION OF CERTIFICATION.

13 Under Minnesota Statutes, section 16B.65, subdivision 5,
14 upon notice and hearing, a building official may be removed from
15 office and have his or her certification revoked if competent
16 evidence is submitted to the commissioner indicating that a
17 building official has consistently failed to act in the public
18 interest in performance of duties. A hearing must be held
19 pursuant to the provisions of Minnesota Statutes, chapter 14,
20 governing contested case proceedings.

21 1302.0100 TITLE.

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

24 1302.0200 PURPOSE.

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

32 1302.0300 SCOPE.

33 This chapter provides code administrative direction to
34 state and local government officials, school boards and

1 administrators, architects, engineers, contractors, and
 2 inspectors, and for the state building inspector to provide for
 3 total code administration for certain buildings for compliance
 4 with the code.

5 1302.0400 DEFINITIONS.

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

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

12 Subp. 3. **Code.** "Code" has the meaning given in part
 13 1300.2400, subpart 6.

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

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

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

21 1302.0500 PLAN REVIEW FUNCTION.

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

23 A. review building plans and specifications with
 24 related documents;

25 B. provide for inspection of any public building and
 26 its grounds;

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

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

32 Subp. 2. **Materials to be submitted.** Plans and
 33 specifications for new construction, additions, and remodeling
 34 must be submitted for public buildings and grounds and buildings
 35 for which plans and specifications are required to be submitted

1 to a state agency.

2 Subp. 3. Quantity of materials required to be submitted.

3 A person who must submit plans and specifications under this
4 part shall submit:

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

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

12 C. the appropriate fee established by part 1302.0600.

13 1302.0600 FEES.

14 Subpart 1. General. Fees for building permits and the
15 review of plans and specifications submitted under part
16 1302.0500, subpart 2, must be paid as set forth in the following
17 fee schedule or as adopted by a municipality.

18 A. The total valuation and fee schedule is:

19 (1) \$1 to \$500, \$15;

20 (2) \$501 to \$2,000, \$15 for the first \$500 plus
21 \$2 for each additional \$100 or fraction thereof, to and
22 including \$2,000;

23 (3) \$2,001 to \$25,000, \$45 for the first \$2,000
24 plus \$9 for each additional \$1,000 or fraction thereof, to and
25 including \$25,000;

26 ~~(3)~~ (4) \$25,001 to \$50,000, \$252 for the first
27 \$25,000 plus \$6.50 for each additional \$1,000 or fraction
28 thereof, to and including \$50,000;

29 ~~(4)~~ (5) \$50,001 to \$100,000, \$414.50 for the
30 first \$50,000 plus \$4.50 for each additional \$1,000 or fraction
31 thereof, to and including \$100,000;

32 ~~(5)~~ (6) \$100,001 to \$500,000, \$639.50 for the
33 first \$100,000 plus \$3.50 for each additional \$1,000 or fraction
34 thereof;

35 ~~(6)~~ (7) \$500,001 to \$1,000,000, \$2,039.50 for the

1 first \$500,000 plus \$3 for each additional \$1,000 or fraction
2 thereof, to and including \$1,000,000; and
3 ~~(7)~~ (8) \$1,000,001 and up, \$3,539.50 for the
4 first \$1,000,000 plus \$2 for each additional \$1,000 or fraction
5 thereof.

6 B. Other inspections and fees are:

- 7 (1) inspections outside of normal business hours
8 (minimum charge two hours), \$45 per hour¹;
9 (2) reinspection fees², \$45 per hour¹;
10 (3) inspections for which no fee is specifically
11 indicated (minimum charge one-half hour), \$45 per hour¹; and
12 (4) additional plan review required by changes,
13 additions, or revisions to approved plans (minimum charge
14 one-half hour), \$45 per hour¹.

15 C. Footnotes to item B:

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

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

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

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

35 To obtain a reinspection, the applicant shall file an
36 application in writing upon a form furnished for that purpose

1 and pay the reinspection fee in accordance with Table No. 3-A or
2 as set forth in the fee schedule adopted by the jurisdiction.

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

6 Subp. 2. **Plan review fee.** The plan review fee is based on
7 65 percent of the permit fee determined from the fee schedule.
8 The plan review fee is a separate fee and is in addition to the
9 permit fee. If plans are incomplete or changed so as to require
10 additional plan review, an additional plan review fee must be
11 charged according to the fee schedule.

12 Subp. 3. **Surcharges.** Surcharge fees are required for
13 public buildings as required by Minnesota Statutes, section
14 16B.70 when administration is by a municipality other than the
15 state.

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

19 1302.0700 REVIEW COMMENTS AND APPROVALS.

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

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

33 1302.0800 CODE ADMINISTRATION FOR CERTAIN BUILDINGS.

34 The state building inspector shall provide for the issuance
35 of permits, inspections, and enforcement for certain buildings

1 in the state where administration and enforcement of the code is
2 required of the commissioner of administration. This process
3 may include contracting with other municipalities, qualified
4 individuals, or state agencies or using other legal process to
5 provide the service.

6 1302.0900 CONTRACTING FOR SERVICES.

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

19 1305.0100 ADOPTION OF THE UNIFORM BUILDING CODE BY REFERENCE.

20 Chapters 1 to 60 and appendixes of the 1988 edition of the
21 Uniform Building Code as promulgated by the International
22 Conference of Building Officials, Whittier, California, are
23 incorporated by reference and made part of the Minnesota State
24 Building Code except as qualified by parts 1300.2900 and
25 1305.0150 and except as amended in parts 1305.0200 to 1305.7100.
26 The Uniform Building Code is not subject to frequent change and
27 a copy of the Uniform Building Code, with amendments for use in
28 Minnesota, is available in the office of the commissioner of
29 administration.

30 1305.0150 REQUIRED AND OPTIONAL PROVISIONS.

31 [For text of subpart 1, see M.R. 1989]

32 Subp. 2. Optional provisions. The following provisions of
33 the Uniform Building Code are not mandatory but must be adopted
34 without change at the discretion of any municipality, except UBC

1 Appendix Chapter 70 may be adopted with a revised fee schedule
2 and bonding requirements.

3 A. UBC Appendix Chapters 1, 12, Division 1, 26, 38,
4 55, and 70.

5 B. Special Fire Suppression Systems, Optional, UBC
6 Section 3808.

7 1305.0800 SECTION 304.

8 UBC Section 304(b), is amended to read as follows:

9 Section 304.

10 (b) All permit fees must be established by the local
11 authority except in areas outside of the enforcement authority
12 of a city, the fee charged for the issuance of permits and
13 inspections for single family dwellings may not exceed the
14 greater of \$100 or .005 times the value of the structure,
15 addition, or alteration. (Minnesota Statutes, section 16B.62.)

16 The determination of value or valuation under any of the
17 provisions of this code must be made by the building official.
18 The value to be used in computing the building permit and
19 building plan review fees is the total value of all construction
20 work for which the permit is issued as well as all finish work,
21 painting, roofing, electrical, plumbing, heating, air
22 conditioning, elevators, fire extinguishing systems, and any
23 other permanent equipment.

24 1305.1000 SECTION 307.

25 UBC Section 307(a) is amended to read as follows:

26 Certificate of Occupancy

27 Section 307(a) Use or Occupancy. No building or structure
28 may be used or occupied, and no change in the existing occupancy
29 classification of a building or structure or portion of a
30 building or structure may be made until the building official
31 has issued a certificate of occupancy for it as provided in this
32 section.

33 Exception: A municipality may require certificates of
34 occupancy for Group R, Division 3, and Group M occupancies.

35 Issuance of a certificate of occupancy must not be

1 construed as approval of a violation of the provisions of this
2 code or other ordinances of the jurisdiction. Certificates
3 presuming to give authority to violate or cancel provisions of
4 this code or of other ordinances of the jurisdiction are not
5 valid.

6 1305.1100 SECTION 405.

7 UBC Section 405, Definition of Dwelling, is amended to read
8 as follows:

9 "Dwelling" is any building or any portion of a building
10 which contains not more than two "dwelling units," including
11 Class A-1 supervised living facilities as defined in section 420.

12 1305.1370 SECTION 419.

13 UBC Section 419 is amended by adding the following
14 definitions:

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

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

25 1305.1590 SECTION 509.

26 UBC Section 509(e) is amended to read as follows:

27 (e) Maximum Length. The length of a pedestrian walkway
28 must not exceed 300 feet.

29 Exceptions: 1. Pedestrian walkways that are fully
30 sprinklered may be 400 feet in length.

31 2. Unenclosed walkways at grade.

32 The length of a pedestrian walkway is the distance between
33 connected buildings measured within the pedestrian walkway.

34 UBC Section 509 is amended by adding (i) as follows:

1 (i) Smoke Venting. Enclosed pedestrian walkways must be
2 provided with means for venting smoke and hot gases to the outer
3 air.

4 1305.1775 SECTION 515.

5 UBC Chapter 5 is amended by adding a new section to read as
6 follows:

7 Section 515. Recycling Space. Space must be provided for
8 the collection, separation, and temporary storage of recyclable
9 materials within or adjacent to a new or significantly remodeled
10 structure that contains 1,000 square feet or more.

11 Exception: Residential structures with less than 12
12 dwelling units are exempt from this requirement.

- 1 1305.1795 Table 5-E. REQUIRED SANITATION FIXTURES BASED ON
- 2 OCCUPANT LOAD (1) (2) (6); TABLE 5-E.
- 3 UBC chapter 5 is amended by adding the following Table No.
- 4 5-E.

REQUIRED SANITATION FIXTURES BASED ON
OCCUPANT LOAD (1) (2) (6)

OCCUPANCY	USE	S.F. per Occ.	WATER CLOSETS	UBINALS	LAVATORIES	DRINKING FOUNTAINS	BATHROOMS OR SHOWERS	KITCHEN SINKS	SERVICE SINKS	
Group A Occupancies	Auditoriums	30	<u>Churches</u> 1 for each 300 men 1 for each 300 women <u>Other</u> Occupancies Fixtures 1-100 1 101-200 2 201-400 3 Over 400 1 add'l for each 500	(3)	<u>Churches</u> <u>Other</u> Occupancies Fixtures 1-200 1 201-400 2 401-750 3 Over 750 1 add'l for each 500	1 for each 300	-	-	-	
	Bowling Alleys	30								
	Churches	60								
	Concessions Rooms	90								
	Dance Floors	30								
	Dining, Dressing	30								
	Exhibit Rooms	90								
	Gymnasiums	30								
	Lobbies	100								
	Lodge Rooms	90								
Lozenges	90									
Rinks	30									
Stadiums, Grounds	90									
Theaters	30									
Waiting Rooms	90									
Group B Occupancies	Elementary	85	Boys 1/ea 100 Girls 1/ea 30	1/ea 30	1 for each 100	1 for each 15	-	-	1 per floor	
	Secondary	130	1/ea 100 1/ea 25		1 for each 100					
Group I Occupancies	Private, Jails	100	1-48 cells 1/ea elevator room	-	1 in each cell 1 ea elevator room	1 for each 100	1 in each cell black floor	-	1 per floor	
			Hospitals, Nursing Homes		100					1/ea 8 patients 1/ea waiting room Other 1/ea 25 men 1/ea 20 women
	Group M Occupancies Group B Occupancies Group B-4 Occupancies	Aircraft Hangars Factories Municipal Buildings Office Buildings Sales Service Stations Storage Garages Warehouses	500 200 90 200 200 200 500 500	Fact. Write Occ Fixt	Fact. Write Occ Fixt	Fact. Write Occ Fixt	Factories Warehouses Sales, Offices	-	-	1 per floor
1-10				1	(3)	for each 1-100 1-100				
11-25				2		1-100 1-100(4)				
26-50				3		Over 100 1-150(5)				
51-75				4						
76-100				5		Sales Offices Occ Fixt				
Over 100				1 add'l for 30						
Sales, Office, etc Occ Fixt				Sales Office (3)	1-15 1 16-35 2 36-60 3 61-90 4 91-125 5 Over 125 1 to 45					
1-15				1						
16-35				2						
36-60	3									
61-90	4									
91-125	5									
Over 125	1 to 45									
81-110	5									
111-150	6									
Over 150	1 add'l for each 50									
Group R-1 Occupancies	Dwelling Units, Apt	-	1	-	1	-	1	1	1 laundry tray for each 10 dwelling units or guest rooms	
	Motel Hotel Units	-	1 for each 10	-	1 for each 10	-	1 for each 10	-		
	Rooming Houses	200	1 for each 10	-	1 for each 10	-	1 for each 10	-		
Group R-1 and R-4 Occupancies	1 and 2 Family	-	1	-	1	-	1	-		
			1 for each 10	-	1 for each 10	-	1 for each 10	-		
Group M Occupancies	-	-	-	-	-	-	-	-	-	
TEMPORARY FACILITIES			1 for ea 30	1 for each 30		1 for each 100				

Footnotes
 (1) Occupant load is computed using the equation $\frac{A}{S.F. \text{ per Occ.}} = \text{Occupant Load}$
 (2) Square feet per occupant is only for computing the occupant load in determining the plumbing fixtures required
 (3) Urinals may be furnished in place of water closets at the rate of one urinal for one water closet, but not to exceed one-third of the required water closets
 (4) 1 fixture for each 10 occupants
 (5) 1 fixture for each 15 occupants
 (6) For warehouses, and lavatories, these numbers are minimum & equal number for each sex is required
 *A—Area of building occupancy classification served
 S.F.—sq Occ.—from Column 1 of this table

1 1305.2050 SECTION 801.

2 UBC Section 801, Division 3, is amended to read as follows:

3 Division 3. Any building used for day-care purposes for
4 more than ten children.

5 1305.2600 SECTION 1002.

6 UBC Section 1002(b) is amended to read as follows:

7 Section 1002(b) Special Provisions. Division 3 occupancies
8 must be housed in buildings of Type I or Type II-F.R.
9 construction.

10 Exception: One-story buildings of Type II one-hour
11 construction may be permitted if the floor area does not exceed
12 3,900 square feet between separation walls of two-hour
13 fire-resistive construction with openings protected by fire
14 assemblies having one and one-half hour fire-protection rating.

15 Every story of a Group I occupancy accommodating more than
16 five persons, unless provided with a horizontal exit, must be
17 divided into not less than two compartments accommodating
18 approximately the same number of persons in each compartment by
19 a smoke-stop partition meeting the requirements of one-hour
20 occupancy separation so as to provide an area of refuge within
21 the building. Corridor openings in the smoke-stop partition
22 must be protected with doors as required in section 3305(h).
23 Other openings are limited to ducts which have fire dampers in
24 the plane of the wall activated by detectors of products of
25 combustion other than heat conforming to section 4306(b) 2. A
26 ventilation system capable of smoke evacuation must be provided
27 for each area of refuge. When approved by the building
28 official, openings to the exterior of the building may be used
29 in lieu of a mechanical system.

30 Rooms occupied by inmates or patients whose personal
31 liberties are restrained must have noncombustible floor surfaces.

32 1305.3860 SECTION 1215.

33 UBC chapter 12 is amended by adding a new section to read
34 as follows:

1 Section 1215. For Group R~~7-Division-1~~ occupancies, sound
2 transmission control must be provided to meet the standards
3 defined in UBC Appendix Chapter 35.

4 1305.3900 NEW SECTION 1216.

5 UBC chapter 12 is amended by adding a new section to read
6 as follows:

7 Section 1216. Deadbolt Locks Required. All doors leading
8 to public or shared areas from all apartment dwelling units and
9 hotel units must be provided with deadbolt locks, at least one
10 of which must be capable of being locked with a key from the
11 exterior of each unit. For the purpose of this section a
12 "deadbolt lock" is a locking bolt, which, when in the locked
13 position, can only be moved positively by turning a knob, key,
14 or sliding bolt, and which must be independent of other latching
15 devices.

16 A deadbolt lock having a bolt moved by turning a key must
17 be of the five-pin tumbler type or an approved equivalent. The
18 lock throw may not be less than three-quarters of an inch.
19 Locks must meet the requirements of section 3304(c).

20 Exception: Hotel unit doors may be provided with locks
21 having separate deadbolts and deadlocking latchbolts which are
22 interconnected for antipanic operation, and must be provided
23 with emergency and display keying to outlaw all keys except
24 emergency and display keys when the deadbolt is projected by the
25 turn piece from the room side.

26 1305.4100 SECTION 1711.

27 UBC Section 1711 is amended to read as follows:

28 Section 1711. All unenclosed floor and roof openings, open
29 and glazed sides of landings and ramps, balconies, decks, or
30 porches which are more than 30 inches above grade or floor
31 below, and roofs used for other than service of the building
32 must be protected by a guardrail.

33 Exception: Guardrails need not be provided at the
34 following locations:

- 35 1. on the loading side of loading docks;

1 2. on the auditorium side of a stage or enclosed platform.
2 The top of guardrails must not be less than 42 inches in
3 height.

4 Exceptions: 1. The top of guardrails for Group R,
5 Division 3, and Group M, Division 1 Occupancies and interior
6 guardrails within individual dwelling units and guest rooms of
7 Group R, Division 1 Occupancies may be 36 inches in height.

8 2. The top of guardrails on a balcony immediately in front
9 of the first row of fixed seats and which are not at the end of
10 an aisle may be 26 inches in height.

11 3. The top of guardrails for stairways, exclusive of their
12 landings, may have a height as specified in Section 3306(j) for
13 handrails.

14 Open guardrails must have intermediate rails or an
15 ornamental pattern so that a sphere six inches in diameter
16 cannot pass through.

17 Exception: The open space between the intermediate rails
18 or ornamental pattern of guardrails in areas of commercial and
19 industrial-type occupancies which are not accessible to the
20 public may be such that a sphere 12 inches in diameter cannot
21 pass through.

22 On all earth-sheltered structures a means must be provided
23 to restrict access to the roof area unless guardrails are
24 provided and the roof is designed for vehicular loads.

25 1305.4850 SECTION 2311.

26 UBC Section 2311(i) is deleted in its entirety.

27 1305.5340 SECTION 2607.

28 UBC Section 2607(h), item 5 is amended to read as follows:

29 5. In corrosive environments or other severe exposure
30 conditions, amount of concrete protection must be suitably
31 increased, and denseness and nonporosity of protecting concrete
32 must be considered, or other protection must be provided. In
33 corrosive environments of parking garages and parking ramps,
34 industrial buildings, or similar environments, a minimum
35 concrete cover of reinforcement steel must be one and one-half

1 inches for top surfaces and one inch for bottom surfaces. All
2 bonded reinforcement steel located in the slab must be epoxy
3 coated in conformance with UBC Standard No. 26-4 Part III.

4 1305.5360 SECTION 2618.

5 UBC Section 2618(o) is amended to read as follows:

6 (o) Corrosion Protection for Unbonded Prestressing Tendons.

7 [18.14]

8 1. Unbonded tendons must be completely coated with
9 suitable material to ensure corrosion protection.

10 2. Tendon wrapping must be continuous over the entire
11 length to be unbonded, and must prevent intrusion of cement
12 paste or loss of coating materials during concrete placement.

13 3. Sheathing thickness for tendons used in corrosive
14 environments must be not less than 0.040 inch consisting of
15 medium or high density polyethylene or polypropylene materials.
16 The sheathing must be continuous around the circumference of the
17 strand with no open seams. The sheathing must be connected to
18 all stressing, intermediate, and nonstressing anchorages with a
19 watertight seal to provide complete encapsulation of the
20 prestressing steel. The encapsulating device must overlap the
21 sheathing a minimum of one inch. The interface of the
22 encapsulating device and the sheathing must be protected with
23 polyethylene or polypropylene tape with nonwater-soluble
24 adhesives. Tape alone must not be used as a substitute for the
25 sheath, nor may taped joints occur within three inches of the
26 bearing surface of the anchorages or within three inches of a
27 construction joint.

28 4. Damage to the tendon sheathing exposing the strand must
29 be repaired with tape. A minimum of double coverage of
30 non-water-soluble adhesive tape is required for the repair.
31 Tears in excess of three inches must be repaired with a piece of
32 split sheathing over the tear and then taped to the strand
33 sheathing. The repair must be approved by the engineer of
34 record or by a special inspector.

35 5. Corrosive-preventive coating material for use in

1 corrosive and noncorrosive environments must have the following
2 properties:

3 A. provide corrosion protection to the prestressing steel;

4 B. provide lubrication between the strand and
5 encapsulating sheathing;

6 C. resist flow of the sheathing within the anticipated
7 temperature range of exposure;

8 D. provide a continuous nonbrittle film at the lowest
9 anticipated temperature of exposure; and

10 E. be chemically stable and nonreactive with the
11 prestressing steel, the sheathing material, and the concrete.

12 6. The film must be an organic coating with appropriate
13 polar, moisture displacing, and corrosion-preventive additives.

14 7. The weight of coating material on the prestressing
15 strand must be not less than 2.5 pounds of coating material per
16 100 feet of 0.5 inch diameter strand, and three pounds of
17 coating material per 100 feet of 0.6 inch diameter strand. The
18 amount of coating material used must be sufficient to ensure
19 essentially complete filling of the annular space between the
20 strand and the sheathing. The coating must extend over the
21 entire tendon length.

22 8. Test results of the corrosion preventive coating
23 material tested in accordance with Table 26-A-8 must be provided
24 to the engineer of record and to the special inspector.

25 1305.5380 SECTION 2618.

26 UBC Section 2618(t) is amended by adding item 5 to read as
27 follows:

28 5. Anchorages must include design features that will
29 permit a watertight connection between the sheathing and the
30 anchorage. The design must also include the application of a
31 watertight closing of the wedge cavity for the stressing and
32 nonstressing anchorages. Intermediate stressing anchorages must
33 be designed to provide watertight encapsulation of the
34 prestressing steel. "Watertight," as used in this item, means
35 the ability of the anchorages and the encapsulation devices, up

1 to the attachment of the sheathing, to hold 1.25 psi water
 2 pressure for a period of 24 hours. The concrete cover of
 3 anchorages from slab surfaces must be one and one-half inches
 4 for the top or edge and one inch for the bottom surface.

5 1305.5385 TABLE 26-A-8.

6 UBC Chapter 26 is amended by adding a new Table 26-A-8 to
 7 read as follows:

8 TABLE 26-A-8

9 PERFORMANCE SPECIFICATION FOR CORROSION PREVENTIVE COATING

10 TEST	TEST METHOD	ACCEPTANCE CRITERIA
11 1. Dropping point	ASTM D-566 or	Minimum 300 (148.9)
12 °F(°C)	ASTM D-2265	
13 2. Oil separation	FIMS 791B	Maximum 0.5
14 at 160°F(71.1°C)	Method 321.2	
15 3. Water, percent maximum	ASTM D-95	0.1
16 4. Flash point, °F(°C)	ASTM D-92	Minimum 300 (148.9)
17 (Refers to oil component)		
18 5. Corrosion test	ASTM B-117	For normal environ-
19 5 percent salt fog at		ments: Rust Grade 7
20 100°F(37.8°C) 5 mils,		or better after 720
21 minimum hours		hours of exposure
22 (Q Panel Type S)		according to ASTM
23		D-610. For corrosive
24		environments: Rust
25		Grade 7 or better
26		after 1,000 hours of
27		exposure according
28		to ASTM D-610*
29 6. Water soluble ions+		
30 a. Chlorides,		
31 ppm maximum	ASTM D-512	10
32 b. Nitrates,		
33 ppm maximum	ASTM D-922	10
34 c. Sulfides,		
35 ppm maximum	APHA 427D	10

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7. Soak test

5 percent salt fog at	ASTM B-117	No emulsification of
100°F(37.8°C) 5 mils	(Modified)	the coating after 720
coating. Q panels,		hours of exposure
Type S. Immerse panels		
50 percent in a 5 per-		
cent salt solution and		
expose to salt fog		

8. Compatibility with sheathing

a. Hardness and volume	ASTM D-4289	Permissible change in
change of polymer		hardness 15 percent
after exposure to		Permissible change in
grease, 40 days at		volume 10 percent
150°F		
b. Tensile strength		Permissible change in
change of polymer after		tensile strength
exposure to grease, 40		30 percent
days at 150°F		

*Extension of exposure time to 1,000 hours for greases used in corrosive environments requires use of more or better corrosion inhibiting additives.

+Procedure: The inside (bottom and sides) of a 1L Pyrex beaker (approximate outside diameter 105mm, height 145mm) is thoroughly coated with 100 ± 10 g of corrosion preventive coating material. The coated beaker is filled with approximately 900 cc of distilled water and heated in an oven at a controlled temperature of 100°F ± 2°F for 4 hours. The water extraction is tested by the noted test procedures for the appropriate water soluble ions. Results are reported as ppm in the extracted water.

The above extracts are reprinted from the report "Specification for Unbonded Single Strand Tendons," published in

1 the PCI JOURNAL, Volume 30, Number 2, March-April 1985, pages 22
2 to 39.

3 1305.5400 SECTION 2907.

4 UBC Section 2907(a) is amended to read as follows:

5 Section 2907(a) General. Footings and foundation, unless
6 otherwise specifically provided, must be constructed of masonry,
7 concrete or treated wood in conformance with UBC Standard No.
8 29-3 and in all cases must extend below the frost line.
9 Footings of concrete and masonry must be of solid material.
10 Foundations supporting wood must extend at least six inches
11 above the adjacent finish grade. Footings must have a minimum
12 depth below finished grade for the zone as established below
13 unless another depth is recommended by a foundation
14 investigation.

15 A. In the absence of a determination by an engineer
16 competent in soil mechanics, the minimum allowable footing depth
17 in feet due to freezing is five feet in Zone I and 3-1/2 feet in
18 Zone II.

19 Zone I includes the counties of: Aitkin, Becker, Beltrami,
20 Carlton, Cass, Clay, Clearwater, Cook, Crow Wing, Douglas,
21 Grant, Hubbard, Itasca, Kanabec, Kittson, Koochiching, Lake,
22 Lake of the Woods, Mahnommen, Marshall, Mille Lacs, Morrison,
23 Norman, Otter Tail, Pennington, Pine, Polk, Red Lake, Roseau,
24 Saint Louis, Todd, Traverse, Wadena, and Wilkin.

25 Zone II shall include the counties of: Anoka, Benton, Big
26 Stone, Blue Earth, Brown, Carver, Chippewa, Chisago, Cottonwood,
27 Dakota, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Hennepin,
28 Houston, Isanti, Jackson, Kandiyohi, Lac Qui Parle, Le Sueur,
29 Lincoln, Lyon, McLeod, Martin, Meeker, Mower, Murray, Nicollet,
30 Nobles, Olmsted, Pipestone, Pope, Ramsey, Redwood, Renville,
31 Rice, Rock, Scott, Sibley, Sherburne, Stearns, Steele, Stevens,
32 Swift, Wabasha, Waseca, Washington, Watonwan, Winona, Wright,
33 and Yellow Medicine. Less depths may be permitted when
34 supporting evidence is presented by an engineer competent in
35 soil mechanics.

1 B. Soil Under Slab on Grade Construction for Buildings.
2 When soil, natural or fill, is sand or pit run sand and gravel,
3 and of depth in accordance with minimum footings depth
4 requirements for each zone, slab on grade construction which is
5 structurally designed to support all applied loads is
6 permitted. Footings for interior bearing walls or columns may
7 be constructed to be integral with the slab on grade for any
8 height building. Footings for exterior bearing walls or columns
9 may be similarly constructed for any height building when
10 supporting soil is as described in this item. Footing design
11 must reflect eccentric loading conditions at slab edges, soil
12 bearing capacity, and the requirements of UBC Chapter 26. Slab
13 on grade construction for detached buildings Group M, Division 1
14 occupancies may be placed on any soil except peat or muck.

15 1305.5710 TABLE NO. 32-B-1.

16 UBC Table No. 32-B-1 is amended by adding a footnote
17 following the "Severe Climate" portion of the first column to
18 read as follows:

19 2. The entire state of Minnesota is subject to wind-driven
20 snow or roof ice buildup.

21 1305.5720 TABLE NO. 32-B-2.

22 UBC Table No. 32-B-2 is amended by adding a footnote
23 following the "Severe Climate" portion of the first column to
24 read as follows:

25 2. The entire state of Minnesota is subject to wind-driven
26 snow or roof ice buildup.

27 1305.5730 TABLE NO. 32-D-1.

28 UBC Table No. 32-D-1 is amended by adding a footnote
29 following "UNDERLAYMENT" in the first column to read as follows:

30 5. The entire state of Minnesota is subject to wind-driven
31 snow or roof ice buildup.

32 1305.5740 TABLE NO. 32-D-2.

33 UBC Table No. 32-D-2 is amended by adding a footnote
34 following "UNDERLAYMENT" in the first column to read as follows:

1 6. The entire state of Minnesota is subject to wind-driven
2 snow or roof ice buildup.

3 1305.5900 SECTION 3305.

4 UBC Section 3305(h) 1 is amended by adding an exception 3
5 to read as follows:

6 3. In existing Type I and II-F.R. buildings housing Group
7 B-2 occupancies, corridor walls may be of approved wired glass
8 set in metal frames. The glass height must not exceed
9 two-thirds of the width of the corridor. A draft curtain of at
10 least one-hour fire-resistive construction and not less than 24
11 inches in height must be provided to protect the corridor from
12 the Group B-2 occupancy area (tenant space). The draft curtain
13 must be located above the glass and extend a minimum of 24
14 inches below any finished ceilings in the tenant space. If the
15 finished ceiling is not a fire-rated assembly, the draft curtain
16 must extend from the wire glass to a rated ceiling or floor
17 assembly. When the B-2 occupancy area (tenant space) is
18 protected by an approved automatic fire extinguishing system for
19 a distance of 12 feet in depth adjoining the corridor, and the
20 corridor is not less than 12 feet in width, glass other than
21 wired glass may be approved. Open grille-type gates and similar
22 enclosing or security devices may be used in corridor walls of
23 corridors not less than 12 feet in width, when the entire story
24 is protected by an approved fire extinguishing system.

25 In existing buildings of other than Type I or of Type
26 II-F.R. construction, this exception is not permitted, unless
27 the entire building is provided with an approved automatic fire
28 extinguishing system.

29 UBC Section 3305(h) 1 is amended by adding an exception 4
30 to read as follows:

31 4. In hospital and nursing home occupancies (I-1) doors
32 entering sleeping rooms from a corridor need not be constructed
33 or maintained as self-closing or automatic-closing when the
34 building is equipped with an approved complete automatic fire
35 extinguishing system in compliance with chapter 38.

1 1305.6430 TABLE NO. 38-A.

2 UBC Table No. 38-A is amended as follows:

3 Item No. 2 under the occupancy column of Table 38-A is
4 amended to read as follows:

5 Occupancies 3 stories or more but less than 150 feet in
6 height, except Group R Division 3, Class II standpipes are not
7 required in Group E or Group R-1 occupancies.

8 Table No. 38-A is amended by adding footnotes No. 7 and 8
9 to item No. 2 to read as follows:

10 7. In municipalities which have adopted the Special Fire
11 Suppression System criteria specified in part 1305.6525 (UBC
12 Section 3808), the number of stories must be four or more.

13 8. When an automatic fire-extinguishing system required by
14 Section 3802(h) is installed, the number of stories must be four
15 or more.

16 1305.6901 APPENDIX CHAPTER 12, SECTION 1222.

17 UBC Appendix Chapter 12, Section 1222, is amended by adding
18 an exception to read as follows:

19 Exception:

20 1. For energy requirements, see Minnesota Rules, chapter
21 4215.

22 2. For plumbing code requirements, see Minnesota Rules,
23 chapter 1355.

24 3. For electrical requirements, see Minnesota Rules,
25 chapter 1315.

26 4. For mechanical code requirements, see Minnesota Rules,
27 chapter 1346.

28 5. For snow load requirements, see Minnesota Rules, part
29 1305.4700.

30 6. For frost depth requirements, see Minnesota Rules, part
31 1305.5400.

32 7. For ice dam roof treatment, see Minnesota Rules, part
33 1305.5720.

34 1305.6902 APPENDIX CHAPTER 12, DIVISION II.

1 UBC Appendix Chapter 12, Division II, is deleted in its
2 entirety.

3 1335.0600 FLOODPROOFING REGULATIONS, SECTION 201.2.

4 FPR section 201.2 is amended to read as follows:

5 This section shall apply unless equivalent provisions are
6 incorporated in the city or county flood plain zoning ordinance.

7 Nonconforming Use: A structure or the use of a structure
8 or premises which was lawful before the passage or amendment of
9 the ordinance but which is not in conformity with the provisions
10 of these regulations may be continued subject to the following
11 conditions:

12 1. No such use shall be expanded, changed, enlarged, or
13 altered in a way which increases its nonconformity.

14 2. No structural alteration, addition, or repair to any
15 conforming structure over the life of the structure shall exceed
16 50 percent of its market value at the time of its becoming a
17 nonconforming use, unless the structure is permanently changed
18 to a conforming use.

19 3. If such use is discontinued for 12 consecutive months,
20 any future use of the building premises shall conform to these
21 regulations. The assessor shall notify the zoning administrator
22 in writing of instances of nonconforming uses which have been
23 discontinued for a period of 12 months.

24 4. If any nonconforming use or structure is destroyed by
25 any means, including floods, to an extent of 50 percent or more
26 of its market value, it shall not be reconstructed except in
27 conformance with the provisions of these regulations; provided,
28 the Board of Appeals may permit reconstruction if the use or
29 structure is located outside the floodway and is adequately and
30 safely floodproofed, elevated, or otherwise protected in
31 conformance with these regulations.

32 5. Uses or adjuncts thereof which are or become nuisances
33 shall not be entitled to continue as nonconforming uses.

34 6. An alteration, addition, or repair to a nonconforming
35 structure that exceeds 50 percent of its market value must be

1 protected as required by these regulations.

2 1335.1000 FLOODPROOFING REGULATIONS, SECTION 205.1.

3 FPR section 205.1 is amended to read as follows:

4 Statement of Intention to Improve: The owner or any
5 registered architect or licensed professional engineer
6 authorized to represent the owner shall, before preparing final
7 plans for any improvement in the flood hazard area(s), file with
8 the building official a statement of intention to improve,
9 including a brief description of the type of improvement being
10 considered and giving its precise location, on a form provided
11 by the building official. The building official shall note on
12 two copies the elevation of the RFD at the location of the
13 proposed improvement. One copy of the statement of intention to
14 improve must be retained by the building official until a permit
15 copy for improvement on the site is approved or one year has
16 elapsed; a second copy must be returned to the owner for use in
17 final siting and design of the improvement. Assignments of the
18 RFD elevations at all locations must be consistent with the
19 determination of the regulatory flood protection elevation as
20 defined in the community's flood plain zoning controls, if any.
21 This information must be open to public examination at all
22 reasonable times.

23 1335.1100 FLOODPROOFING REGULATIONS, SECTION 205.2.

24 FPR section 205.2 is amended to read as follows:

25 Permits Required: No person, firm, or corporation shall
26 erect, construct, alter, repair, move, remove, convert, or
27 demolish any building or structure or any part thereof, or make
28 any other improvement within the structure or any part thereof,
29 or make any other improvement within the flood hazard area(s),
30 or cause same to be done, without first obtaining a separate
31 flood plain building permit for any such improvement from the
32 building official. Ordinary minor repairs may be made with the
33 approval of the building official without a permit, provided
34 that such repairs shall not violate any provisions of these
35 regulations or of the building code.

1 1335.1950 FLOODPROOFING REGULATIONS, SECTION 612.1.

2 FPR section 612.1 is amended to read as follows:

3 Methods: A building must be considered completely
4 floodproofed if the lowest elevation of all space within the
5 building perimeter is above the RFD as achieved by:

6 (1) building on natural terrain beyond the RFD limit line
7 on natural undisturbed ground;

8 (2) building on fill; or

9 (3) building on stilts.

10 These methods may be used alone or in combination to
11 achieve the required degree of floodproofing. Data and design
12 procedures must be based on organized and acceptable disciplines
13 involved and the following additional requirements.

14 1335.2150 FLOODPROOFING REGULATIONS, SECTION 612.3.

15 FPR section 612.3 is amended to read as follows:

16 Protection by Dikes, Levees, and Floodwalls: Dikes,
17 levees, and floodwalls must not be considered to provide FP1 or
18 FP2 floodproofing or flood protection unless

19 (1) the dike, levee, or floodwall is built in accordance
20 with recognized and accepted engineering practice and methods,
21 and

22 (2) the design data has been submitted to the Department of
23 Natural Resources and the Federal Emergency Management Agency
24 for revision of the community's flood insurance study (flood
25 insurance rate map) and official zoning map.

26 1335.3100 FLOODPROOFING REGULATIONS, SECTION 1405.3.

27 FPR section 1405.3 is amended to read as follows:

28 Protection by Dikes, Levees, and Floodwalls: Dikes,
29 levees, and floodwalls must not be considered to provide
30 floodproofing or flood protection unless

31 (1) the dike, levee, or floodwall is built in accordance
32 with recognized and accepted engineering practice and methods,
33 and

34 (2) the design data has been submitted to the Department of

1 Natural Resources and the Federal Emergency Management Agency
2 for revision of the community's flood insurance study (flood
3 insurance rate map) and official zoning map.

4 1360.0900 INSPECTION.

5 [For text of subps 1 to 3, see M.R. 1989]

6 Subp. 4. **Damaged prefabricated buildings.** Prior to the
7 installation of a damaged prefabricated building, the dealer,
8 owner, or manufacturer shall notify the state building inspector
9 who shall inspect, or cause to be inspected, certified
10 prefabricated buildings which have been damaged after
11 certification and take action with regard to those buildings
12 which is authorized under part 1360.3100, subpart 3, or which is
13 otherwise necessary to eliminate dangerous conditions.

14 The state building inspector shall require prefabricated
15 buildings which are so damaged as to no longer comply with the
16 code to be brought into compliance promptly. If those buildings
17 are not brought into compliance with the code within a
18 reasonable time, or if they are so damaged that they cannot be
19 brought into compliance, the state building inspector shall
20 order that the seals be removed from the buildings. Irreparably
21 damaged buildings must be disposed of in accordance with
22 applicable law.

23 [For text of subps 5 and 6, see M.R. 1989]

24 1360.3600 FEES.

25 Subpart 1. **Form and amount of payment.** All fees must be
26 in the form of checks or money orders payable to "Minnesota
27 State Treasurer," and addressed to: State of Minnesota
28 Department of Administration, Building Codes and Standards
29 Division, 408 Metro Square Building, Seventh and Robert Streets,
30 Saint Paul, Minnesota 55101.

31 The seal fee is \$30 per seal. The replacement seal fee for
32 damaged or lost seals is \$10 per seal. For all other work
33 performed by the Minnesota Building Codes and Standards Division
34 such as, but not limited to, the review of plans,
35 specifications, independent agency reports, inspection, and

1 quality control evaluation, fees must be charged based on the
2 fee schedule in part 1302.0600. Travel expense must be charged
3 at the rates established for state employees by the commissioner
4 of administration.

5 [For text of subp 2, see M.R. 1989]

6

7 REPEALER. Minnesota Rules, parts 1305.0300; ~~1305.1750~~;
8 1305.1790; 1305.2100; 1305.2400; 1305.3000; 1305.3100;
9 1305.3200; 1305.3300; 1305.3600; 1305.3700; 1305.4200;
10 1305.4500; 1305.4900; 1305.5300; 1305.5310; 1305.5500;
11 1305.5800; 1305.6550; 1305.6600; and 1305.6900, are repealed.