

1 Department of Administration

2

3 Adopted Permanent Rules Relating to Prefabricated Buildings

4

5 Rules as Adopted

6 1360.0100 TITLE AND SCOPE.

7 Subpart 1. [See repealer.]

8 Subp. 2. Purpose. The purpose of this chapter is to
 9 govern the construction of, and provide for the certification
 10 of, prefabricated buildings for those manufacturers who
 11 construct not more than three prefabricated buildings for
 12 permanent installation in Minnesota in a calendar year.
 13 Manufacturers of prefabricated buildings other than those
 14 regulated by this chapter or that produce more than three
 15 prefabricated buildings for permanent installation in Minnesota
 16 in a calendar year, must comply with the industrial/modular
 17 buildings rules, chapter 1361.

18 1360.0200 DEFINITIONS.

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

20 Subp. 2. Approved. "Approved" as it applies to off-site
 21 construction of prefabricated buildings means approved by the
 22 state building inspector.

23 Subp. 3. [See repealer.]

24 Subp. 4. [See repealer.]

25 [For text of subps 5 to 8, see M.R.]

26 Subp. 9. [See repealer.]

27 Subp. 10. [See repealer.]

28 Subp. 11. [See repealer.]

29 [For text of subps 12 and 14, see M.R.]

30 Subp. 14a. Manufacturer. "Manufacturer" means any person
 31 or firm engaged in the manufacturing of not more than three
 32 prefabricated buildings per single location for permanent
 33 installation in Minnesota in a calendar year.

34 Subp. 15. Prefabricated building. "Prefabricated
 35 building" means any building or building module intended for use

1 as an R-3, one- or two-family dwelling, or a U-1, accessory
2 building, which is of closed construction and which is
3 constructed, on or off the building site, for installation, or
4 assembly and installation, on the building site, but does not
5 include relocatable contractors offices or storage buildings
6 that are 1,500 square feet or less in floor area, that are
7 designed for temporary use by a contractor at a construction
8 site, that are not to be used by the general public or as a
9 sales office, and that will be removed prior to or upon
10 completion of the construction project.

11 [For text of subp 16, see M.R.]

12 Subp. 17. [See repealer.]

13 Subp. 18. [See repealer.]

14 [For text of subp. 19, see M.R.]

15 1360.0300 APPROVAL.

16 Subpart 1. **Responsibility; plan review.** The state
17 building inspector has the responsibility for approving
18 prefabricated buildings for compliance with the code. This
19 responsibility may be delegated to approved local enforcement
20 agencies.

21 Approvals expire when there are revisions to the code under
22 which the approval was granted. At that time the manufacturer
23 must submit entire new documentation for evaluation and
24 approval, or submit evidence that the plans as approved are in
25 compliance with the code as revised.

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

27 1360.0400 INSPECTION.

28 The state building inspector reserves the responsibility
29 for inspecting prefabricated buildings and building components
30 for compliance with the code. The state building inspector may
31 delegate such responsibility to approved local enforcement
32 agencies.

33 1360.0800 TESTING.

34 The state building inspector may require that specific

1 components, systems, or processes be tested. Tests must be
2 performed by a qualified testing agency. The tests and
3 procedures must be reviewed by the state building inspector to
4 assure compliance with the code.

5 1360.0900 INSPECTION.

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

7 Subp. 2. [See repealer.]

8 Subp. 3. [See repealer.]

9 Subp. 4. **Damaged prefabricated buildings.** Prior to the
10 installation of a damaged prefabricated building, the installer,
11 transporter, building official, owner, or manufacturer shall
12 notify the state building inspector who shall inspect, or cause
13 to be inspected, prefabricated buildings which have been damaged
14 and take action with regard to those buildings.

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

24 Subp. 5. [See repealer.]

25 Subp. 6. [See repealer.]

26 1360.1300 BUILDING PERMITS.

27 Subpart 1. **Application for permit.** An application for a
28 building permit to a local building official for the
29 installation of prefabricated buildings pursuant to this code
30 must in addition to any other requirements contain:

31 A. a statement that application is made for
32 permission to install prefabricated buildings in accordance with
33 the provisions of the code, signed by the applicant or the
34 applicant's agent with the appropriate address;

35 B. a copy of the site and building plans and

1 specifications and evidence of plan approval by the state
2 building inspector; and

3 C. the information required on the data plate (part
4 1360.2400).

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

6 1360.1500 CHANGES TO APPROVED PLANS.

7 A manufacturer who proposes or is required to change
8 approved plans or installation instructions shall request
9 approval of the changes in writing and work may not commence
10 until written approval is received.

11 1360.1600 CHANGE OF OWNERSHIP, NAME, OR ADDRESS.

12 In the event of a change in the ownership, name, or office
13 address of any manufacturer, the manufacturer shall notify the
14 state building inspector or the local enforcement agency in
15 writing within ten days.

16 1360.1800 NONCOMPLIANCE.

17 Noncompliance with the provisions of the code or
18 unauthorized deviation from the approved plans or production
19 procedures may be cause for revocation of the plan approval.

20 1360.1900 SEALS.

21 Subpart 1. R-3 and U-1 occupancies. For R-3 and U-1
22 occupancies, each prefabricated building manufactured pursuant
23 to the code must have permanently attached in a location shown
24 on the approved plans a state seal evidencing certification of
25 compliance with the code by the manufacturer.

26 Subp. 2. [See repealer.]

27 1360.2000 ISSUANCE.

28 A seal must be issued by the state building inspector to
29 the manufacturer upon final inspection approval. All seals must
30 be serially numbered.

31 1360.2500 PLAN APPROVAL PROCEDURES.

32 Plan approval must be obtained from the state building
33 inspector for all prefabricated buildings.

1 Applications, plans, specifications and other documentation
2 must be submitted in sufficient copies as required.

3 Applications must be made in letter form. All documentations
4 and plans must indicate the manufacturer's name, office address,
5 and address of manufacturing facility.

6 Manufacturers shall submit plans showing all elements
7 relating to specific systems on properly identifiable sheets.
8 Each plan must bear the signature and seal of an approved
9 registered architect or professional engineer where required.
10 The plan must indicate the method of evaluation and inspection
11 for all required on-site testing of the systems. Plans must
12 designate all work to be performed on site, including
13 connections of all systems, equipment, and appliances and all
14 work performed in the plant. A three-inch by four-inch clear
15 rectangular space must be provided on all sheets of plans near
16 the title box for the stamp of approval.

17 The design of plumbing, electrical, heating, and mechanical
18 systems or any structural design or method of construction and
19 data must be in accordance with the Minnesota State Building
20 Code. Grade, quality, and identification of all materials must
21 be specified. Design calculations and test reports must be
22 submitted when required. Plans must be drawn to scale and
23 indicate the location of the approved seal and data plate.

24 1360.2600 PRODUCTS MANUFACTURED IN MORE THAN ONE LOCATION.

25 If the manufacturer produces the same products at more than
26 one facility, the manufacturer shall provide such additional
27 copies of documentation as may be required.

28 1360.2700 NONCONFORMING APPLICATION AND PLANS.

29 In the event that an application is determined to be
30 unsuitable for processing prior to plan check, the applicant
31 must be notified in writing of the unsuitability and the reason
32 for the unsuitability within 30 days of the date the application
33 is received by the state building inspector.

34 1360.2800 EVIDENCE OF PLAN APPROVAL.

1 Plan approvals must be evidenced by the stamp of approval
2 of the state building inspector or the approved local
3 enforcement agency if delegated as authorized by part 1360.0300,
4 subpart 1. One copy of all approved documentation must be
5 returned to the manufacturer.

6 1360.3400 PROCEDURES FOR APPROVING EVALUATION AGENCIES.

7 Subpart 1. **Qualifying for approval.** The state building
8 inspector shall approve inspection or evaluation agencies which
9 the state building inspector finds qualified to perform the
10 functions proposed to be delegated to them.

11 Subp. 2. **Determining completeness of application.** Prior
12 to a full evaluation of an application for approval, the state
13 building inspector shall determine whether the application is
14 complete. In the event the application is found to be
15 unsuitable for processing, the applicant must be notified in
16 writing of the unsuitability and the reason for the
17 unsuitability within 30 days of the date the application is
18 received by the state building inspector. In that event, all
19 but \$25 of the fee must be returned. A finding of unsuitability
20 is without prejudice. Any subsequent submission must be treated
21 as a new application.

22 [For text of subps 3 and 4, see M.R.]

23 1360.3500 SUSPENSION AND REVOCATION OF APPROVAL.

24 Subpart 1. **Grounds.** The state building inspector may
25 suspend or revoke the approval of any evaluation agency or
26 inspection agency if the approval was issued in error, was
27 issued on the basis of incorrect information, or was issued in
28 violation of the act or the code, or if the agency violates the
29 act or the code, or for any other cause deemed sufficient by the
30 state building inspector to warrant that action. Appeals from
31 suspensions or revocations must receive timely review.

32 [For text of subps 2 to 4, see M.R.]

33 1360.3600 FEES.

34 Subpart 1. **Form and amount of payment.** All fees must be

1 in the form of checks or money orders payable to "Minnesota
2 State Treasurer," and addressed to: State of Minnesota
3 Department of Administration, Building Codes and Standards
4 Division, 408 Metro Square Building, Seventh and Robert Streets,
5 Saint Paul, Minnesota 55101.

6 The seal fee is \$30 per seal. The replacement seal fee for
7 damaged or lost seals is \$10 per seal. For all other work
8 performed by the Minnesota Building Codes and Standards Division
9 such as, but not limited to, the review of plans,
10 specifications, and inspection, fees must be charged based on
11 the fee schedule in part 1302.0600. Travel expense must be
12 charged at the rates established for state employees by the
13 commissioner of administration.

14 Subp. 2. [See repealer.]

15 REPEALER. Minnesota Rules, parts 1360.0100, subpart 1;
16 1360.0200, subparts 3, 4, 9, 10, 11, 17, and 18; 1360.0600;
17 1360.0900, subparts 2, 3, 5, and 6; 1360.1700; 1360.1900,
18 subpart 2; 1360.2100; 1360.2200; 1360.2300; 1360.2900;
19 1360.2910; 1360.3000; 1360.3100, subparts 1 and 2; 1360.3200;
20 1360.3300; 1360.3400; 1360.3500; and 1360.3600, subpart 2, are
21 repealed.