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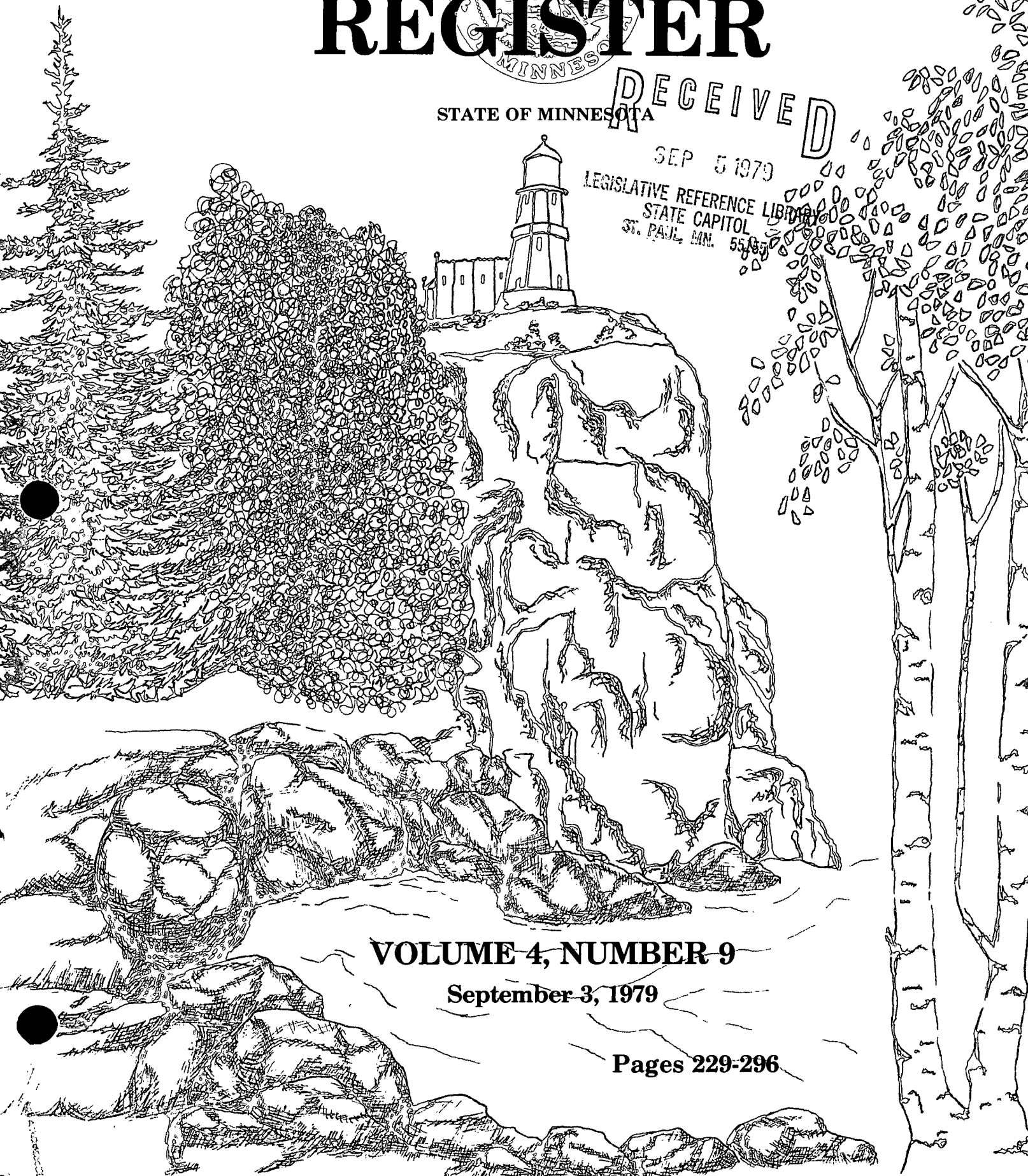
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September 3, 1979

Pages 229-296



STATE REGISTER

Volume 4 Printing Schedule for Agencies

Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices.	Issue Date
SCHEDULE FOR VOLUME 4			
10	Monday Aug 27	Tuesday Sept 4	Monday Sept 10
11	Tuesday Sept 4	Monday Sept 10	Monday Sept 17
12	Monday Sept 10	Monday Sept 17	Monday Sept 24
13	Monday Sept 17	Monday Sept 24	Monday Oct 1

*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

**Notices of Public Hearings on proposed rules are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the Office of the State Register, Suite 415, Hamm Building, 408 St. Peter Street, St. Paul, Minnesota 55102.

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The *State Register* is the official publication of the State of Minnesota, containing executive orders of the governor, proposed and adopted rules of state agencies, and official notices to the public. Judicial notice shall be taken of material published in the *State Register*.

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MCAR AMENDMENTS AND ADDITIONS

The following is a cumulative listing of all proposed and adopted rules published in Volume 4 of the *State Register*. The listing is arranged in the same order as the table of contents of the *Minnesota Code of Agency Rules* (MCAR). All adopted rules published in the *State Register* and listed below amend the rules contained in the MCAR set. Both proposed

temporary and adopted temporary rules are listed here although they are not printed in the MCAR due to the short term nature of their legal effectiveness. During the term of their legal effectiveness, however, adopted temporary rules do amend the MCAR.

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PROPOSED RULES

Pursuant to Minn. Stat. § 15.0412, subd. 4, agencies must hold public hearings on proposed new rules and/or proposed amendment of existing rules. Notice of intent to hold a hearing must be published in the *State Register* at least 30 days prior to the date set for the hearing, along with the full text of the proposed new rule or amendment. The agency shall make at least one free copy of a proposed rule available to any person requesting it.

Pursuant to Minn. Stat. § 15.0412, subd. 5, when a statute, federal law or court order to adopt, suspend or repeal a rule does not allow time for the usual rulemaking process, temporary rules may be proposed. Proposed temporary rules are published in the *State Register*, and for at least 20 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Public Hearings on Agency Rules September 10-14, 1979

Date	Agency & Rule Matter	Time & Place
Sept 10 & 12	Pollution Control Agency Standards of Performance for Coal Handling Facilities & Fugitive Emissions within Designated Areas Hearing Examiner: Howard Kaibel	9:00 a.m., Bd. Rm., PCA, 1935 W. Co. Rd. B2, Roseville, MN
Sept. 13	Same as above	1:00 p.m., St. Louis Co. Commissioners Bd. Rm., St. Louis Co. Courthouse, Duluth, MN
Sept. 12	Dept. of Personnel Personnel Administration Rules Hearing Examiner: Peter Erickson	8:30 a.m., Rm. 83, State Office Bldg., St. Paul, MN 55155

Department of Administration Building Code Division

Proposed Amendments to the State Building Code

Notice of Hearing

Notice is hereby given that a public hearing in the above-entitled matter will be held in Room 83, State Office Building, St. Paul, Minnesota on October 9 and 10, 1979 commencing at 9:30 a.m., and continuing until all persons have had an opportunity to be heard.

All interested or affected persons will have an opportunity to participate. Statements may be made orally and written materials may be submitted at the hearing. In addition, written materials may be submitted by mail to Mr. Peter Erickson,

Office of Hearing Examiners, Room 300, 1745 University Avenue, St. Paul, Minnesota 55104, either before the hearing or within 5 working days after the close of the hearing. The Hearing Examiner may extend the time for receipt of written comments for a period not to exceed twenty (20) calendar days from the date of the hearing.

The proposed rules will provide for: amendments to the State Building Code, including adoption of the 1979 Uniform Building Code with certain amendments, amendments to the provisions for accessibility and usability of buildings by physically handicapped persons, adoption of the 1978 ANSI A17.1 Elevator Code and A17.1a 1979 Supplement with amendments including provisions for wheelchair lifts for existing buildings, amendments to the 1978 National Electrical Code, amendments to the Flood Proofing Regulations, amendments to the Minnesota Plumbing Code, amendments to the Manufactured Building Code and several amendments proposed by others than the Commissioner of Administration which include amendments to the National Electrical Code Section 300-22, Uniform Building Code Section 405, Section 420, Table 5-A, Section 1201, Section 1807(m), Section 1807(h) and five amendments to ASHRAE 90-75. Amendments to the State Building Code including adoption of the 1979 Uniform Building Code and amendments to the provisions for accessibility and usability of buildings by physically handicapped persons will be heard on the first day or until all persons have been heard. The balance of the proposed amendments will be scheduled for the second day of the hearing.

The proposed rules are subject to change as a result of the rules hearing process. The agency therefore strongly urges those who are potentially affected in any manner by the substance of the proposed rules to participate in the rules hearing process.

Copies of the proposed rules will be available at the door on the date of the hearing and one free copy can now be obtained by writing to the Building Code Division, 408 Metro Square Building, 7th and Robert Streets, St. Paul, Minnesota 55101.

The agency's authority to promulgate the proposed rules is contained in Minn. Stat. §§ 16.83, 16.85, 16.86 (1978).

Notice is hereby given that 25 days prior to the hearing, a Statement of Need and Reasonableness will be available for review at the agency and at the Office of Hearing Examiners.

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language. **PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."

PROPOSED RULES

This Statement of Need and Reasonableness will include a summary of all the evidence which will be presented by the agency at the hearing justifying both the need for and the reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be obtained from the Office of Hearing Examiners at a minimal charge.

Any person may request notification of the date on which the Hearing Examiner's Report will be available, after which date the agency may not take any final action on the rules for a period of five working days. Any persons may request final notification of the date on which the hearing record has been submitted (or resubmitted) to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Hearing Examiner (in the case of the Hearing Examiner's Report), or to the agency (in the case of the agency's submission or resubmission to the Attorney General).

Please be advised that pursuant to Minn. Stat. § 10A.01, subd. 11 (1978) any individual: (a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including *his own* travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or (b) Who spends more than \$250, not including *his own* traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials must register with the State Ethical Practices Board as a lobbyist within five days of the commencement of such activity by the individual. The statute provides certain exceptions. Questions should be directed to the State Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, phone (612) 296-5615.

Adoption of the proposed rules by the agency will not require the expenditure of additional public monies by local public bodies.

August 8, 1979

James J. Hiniker, Jr.
Commissioner

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Section IV pp. 98-128	Proposed Amendments to the Elevator Code including provisions for Wheelchair Lifts for Existing Buildings
Section V p. 129	Proposed Amendment to the National Electrical Code
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Section VII pp. 145-149	Proposed Amendments to the Minnesota Plumbing Code
Section VIII pp. 150-167	Proposed Amendments to the Manufactured Building Code
Section IX pp. 168-180	Amendments proposed by other than the Building Code Division

Section I

Proposed Amendments to State Building Code Including Adoption of 1979 Uniform Building Code

The Composition and Use of the Minnesota State Building Code

The State Building Code, to be known as the "Code," includes several documents or codes pertaining to buildings. They are as follows:

1. State Building Code rules will be known and identified by 2 MCAR §§ 1.0101-1.18901.
2. The State Building Code adopts by reference the following codes:
 - (a) ~~1976~~ 1979 Edition of the Uniform Building Code, identified as "UBC;"
 - (b) 1978 National Electrical Code, identified as "NEC;"
 - (c) ~~1974~~ 1978 American National Standard Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks, identified as ANSI A17.1-~~1974~~, 1978, and Supplements ANSI A17.1a-~~1972~~, 1979, ANSI A17.1b-~~1973~~, ANSI A17.1c-~~1974~~, ANSI A17.1d-~~1975~~, ANSI A17.1e-~~1975~~, ANSI A17.1f-~~1975~~ and ANSI A17.1g-~~1976~~.
 - (d) ~~1976~~ 1979 Minnesota Plumbing Code, identified as MHD 120 through MHD 135;
 - (e) "Flood Proofing Regulations" (FPR), Office of the Chief Engineers, U.S. Army.
3. Minnesota Heating, Ventilating, Air Conditioning and Refrigeration Code, identified as SBC 7101 through SBC 8505.
4. "Design and Evaluation Criteria for Energy Conservation in New Buildings, Additions and Remodeled Elements of Buildings and Standards for Certain Existing Public Buildings," identified as 2 MCAR §§ 1.16001 through 1.16006. (2 MCAR §§ 1.16007 through 1.16013 reserved for future use.)
5. Standards of Performance for Solar Energy Systems and

PROPOSED RULES

Subsystems Applied to Energy Needs of Buildings, 1977 Edition, identified as 2 MCAR §§ 1.16101 through ~~1.16108~~ 1.16107.

6. State of Minnesota Mobile Home Installation Standards 1977, identified as 2 MCAR § 1.90450 and related definitions in 2 MCAR § 1.90103.

7. Certain appendices which contain the listing of various National Standards referred to in the body of the code; technical requirements for fallout shelters; and various chapters of those codes adopted by reference which chapters may be adopted by municipalities and administered and enforced by such municipalities. The Code is to be used in its entirety by the municipalities in administering and enforcing the Code as well as by designers and builders in their designs and construction of structures. It is necessary to use the entire Code to ensure uniformity in compliance with the Code as well as uniformity in its administration and enforcement.

The above referenced Minnesota State Building Code and Minnesota Plumbing Code are available from the Department of Administration, Documents Section, 140 Centennial Office Building, St. Paul, Minnesota 55155.

Other codes are available from the publishers of the codes.

- (a) Uniform Building Code:
International Conference of Building Officials
5360 South Workman Mill Road
Whittier, California 90601
- (b) National Electrical Code:
National Fire Protection Association
470 Atlantic Avenue
Boston, Massachusetts 02110
- (c) American National Standard Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks:
American Society of Mechanical Engineers
United Engineering Center
345 East 47th Street
New York, New York 10017
- (d) ASHRAE Standard 90-75
American Society of Heating, Refrigeration, and Air-Conditioning Engineers Inc.
345 East 47th Street
New York, New York 10017
- (e) One and Two Family Dwelling Code
International Conference of Building Officials
5360 South Workman Mill Road
Whittier, California 90601

Amendments as Proposed

2 MCAR § 1.10101 Title, rules and regulations. The rules and regulations contained in this Code and rules and stan-

dards adopted by reference therein shall be collectively known as the Minnesota State Building Code, and may be cited as such and will be referred to herein as "this Code." The administrative chapters of the UBC (Chapters 1, 2 and 3), as amended herein, shall govern the application of the Code.

2 MCAR § 1.10102 Purpose and application. The purpose of this Code is to provide uniform standards to safeguard life or limb, health, property and public welfare by regulating and controlling design, construction, quality of materials, use and occupancy of all buildings and structures.

The State Building Code shall apply state wide and supersede the building code of any municipality. The State Building Code shall not apply to agricultural buildings except with respect to state inspections required or rulemaking authorized.

2 MCAR § 1.10103 Definitions. Wherever the term "Administrative Authority" appears in this Code the words "Building Official" shall be substituted therefore.

Wherever the terms "Mayor" or "City Council" appear in this Code the words "Governing Body" shall be substituted therefore.

A. "City" means a home rule charter or statutory city.

B. "Code" means the State Building Code or any amendments thereof.

C. "Municipality" means any city, county, or town.

D. "Town" shall be defined as a town meeting the requirements of Minn. Stat. § 368.01.

2 MCAR § 1.10103 General. Building or structures to which additions, alterations, or repairs are made shall comply with all the requirements for new building or structures except as specifically provided in this Code. Note: For the requirements of energy conservation in remodeled buildings see 2 MCAR §§ ~~1.16001-1.16006~~.

A. Applications to existing buildings: additions, alterations, and repairs: More than 50 per cent. When additions, alterations, or repairs within any 12 month period exceeds 50 percent of the value of an existing building or structure, such building or structure shall be made to conform to the requirements for new buildings or structures.

B. Additions, alterations, and repairs: 25 to 50 per cent. Additions, alterations, and repairs exceeding 25 per cent but not exceeding 50 per cent of the value of an existing building or structure and complying with the requirements for new buildings or structures may be made to such buildings or structure within any 12 month period without making the entire building or structure comply. The new construction shall conform to the requirements of this Code for a new

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PROPOSED RULES

building of a like area, height, and occupancy. Such building or structure, including new additions, shall not exceed the areas and heights specified in this Code.

C. Additions, alterations, repairs: 25 per cent or less. Structural additions, alterations, and repairs to any portion of an existing building or structure, within any 12 month period, not exceeding 25 per cent of the value of the building or structure shall comply with all the requirements for new buildings or structures, except that minor structural additions, alterations, or repairs, when approved by the building official, may be made with the same material of which the building or structure is constructed. Such building or structure, including new additions, shall not exceed the areas and heights specified in this Code.

D. Nonstructural alterations and repairs: 25 per cent or less. Alterations or repairs not exceeding 25 per cent of the value of an existing building or structure, which are nonstructural and do not affect any member or part of the building or structure having required fire resistance, may be made with the same materials of which the building or structure is constructed.

EXCEPTION: The installation or replacement of glass in hazardous locations, as specified in UBC, Section 5406, shall be as required for new installation.

E. Existing occupancy. Buildings in existence at the time of the passage of this Code may have their existing use or occupancy continued, if such use or occupancy was legal at the time of passage of this Code, provided such continued use is not dangerous to life or property.

Any change in the use of occupancy of any existing building or structure shall comply with the provisions of UBC, Section 306 and Section 502.

F. Moved buildings. Buildings or structures moved from one location to another location shall comply with the provisions of this Code for New Buildings.

G. Alternate materials and methods of construction. The provisions of this Code are not intended to prevent the use of any material or method of construction not specifically prescribed by this Code, provided any such alternate has been approved.

The Building Official may approve any such alternate provided he finds that the proposed design is satisfactory and that the material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Code, in quality, strength, effectiveness, fire resistance, durability, and safety.

The Building Official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use.

H. Maintenance. All buildings or structures both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this Code in a building or structure when erected,

altered, or repaired, shall be maintained in good working order. The owner or his designated agent shall be responsible for the maintenance of buildings or structures.

I. Unsafe building appendages. Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or a part of a building and which are in a deteriorated condition or are otherwise unable to sustain the design loads which are specified in this Code, are hereby designated as unsafe building appendages. All such unsafe buildings appendages are public nuisances and shall be abated in accordance with UBC, Section 203, of this Code.

2 MCAR 1.10104 Scope. The provisions of this Code shall apply to the construction, alteration, moving, demolition, repair and use of any building or structure within the municipality, except work located primarily in a public way, public utility towers and poles, mechanical equipment not specifically regulated in this Code, and hydraulic flood control structures.

Additions, alterations, repairs and changes of use or occupancy in all buildings and structures shall comply with the provisions for new buildings and structures except as otherwise provided in UBC Sections 104, 306 307, and 502 of this Code. Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

Wherever in this Code reference is made to the Appendix, the provisions in the Appendix shall not apply unless specifically adopted.

The provisions of this Code relating to fallout shelters shall apply only to state-owned buildings.

2 MCAR § 1.10105 Fallout shelters. Whenever it has been determined by the Department of Public Safety, Division of Civil Defense and the State Architectural Engineer that fallout protection is needed for a particular location the "Technical Requirements for Fallout Shelters" as contained in Appendix "A" shall be complied with.

2 MCAR § 1.10106 State-owned buildings. State-owned buildings shall mean all buildings and structures financed in whole or in part by state funds and which are under the exclusive jurisdiction and custodial control of one or more state department or agencies.

2 MCAR § 1.10107 State plan checking fees. Plan checking of buildings or structures conducted by the Division shall have a fee based on valuation in accordance with Table No. 107-A. "Valuation" means total cost of construction exclusive of site work not related to the construction.

Exception: When the Plan Review is limited to non-structural aspects, the fee shall be 75% of those listed in Table 107-A.

There shall be no additional fee charge for consultation with designers, or for re-checking provided no substantial change

PROPOSED RULES

in the design has been made. When, ~~in the opinion of the Division,~~ a determination is made by the Division that a substantial change has been made in the design, the re-checking fee shall be ~~based on a rate of~~ \$15.00 per hour or fraction thereof. No fee shall be charged for state-owned buildings.

Table No. 107-A

Valuation	Plan Fee Check
\$ 3,000.00 or less	No Charge
3,001.00 to 5,000.00	\$ 21.00
5,001.00 to 10,000.00	34.00
10,001.00 to 15,000.00	47.00
15,001.00 to 20,000.00	60.00
20,001.00 to 25,000.00	72.00
25,001.00 to 30,000.00	83.00
30,001.00 to 35,000.00	93.00
35,001.00 to 40,000.00	102.00
40,001.00 to 45,000.00	112.00
45,001.00 to 50,000.00	122.00
50,001.00 to 55,000.00	129.00
55,001.00 to 60,000.00	135.00
60,001.00 to 65,000.00	142.00
65,001.00 to 70,000.00	148.00
70,001.00 to 75,000.00	155.00
75,001.00 to 80,000.00	161.00
80,001.00 to 85,000.00	168.00
85,001.00 to 90,000.00	174.00
90,001.00 to 95,000.00	181.00
95,001.00 to 100,000.00	187.00
100,001.00 to 500,000.00	187.00 for the first \$100,000.00 plus \$1.00 for each additional \$1,000.00 or fraction thereof.
500,001.00 and up	577.00 for the first \$500,000.00 plus \$.65 for each additional \$1,000.00 or fraction thereof.

2 MCAR § 1.10108 Disclaimer clause. The inclusion of specific requirements relative to the manner of installation of any plant or equipment in any one or more parts of said Code shall not limit this procedure to any particular type of installer nor provide a basis upon which determination of the right to perform such procedures shall be made. The authority for such determination will be found in the various licensing statutes or ordinances for each type of installer who performs the work.

2 MCAR § 1.10109 Appendices.

A. The following appendices, annexes and supplemental material listed in this Code shall be mandatory to enforce by any municipality.

1. ~~2 MCAR Sec. 1.10111~~ Minnesota State Building Code Appendix "A," Technical Requirements for Fallout Shelter.

2. ~~2 MCAR Sec. 1.10111~~ Minnesota State Building Code Appendix "B," Variation in Snow Loads.

3. ~~1976~~ 1979 UBC Appendix, Chapters 23, 35.

4. Minnesota Plumbing Code Appendix B.

B. The following appendices, annexes and supplemental material listed in this Code shall not be mandatory but may be adopted without change at the discretion of any municipality, except UBC Appendix Chapter 70 may be adopted with revised fee and bond requirements.

1. ~~2 MCAR Sec. 1.10111~~ Minnesota State Building Code Appendix "C," abbreviations and addresses of technical organizations.

2. ~~1976~~ 1979 UBC Appendix, Chapters ~~43,~~ 15, 12, 38, 48, 49, ~~54,~~ 57 and 70.

3. Minnesota Plumbing Code Appendices ~~A,~~ C, ~~D,~~ E and ~~F,~~ D.

4. ~~Flood Proofing Regulations, Sections 201-2 through 208-2.~~

4.5-2 ~~MCAR Sec. 1.10111~~ Minnesota State Building Code Appendix "D," Building Security Sections 4101-4110.

Note change in format for 2 MCAR § 1.10111. Deletions and underlined portions are designated changes to UBC 1979 Edition.

2 MCAR § 1.10111 is deleted in its entirety and is replaced by the following:

2 MCAR § 1.10111 Adoption of the Uniform Building Code by reference. Chapters 1 through 60 and appendices of the 1979 Edition of the Uniform Building Code, hereinafter "UBC," as promulgated by the International Conference of Building Officials, are incorporated by reference and hereby made part of the State Building Code (SBC) except as qualified by 2 MCAR § 1.10109. Said UBC shall be subject to the following alterations and amendments:

UBC §§ 101, 102 and 103 are deleted in their entirety.

UBC § 104 (a) is amended by changing the last sentence to read: See § 1210 for provisions requiring installation of smoke detectors in existing Group R, Division 3 or 4 Occupancies.

UBC § 104 (f) is amended by adding an additional item number 4 as follows:

4. All approvals must be based on the applicants submission of complete architectural and engineering plans and specifications.

UBC § 203 is amended to read as follows:

UBC § 203. All buildings or structures regulated by this code which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this

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section, unsafe. Any use of buildings or structures constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment are, for the purpose of this section, unsafe uses. Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or part of a building and which are in deteriorated condition or otherwise unable to sustain the design loads which are specified in the Building Code are hereby designated as unsafe building appendages.

All such unsafe buildings, structures or appendages are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the ~~Dangerous Building Code or such alternate procedures as may have been or may be adopted by this jurisdiction.~~ Minn. Stat. ch. 463, §§ 15 through 26. ~~As an alternative, the building official, or other employee or official of this jurisdiction as designated by the governing body, may institute any other appropriate action to prevent, restrain, correct or abate the violation.~~

UBC § 204 is amended by amending the last sentence as follows: The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant and to the State Building Inspector within fifteen (15) days of such decision.

UBC § 205 is amended by adding a sentence as follows: Any violation of provisions of this code is a misdemeanor (Minn. Stat. § 16.865)

UBC § 301 (a) is amended by the addition of item 12 as follows:

12. Agricultural buildings as defined in Minn. Stat. § 16.84, subd. 6.

§ 304 (a) of the UBC is amended to read as follows:

UBC § 304. (a) Permit fees. The fee for each permit shall be as set forth in Table 3-A. Each municipality shall adopt its own schedule of permit fees. The fee schedule of Table 3-A is hereby made optional for use by the local authority and is a recommended schedule. In areas outside of the enforcement authority of a city, the fee charged for the issuance of permits and inspections for single family dwellings may not exceed the greater of \$100 or .005 times the value of the structure, addition or alteration. (Minn. Stat. § 16.851).

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

§ 305 (e) of the UBC is amended to read as follows:

UBC § 305 (e) Required inspections. Reinforcing steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the building official.

The building official, upon notification from the permit holder or his agent, shall make the following inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his agent wherein the same fails to comply with this code:

1. Foundation inspection. To be made after trenches are excavated and forms erected and when all materials for the foundation are delivered on the job. Where concrete from a central mixing plant (commonly termed "transit mixed") is to be used, materials need not be on the job.

2. Concrete slab or under-floor inspection. To be made after all in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is poured or floor sheathing installed, including the subfloor.

3. Frame inspection. To be made after the roof, all framing, fire blocking and bracing are in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing and heating wires, pipes and ducts are approved.

4. Insulation inspection. To be made after all required insulation is in place but before any covering material is in place.

5. ~~4.~~ Lath and/or gypsum board inspection. To be made after all lathing and gypsum board, interior and exterior, used as a structural element or a part of a fire resistive assembly, is in place but before any plastering is applied or before gypsum board joints and fasteners are taped and finished.

6. ~~5.~~ Final inspection. To be made after finish grading and the building is completed and ready for occupancy.

7. Installation of mobile homes. To be made after the installation of the support system and all utility service connections. This shall include the inspection of the anchoring system where installed.

§ 307 (a) of the UBC is amended to read as follows:

Certificate of occupancy.

§ 307 (a) Use or occupancy. No building or structure of Groups A, E, I, H, B or R, Division 1 Occupancy, shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building Official has issued a Certificate of Occupancy therefore as provided herein. A municipality may require certificates of occupancy for Group R3, R4 and Group M Occupancies.

§ 406 of the UBC is amended by the addition of the following definition:

Earth sheltered structure is a building constructed so that more than 50 percent of the exterior surface area of the

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building, excluding garages or other accessory buildings, is covered with earth. Partially completed buildings shall not be considered to be earth sheltered. (See Minn. Stat. § 116H.02 subd. 3.)

§ 407 of the UBC is amended as follows:

UBC § 407. Fire Code is the Minnesota Uniform Fire Code, 1979 Edition authorized by Minn. Stat. § 299F.011.

§ 420 of the UBC is amended by adding the following definition.

UBC § 420 Definitions.

Supervised Living Facilities.

Class A Supervised Living Facilities shall include homes providing boarding and lodging for ambulatory and mobile disabled persons who are capable of semi-independent living with minimum supervision and who are mentally and physically capable of self-preservation under emergency conditions. Physically handicapped persons shall be housed at street level. See UBC 1201 as amended.

Class B Supervised Living Facilities shall include homes providing boarding and lodging for:

1. Mobile disabled persons who are capable of semi-independent living with minimum supervision, but who are not physically capable of self-preservation;
2. Persons with diverse dependencies who require various degrees of supervised guidance and assistance, and who are not mentally or physically capable of self-preservation under emergency conditions. See UBC 1001 as amended.

UBC Table 5-A Group I and R1 are amended to read as follows:

UBC § 501 Table 5-A

I.1—Nurseries for full-time care of children under the age of six (each accommodating more than ~~five~~ four persons). Hospitals, sanitariums, nursing homes with nonambulatory patients and similar buildings (each accommodating more than ~~five~~ four persons).

I.2—Nursing homes for ambulatory patients, boarding care homes, detoxification centers, homes for children six years of age or over, supervised living facilities Class B as defined in UBC 420 (each accommodating more than ~~five~~ four persons).

R.1—Hotels and apartment houses, convents and monasteries (each accommodating more than 10 persons). Supervised living facilities Class A as defined in UBC 420 (accommodating more than four persons).

§ 503(d) **exception 4** of the UBC is amended to read as follows:

Exception 4. In the one-hour occupancy separation between a Group R, Division 3 and M occupancy, the separation may be limited to the installation of one half inch thick gypsum board, or equivalent, ~~materials approved for one-hour fire-resistive construction~~ on the garage side and a self-closing, tight-fitting solid wood door 1¾ inches in thickness will be permitted in lieu of a one-hour fire assembly. Fire dampers shall not be required in ducts piercing this separation for ducts constructed of not less than No. 26 gauge galvanized steel.

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

UBC § 512 Roof access. Unless specifically exempted by the Building Official due to space limitation, roof height above grade or other special considerations, buildings on which any heating, air conditioning, or refrigeration equipment is hereafter installed on the roof and which equipment will require periodic inspection, service and maintenance in accordance with the mechanical code SBC 7101-8810 shall meet the following requirements:

A stairway complying with UBC Chapter 33 or a stair leading to a scuttle or bulkhead in the roof having such equipment shall be provided to make such equipment safely accessible. Said stair leading to the scuttle or bulkhead shall be placed at an angle of not more than 60 degrees measured from the horizontal with flat treads not less than six inches in width and a minimum length of 24 inches at the tread. No riser shall be more than nine inches and handrails shall be provided on both sides of the access stairs. The minimum opening of the scuttle or bulkhead shall be not less than nine square feet in area with the minimum dimension being not less than two feet. In no case shall this required access be located in or pass through the elevator shaft or elevator machine room.

Equipment should be located with at least six feet of clearance from the edge of the roof or similar hazards. If the clearance is less than six feet, a suitable rail or guard not less than forty-two inches in height shall be provided.

Each unit of equipment shall have an accessible disconnect switch. A 20 ampere 110-120 volt AC ground type convenience outlet shall be installed on or adjacent to the unit or equipment. The circuit for this convenience outlet shall be approved ground-fault protection and shall not be connected to the equipment circuit.

§ 605 of the UBC is amended to read as follows:

UBC § 605. All enclosed portions of Group A Occupancies customarily used by human beings and all dressing rooms shall be provided with natural light by means of exterior glazed openings with an area not less than one-tenth of the total floor area, and natural ventilation by means of openable

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exterior openings with an area of not less than one-twentieth of the total floor area or shall be provided with artificial light and a mechanically operated ventilating system. The mechanically operated ventilating systems shall supply a minimum of 5 cubic feet per minute of outside air with a total circulated of not less than 15 cubic feet per minute per occupant in all portions of the building and such system shall be kept continuously in operation during such time as the building is occupied. If the velocity of the air at the register exceeds 10 feet per second, the register shall be placed more than 8 feet above the floor directly beneath.

Exit lighting in portions of buildings other than the stage shall be on a separate circuit from that of the stage. Such exit lighting shall be controlled from the box office or other approved central control center located in a portion of the building other than the stage. All lights in corridors, exit courts and exit passageways shall be protected by a wire cage.

All registers or vents supplying air backstage shall be equipped with automatic closing devices with fusible links. Such closing devices shall be located where the vents or ducts pass through the proscenium walls and shall be operated by fusible links located on both sides of the proscenium wall and both inside of and outside of the vent or duct.

There shall be provided in an approved location at least one lavatory for each two water closets for each sex, and at least one drinking fountain for each floor level.

For other requirements on water closets, see § 1711 as amended herein.

For additional sanitation facilities requirements, See UBC § 1711(h) as specified herein.

§ 705 of the UBC is amended to read as follows:

UBC § 705. All portions of Group B Occupancies shall be provided with natural light by means of exterior glazed openings with an area equal to one-tenth of the total floor area, and natural ventilation by means of exterior openings with an area not less than one-twentieth of total floor area, or shall be provided with artificial light and mechanically operated ventilating system as specified in Section 605 and the applicable sections of the mechanical code.

In all buildings or portions thereof where flammable liquids are used, exhaust ventilation shall be provided sufficient to produce four air changes per hour. Such exhaust ventilation shall be taken from a point at or near the floor level.

In all enclosed parking garages used for storing or handling of automobiles operating under their own power and on all loading platforms in bus terminals, ventilation shall be provided capable of exhausting a minimum of $4\frac{1}{2}$ cfm per square foot of gross floor area. The building official may approve an alternate ventilation system designed to exhaust a minimum of 14,000 cfm for each operating vehicle. Such system shall be based upon the anticipated instantaneous movement rate of vehicles but not less than 2.5 percent (or one vehicle) of the garage capacity. Automatic CO sensing

devices may be employed to modulate the ventilation system to maintain a maximum average concentration of CO of 50 ppm during any eight-hour period, with a maximum concentration not greater than 200 ppm for a period not exceeding one hour. Connecting offices, waiting rooms, ticket booths, etc., shall be supplied with conditioned air under positive pressure.

Exception: In gasoline service stations without lubrication pits, storage garages and aircraft hangars not exceeding in area of 5000 square feet, the building official may authorize the omission of such ventilating equipment where, in his opinion, the building is supplied with unobstructed openings to the outer air which are sufficient to provide the necessary ventilation.

Every building or portion thereof where persons are employed shall be provided with at least one water closet. Separate facilities shall be provided for each sex when the number of employees exceeds four and both sexes are employed. Such toilet facilities shall be located either in such building or conveniently in a building adjacent thereto on the same property.

Such water closet rooms in connection with food establishments where food is prepared, stored or serviced shall be a nonabsorbent interior finish as specified in § 1711, shall have hand-washing facilities therein or adjacent thereto, and shall be separated from food preparation or storage rooms as specified in § 510.

All water closet rooms shall be provided with an exterior window at least 3 square feet in area, fully openable; or a vertical duct not less than 100 square inches in area for the first toilet facility, with an additional 50 square inches for each additional toilet facility; or a mechanically operated exhaust system, which is connected to the light switch, capable of providing a complete change of air every 15 minutes. Such systems shall be vented to the outside air and at the point of discharge shall be at least 5 feet from any openable window.

For other requirements on water closets, see § 1711 as amended herein.

For additional sanitation facilities requirements, see UBC § 1711(h) as amended specified.

UBC § 709(e) Area and height increases. The area and height of structures with cross ventilation throughout may be increased in accordance with provisions of this subsection. In structures with sides open (as defined in Subsection (b)) three-fourths of the building perimeter may be increased 25 percent in area and one tier in height. Structures with sides open (as defined in Subsection (b)) around the entire building perimeter may be increased 50 percent in area and one tier in height. Structures of Type II -FR Type, II-1 hr, or Type II-N construction, with sides open (as defined in subsection (b)) around the entire building, may be unlimited in area when the height does not exceed 8 tiers.

Open parking garages constructed to heights less than the maximums established by Table No. 7-A may have individual

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tier areas exceeding those otherwise permitted, provided the gross tier area of the structure does not exceed that permitted for the higher structure. At least three sides of each such larger tier shall have continuous horizontal openings not less than 30 inches in clear height extending for at least 80 percent of the length of the sides and no part of such larger tier shall be more than 200 feet horizontally from such an opening. In addition, each storage opening shall face a street or yard accessible to a street with a width of at least 30 feet for the full length of the opening and standpipes shall be provided in each tier.

§ 709 of the UBC is amended by adding a new paragraph (m):

UBC § 709(m) Every parking ramp or other parking facility shall include spaces for the parking of motor vehicles having a capacity of seven (7) to sixteen (16) persons. Such vehicles shall be classified as commuter vehicles for the transportation of employees to and from their place of employment or to or from a transit stop authorized by a local transit authority. The number of required spaces shall be determined by 2% of the gross designed parking area with a minimum of two spaces. Such spaces to accommodate commuter vehicles shall be at least 10 feet in width, 20 feet in length and a height clearance of 10'-6" in the entry level and shall not apply to other levels of a ramp.

§ 802(c) of the UBC is amended to read as follows:

UBC § 802(c) Special provisions. Rooms in Division 1 and 2 Occupancies used for day-care purposes, kindergarten ~~first or second grade~~ pupils and Division 3 Occupancies shall not be located above the first story, nor shall they be located in a basement unless there is provided at least one exit door directly on grade from the occupied space.

Storage and janitor closets shall be of one-hour fire-resistive construction. Stages and enclosed platforms shall be constructed in accordance with Chapter 39. For attic space partitions and draft stops, see section 3205.

§ 805 of the UBC is amended to read as follows:

UBC § 805. All portions of Group E Occupancies shall be provided with light and ventilation, either natural or artificial, as specified in Section 605.

~~Water closets shall be provided on the basis of the following ratio of water closets to the number of students:~~

	Boys	Girls
Elementary Schools	1:100	1:35
Secondary Schools	1:100	1:45

~~In addition, urinals shall be provided for boys on the basis of 1:30 in elementary and secondary schools.~~

~~There shall be provided at least one lavatory for each two water closets or urinals, and at least one drinking fountain on each floor for elementary and secondary schools.~~

For other requirements on water closets, see § 1711 as amended herein.

For additional sanitation facilities requirements, see UBC § 1711 (h) as specified herein.

§ 809 of the UBC is amended to read as follows:

UBC § 809. Approved fire alarms shall be provided for all Group E Occupancies with an occupant load of more than 50 persons, and in Group E Division 3 Occupancies with an occupant load of more than 29 persons. In every Group E Occupancy with an automatic sprinkler or detection system, the operation of such system shall automatically activate the school fire alarm system. ~~Which shall include an alarm mounted on the exterior of the building.~~

The fire alarm system shall be installed in compliance with NFPA Standard 72-A-75, "Local Protective Signaling System."

An approved fire alarm is a fire alarm and detection system consisting of the following:

1. A complete non-coded continuously sounding until manually reset, electronically supervised type.

2. Shall have sounding stations on 100 foot to 150 foot spacing; (a) in corridors, (b) in areas of high noise levels, such as band rooms, shops, boiler rooms, (c) a weatherproof station on exterior of building facing residential areas.

3. Shall have automatic sending stations (detectors) in boiler rooms, kitchens, shops, painting areas, lounges, laundries, janitor's closets, storerooms, etc., or unsupervised and unoccupied spaces; namely, critical or hazardous areas.

4. Manual sending stations shall be provided in the natural path of escape from fire, near each exit from an area, on each floor, and shall be readily accessible, unobstructed and at visible locations.

§ 905 of the UBC is amended to read as follows:

UBC § 905. All portions of Group H Occupancies shall be provided with natural light by means of exterior glazed openings with an area equal to one-tenth of the total floor area, and natural ventilation by means of exterior openings with an area not less than one-twentieth of the total floor area, or shall be provided with artificial light and a mechanically operated ventilating system as specified in § 605 and the applicable sections of the mechanical code.

In all buildings or portions thereof where flammable liquids are used, exhaust ventilation shall be provided sufficient to

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produce four complete air changes per hour. Such exhaust ventilation shall be taken from a point at or near the floor level.

In all buildings used for the repair or handling of automobiles operating under their own power, ventilation shall be provided capable of exhausting a minimum of $4 \frac{3}{4}$ cfm per square foot. Additionally, each engine repair stall shall be equipped with an exhaust pipe extension duct, extending to the outside of the building, which, if over 10 feet in length, shall mechanically exhaust 300 cubic feet per minute. Connecting offices and waiting rooms shall be supplied with conditioned air under positive pressure.

Exception: In public repair garages and aircraft hangars not exceeding an area of 5000 square feet, the building official may authorize the omission of such ventilating equipment where, in his opinion, the building is supplied with unobstructed openings to the outer air which are sufficient to provide the necessary ventilation.

Every building or portion thereof where persons are employed shall be provided with at least one water closet. Separate facilities shall be provided for each sex when the number of employees exceeds four and both sexes are employed.

Such toilet facilities shall be located either in such building or conveniently in a building adjacent thereto on the same property.

All water closet rooms shall be provided with an exterior window at least 3 square feet in area, fully openable; or a vertical duct not less than 100 square inches in area for the first toilet facility, with an additional 50 square inches for each additional toilet facility; or a mechanically operated exhaust system, which is connected to the light switch, capable of providing a complete change of air every 15 minutes. Such systems shall be vented to the outside air and at the point of discharge shall be at least 5 feet from any openable window.

For other requirements on water closets, see § 1711 as amended herein.

For additional sanitation facilities requirements, see UBC § 1711(h), as specified herein.

§ 1001 of the UBC is amended to read as follows:

UBC § 1001. Group I Occupancies shall be:

Division 1. Nurseries for the full-time care of children under the age of six (each accommodating more than ~~five~~ four persons). Hospitals, sanitariums, nursing homes with nonambulatory patients and similar buildings (each accommodating more than ~~five~~ four persons).

Division 2. Nursing homes for ambulatory patients, boarding care homes, detoxification centers, homes for children six years of age or over, supervised living facilities. Class B as defined, for the mentally retarded, mentally ill, chemically dependent and the physically handicapped (each accommodating more than ~~five~~ four persons.)

Division 3. Mental hospitals, mental sanitariums, jails, pri-

sons, reformatories and buildings where personal liberties of inmates are similarly restrained.

For occupancy separations, see Table No. 5-B.

For occupant load, see Section 3301.

Exception: Group 1 Occupancies shall not include buildings used only for private residential purposes for a family group.

§ 1002(b) of the UBC is amended to read as follows:

UBC § 1002(b) Special provisions. Division 3 Occupancies shall be housed in buildings of Type I or Type II-F.R. construction.

~~Exception: One story buildings of Type II One-hour, Type III One-hour, or V One-hour construction may be permitted, provided the floor area does not exceed 3900 square feet between separation walls of two-hour fire-resistive construction with openings protected by fire assemblies having one and one-half hour fire protection rating. See § 3319(g) for limitation on locking devices.~~

Every story of a Group I, Division 1 Occupancy accommodating more than five nonambulatory persons, unless provided with a horizontal exit, shall be divided into not less than two compartments accommodating approximately the same number of nonambulatory persons in each compartment by a smoke-stop partition meeting the requirements of one-hour occupancy separation so as to provide an area of refuge within the building. Corridor openings in the smoke-stop partition shall be protected with doors as required in § 3304(h). Other openings shall be limited to ducts which have fire dampers in the plane of the wall activated by detectors of products of combustion other than heat conforming to § 4306(b) 2.

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

§ 1005 of the UBC is amended to read as follows:

UBC § 1005. All portions of Group I Occupancies shall be provided with natural light by means of exterior glazed openings with an area equal to one-tenth of the total floor area, and natural ventilation by means of exterior openings with an area not less than one-twentieth of the total floor area, or shall be provided with artificial light and a mechanically operated ventilating system as specified in Section 605 and the mechanical code.

'For other requirements on water closets, see § 1711 as amended herein.

For additional sanitation facilities requirements see UBC § 1711(h) as specified herein.

§ 1009 of the UBC is amended to read as follows:

UBC § 1009. An approved fire alarm system shall be provided for all Group I Occupancies. Audible alarm devices shall be used in all nonpatient areas. Visible alarm devices may be used in lieu of audible devices in patient-occupied

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areas. An approved alarm system shall comply with UBC § 809 as amended herein. Operation of any fire alarm activating device shall automatically, without delay, accomplish general alarm indication and control functions. Zoned, coded systems shall be permitted to be used. Exception: Alarm systems may be installed in accordance with NFPA 101, 1977 Edition, 10-3.3.3.

§ 1201 of the UBC is amended by adding a new Division to read as follows:

UBC § 1201 Group R, Division 4 Occupancies: This use group shall include all one and two family dwellings built exclusively by the standards as established in the 1975 One and Two Family Dwelling Code as promulgated by the national model code organizations and 2 MCAR §§ 1.16001 through 1.16006. Use and installation of foam plastics shall comply with § 1717 of the U.B.C. as amended herein.

Exception: The plumbing requirements found in Part V (Chapters 20 through 25) and the references portions of Part VII (2-26.2001-S-26.2103) are deleted in their entirety. The requirements of the Minnesota Plumbing Code for plumbing shall apply to this occupancy group.

UBC § 1201 Group R Division 1 occupancy definition is changed to read as follows:

Division 1. Hotels and apartment houses. Convents and monasteries (each accommodating more than 10 persons) Supervised living facilities, Class A as defined, for the mentally retarded, mentally ill, chemically dependent, and the physically handicapped (each accommodating more than four persons.)

UBC § 1201 Group R, Division 3 is amended to read as follows:

UBC § 1201, Division 3. Dwellings and lodging houses.

For occupancy separations, see Table No. 5-B. For purposes of occupancy separation, mobile homes shall be considered as Group R, Division 3 occupancies. For occupant load, see Section 3301.

UBC § 414 Definition of Mechanical Code is amended as follows:

UBC § 414 Mechanical Code is the Uniform Mechanical Code, 1979 Edition Minnesota Heating, Ventilating, Air Conditioning and Refrigeration Code.

Section R-202 of the One and Two Family Dwelling Code is amended to read as follows:

Section R-202. Buildings shall be constructed in accordance with the provisions of this Code using the design criteria set forth in Table No. 2-A. These criteria shall be

established by the jurisdiction based solely or in part on the climatic and geographic conditions set forth in Appendix A. Roof snow loads shall be in accordance with 2 MCAR § 1.10111—UBC § 2305(d). Frost line depth shall be in accordance with 2 MCAR § 1.10111—UBC § 2907(a) Wind velocity shall be in accordance with the conditions set forth in Appendix A of the One and Two Family Dwelling Code.

Section R-204 of the One and Two Family Dwelling Code is amended to read as follows:

Section R-204. All habitable rooms shall be provided with aggregate glazing area of not less than ~~40~~8 square feet nor ~~40~~8 percent of the floor area of such rooms. One-half of the required area of glazing shall be openable.

Exception: The glazed areas need not be openable where an approved mechanical ventilation system is provided capable of producing a change of air every 30 minutes and the opening is not required by Sec. R-211.

Bathrooms, water-closet compartments and other similar rooms shall be provided with aggregate glazing area in windows of not less than 3 square feet, one-half of which must be openable.

Exception: The glazed areas are not required where artificial light and an approved mechanical ventilation system is provided capable of producing a change of air every 12 minutes.

Required glazed openings shall open directly onto a street or public alley, or a yard or court located on the same lot as the building.

Exception: Required glazed openings may face into a roofed porch where the porch abuts a street, yard or court and the longer side of the porch is at least 65 per cent open and unobstructed and the ceiling height is not less than 7 feet.

Section R-211 of the One and Two Family Dwelling Code is amended to read as follows:

Section R-211 Exits. No less than one exit conforming to this Chapter shall be provided from each dwelling unit.

Every sleeping room shall have at least one operable window or exterior door approved for emergency egress of rescue. The units must be operable from the inside to a full clear opening without the use of separate tools. Where windows are provided as a means of egress or rescue they shall have a sill height of not more than ~~44~~48 inches above the floor.

All egress or rescue windows from sleeping rooms must have a minimum net clear opening of 5.7 square feet. The minimum net clear opening height dimension shall be 24 inches. The minimum net clear opening width dimension shall be 20 inches.

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§ 1204 of the UBC is amended to read as follows:

UBC § 1204. Stairs, exits and smokeproof enclosures shall be as specified in Chapter 33.

Every sleeping room below the fourth story shall have at least one operable window or exterior door approved for emergency egress or rescue.

The units shall be operable from the inside to provide a full clear opening without the use of separate tools.

All egress or rescue windows from sleeping rooms shall have a minimum net clear opening of 5.7 square feet. The minimum net clear opening height dimension shall be 24 inches. The minimum net clear opening width dimension shall be 20 inches. Where windows are provided as a means of egress or rescue they shall have finished sill height not more than 44 inches above the floor.

§ 1205 of the UBC is amended to read as follows:

UBC § 1205. (a) Light and ventilation. All guest rooms, dormitories and habitable rooms within a dwelling unit shall be provided with natural light by means of exterior glazed openings with an area not less than ~~one tenth~~ 8 per cent of the floor area of such rooms with a minimum of ~~40~~ 8 square feet. All bathrooms, water closet compartments, laundry rooms and similar rooms shall be provided with natural ventilation by means of openable exterior openings with an area not less than one-twentieth of the floor area of such rooms with a minimum of 1½ square feet.

All guest rooms, dormitories and habitable rooms within a dwelling unit shall be provided with natural ventilation by means of openable exterior openings with an area of not less than ~~one twentieth~~ 4 per cent of the floor area of such rooms with a minimum of 5 square feet.

In lieu of required exterior openings for natural ventilation, a mechanical ventilating system may be provided. Such system shall be capable of providing two air changes per hour in all guest rooms, dormitories, habitable rooms and in public corridors. One-fifth of the air supply shall be taken from the outside. In bathrooms, water closet compartments, laundry rooms and similar rooms a mechanical ventilation system connected directly to the outside, capable of providing five air changes per hour, shall be provided.

For the purpose of determining light and ventilation requirements, any room may be considered as a portion of an adjoining room when one-half of the area of the common wall is open and unobstructed and provides an opening of not less than one-tenth of the floor area of the interior room or 25 square feet, whichever is greater.

Required exterior openings for natural light and ventilation shall open directly onto a street or public alley or a yard or court located on the same lot as the building.

Exception: Required windows may open into a roofed porch where the porch:

1. Abuts a street, yard, or court; and

2. Has a ceiling height of not less than 7 feet; and
3. Has the longer side at least 65 percent open and unobstructed.

(b) Sanitation. Every building shall be provided with at least one water closet. Every hotel or subdivision thereof where both sexes are accommodated shall contain at least two separate toilet facilities which are conspicuously identified for male or female use, each which contains at least one water closet.

Additional water closets shall be provided on each floor for each sex at the rate of one for every additional 10 guests, or fractional part thereof, in excess of 10.

Every dwelling unit shall be provided with a kitchen equipped with a kitchen sink and with a bathroom equipped with facilities consisting of a water closet, lavatory and either a bathtub or shower. Each sink, lavatory and bathtub or shower shall be equipped with hot and cold running water necessary for its normal operation.

For other requirements on water closets, see §§ 510 and 1711 as amended herein.

For additional sanitation facilities requirements, see UBC § 1711(h), as specified herein.

§ 1210(a) of the UBC is amended to read as follows:

UBC § 1210. (a) Fire-warning systems. Every dwelling unit and every guest room in a hotel or lodging house used for sleeping purposes shall be provided with smoke detectors conforming to UBC Standard No. 43-6. In dwelling units, detectors shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to rooms used for sleeping purposes. In an efficiency dwelling unit, hotel sleeping room and in hotel suites, the detector shall be centrally located on the ceiling of the main room or hotel sleeping room. Where sleeping rooms are on an upper level, the detector shall be placed at the center of the ceiling directly above the stairway. All detectors shall be located in accordance with approved manufacturer's instructions. When actuated, the detector shall provide an alarm in the dwelling unit or guest room.

When alterations, repairs or additions requiring a permit and having a valuation in excess of \$1000 occur, or when one or more sleeping rooms are added or created in existing Group R, Division 3 or 4 Occupancies, the entire building shall be provided with smoke detectors located as required for new Group R, Division 3 or 4 Occupancies.

In new construction, required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

Smoke detectors may be battery operated when installed in existing buildings, or in buildings without commercial power, or in buildings which undergo alterations, repairs or additions regulated by the second paragraph of this section.

PROPOSED RULES

§ 1213 of the UBC is deleted in its entirety.

§ 1213. Buildings containing more than 20 dwelling units or 20 guest rooms shall be accessible to the physically handicapped by a level entry, ramp or elevator. The number of dwelling units or guest rooms accessible to the physically handicapped shall be not less than the following:

21 through 99	one unit
100 and over	one, plus one for each additional 100 units or fraction thereof

To determine the total number of accessible units, more than one structure on a building site shall be considered as one building.

Toilet facilities in accessible units shall comply with § 1711.

Chapter 12 of the UBC is amended by adding a new section to read as follows:

UBC § 1216 For Group R Division 1 Occupancies sound transmission control shall be provided to meet the standards defined in UBC Appendix Chapter 35.

Chapter 12 of the UBC is amended by adding a new section to read as follows:

UBC § 1217 Deadbolt locks required. All doors leading to public or shared areas from all apartment dwelling units and hotel units shall be provided with deadbolt locks, at least one of which must be capable of being locked from the exterior of said unit. For the purpose of this section a "deadbolt lock" is a locking bolt, which, when in the locked position, can only be moved positively by turning a knob, key, or sliding bolt.

Deadbolt locks having a bolt moved by turning a key shall be of the five-pin tumbler type or an approved equivalent. Lock throw shall be not less than three-quarters inch (3/4"). Locks shall meet requirements of UBC Section 3303(c).

§ 1706(d) of the UBC is deleted in its entirety.

UBC Sec. 1706(d) Elevator Shafts. Shafts housing elevators and extending through more than two stories shall be vented to the outside. The area of vents shall be not less than 3½ percent of the area of the elevator shaft, with a minimum of 3 square feet per elevator.

§ 1711(b) of the UBC is amended to read as follows:

UBC § 1711(b) Toilet facilities. Each water closet stool shall be located in a clear space not less than 30 inches in width and have a clear space in front of the water closet of not less than 24 inches.

Where toilet facilities are provided on any floor where access by the physically handicapped is required by Table No. 33-A, at least one such facility for each sex shall comply with the requirement of this section. Except in dwelling units

and guest rooms, such facilities must be available to all occupants. All doorways leading to such toilet rooms shall have a clear and unobstructed width of not less than 30 inches.

Each such toilet room shall have the following:

1. A clear space of not less than 44 inches on each side of doors providing access to toilet rooms. This distance shall be measured at right angles to the face of the door when in the closed position. Not more than one door may encroach into the 44-inch space.

2. Except in dwelling units and guest rooms, a clear space within the toilet room of sufficient size to inscribe a circle with a diameter not less than 60 inches. Doors in any position may encroach into this space by not more than 12 inches.

3. A clear space not less than 42 inches wide and 48 inches long in front of at least one water closet stool for the use of the handicapped. When such water closet stool is within a compartment, entry to the compartment shall have a clear width of 30 inches when located at the end and a clear width of 34 inches when located at the side. A door, if provided, shall not encroach into the required space in front of the water closet. Except for door swing, a clear unobstructed access not less than 44 inches in width shall be provided to toilet compartments designed for use by the handicapped.

4. Grab bars near each side or one side and the back of the toilet stool securely attached 32 inches to 34 inches above and parallel to the floor. Grab bars at the side shall be 42 inches long with the front end positioned 24 inches in front of the water closet stool. Grab bars at the back shall be not less than 30 inches long. Grab bars shall have an outside diameter of not less than 1¼ inches nor more than 1½ inches and shall provide a clearance of 1½ inches between the grab bar and adjacent surface. Grab bars need not be provided in Group R, Division 1 apartment houses.

5. When it can be established that the facilities are usable by a person in a wheelchair, dimensions other than those above shall be acceptable.

For provisions for the physically handicapped see 2 MCAR §§ 1.15501-1.15508.

§ 1711(c) of the UBC is deleted in its entirety.

(e) Toilet Room Facilities. In other than Group R, Division 3; Group M; Group R, Division 1 apartment houses and Group B, Divisions 2 and 4 storage occupancies, toilet room facilities shall be as follows:

1. Except for the projection of bowls and waste piping, a clear unobstructed space 26 inches in width, 27 inches in height and 12 inches in depth shall be provided under at least one lavatory.

2. Where mirrors are provided, at least one shall be in-

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stalled so that the bottom of the mirror is within 40 inches of the floor.

3. Where towel and disposal fixtures are provided, they shall be accessible to the physically handicapped and at least one shall be within 40 inches of the floor.

§ 1711 of the UBC is amended by adding a new subsection (h) that reads as follows:

UBC § 1711(h) Sanitation facilities. Sanitation facilities shall be provided for each Occupancy in accordance with Table 17-B and UBC Sec. 605, 705, 805, 905, 1005 and 1205 as amended herein. Fixtures shall be provided for each sex in accordance with the percentage of occupants of each sex. When the percentage of each sex is not known, one-half for each sex shall be assumed. For sanitation facilities for the handicapped see 2MCAR § 1.15503.

Types of building occupancy not shown, or when the provisions of Table 17-B are excessive due to a specific use or occupant load, facilities may be considered individually by the Administrative Authority.

§ 1716 of the UBC is amended to read as follows:

UBC § 1716. All unenclosed floor and roof openings, open and glazed sides of landings and ramps, balconies or porches which are more than 30 inches above grade or floor below, and roofs used for other than service of the building shall be protected by a guardrail. Guardrails shall be not less than 42 inches in height. Open guardrail and stair railings shall have intermediate rails or an ornamental pattern such that a sphere 9 inches in diameter cannot pass through. The height of stair railings on open sides may be as specified in Section 3305 (j) in lieu of providing a guardrail. Ramps shall, in addition, have handrails when required by Section 3306.

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

Exceptions: 1. Guardrails need not be provided on the loading side of loading docks.

2. Guardrails for Group R, Division 3 and Group M, Division 1 Occupancies may be 36 inches in height.

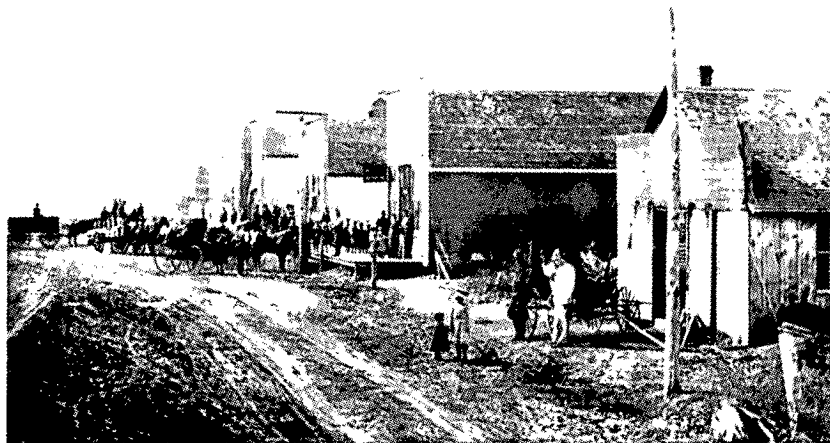
3. Interior guardrails within individual dwelling units or guest rooms of Group R, Division 1 Occupancies may be 36 inches in height.

4. The open space between the intermediate rails or ornamental pattern of guardrails in areas of commercial and industrial type occupancies which are not accessible to the public may be increased such that a 12-inch-diameter sphere cannot pass through.

5. Guardrails on a balcony immediately in front of the first row of fixed seats and which are not at the end of an aisle may be 26 inches in height.

§ 1717(b)(1)(B) of the UBC is amended to read as follows:

UBC § 1717(b)(1)(B). On the room side surface of conforming walls or ceiling or other surfaces referred to in the first sentence of § 1717(b), provided the foam plastic is fully protected from the interior of the building by a thermal barrier of ½ inch gypsum wallboard **having a finish rating of not less than 15 minutes** or other approved material having an equivalent finish rating as determined by UBC Standard No. 43-1. Thermal barriers shall be installed in a manner that they will remain in place for a minimum of 15 minutes under the same test conditions.



PIONEER FARMERS made infrequent trips to a nearby town with their horses and buggies or wagons to sell their wheat, have it ground into flour, and purchase a few groceries and supplies. Shown here is the main street of the small town of Kenneth in Rock County about 1900. (Courtesy of the Minnesota Historical Society)

PROPOSED RULES

TABLE NO. 17-B REQUIRED SANITATION FIXTURES BASED ON OCCUPANCY LOAD (1) (2)

OCCUPANCY	USE	S.F. per Occ.	WATER CLOSETS	URINALS	LAVA- TORIES	DRINKING FOUNTAINS	BATHTUBS OR SHOWERS	KITCHEN SINKS	SERVICE SINKS
Group A Occupancies	Auditoriums	30							
	Bowling alleys	30	<u>Churches</u>	<u>Churches</u>	<u>Churches</u>				
	Churches	60							
	Conference Rooms	80	1 for each 300 Men	(3)					
	Dance Floors	30	1 for each 300 women		1 for each 300				
	Dining, Drinking	30					—	—	1
	Exhibit Rooms	80							
	Gymnasiums	30	<u>Other</u>		<u>Other</u>	1 for each 300			
	Libraries	100	<u>Occupants</u> <u>Fixtures</u>		<u>Occupants</u> <u>Fixtures</u>				
	Lodge Rooms	80	1-100 1		1-200 1				
	Lounges	80	101-200 2		201-400 2				
	Rinks	30	201-400 3		401-750 3				
	Stadiums, Grandstands	80	Over 400 1 add'l each 500	(3)	Over 750 1 add'l for each 500				
	Theaters	30							
	Waiting Rooms	80							
Group E Occupancies (6)	Elementary	85	Boys 1/ea. 100 Girls 1/ea. 30		1 for each 100				
	Secondary	130	1/ea. 100 1/ea. 25	1/ea. 30	1 for each 100	1 for each 75	—	—	1 per floor
Group I Occupancies			<u>1/ea. cell</u>		1 in each cell		1 at each cell		
	Prisons, Jails	100	<u>1/ea. exercise</u> room		1 ea. exercise rm 1 for ea. 10 patients	1 for each 100	1 at each cell block floor	—	1 per floor
	Hospitals, Nursing Homes	100	1/ea. 8 patients 1/ea. waiting room				1 for each 20 Other		1 per floor
			<u>Other</u> 1/ea. 25 men 1/ea. 20 women	1/ea. 50	<u>Other</u> 1 for each 10	1 for each 100	1 for each 10		
Group H Occupancies			Fact. Whrse. Occ. Fixt.	Fact. Whrse. Occ. Fixt.	Fact. Whrse. Occ. Fixt.	Factories Warehouses			
Group B Occupancies	Aircraft Hangars	500	1-10 1	(3)					
	Factories	200	11-25 2		for each 1-10(4)				
	Municipal Buildings	80	26-50 3		Over 100 1-15(5)	1 for each 75			
	Office Buildings	200	51-75 4						
	Sales	200	76-100 5						
	Service Stations	200	Over 100 1 add'l for 30		Sales. Offices Occ. Fixt.	Sales, Offices			1 per floor
Group B-4 Occupancies	Storage Garages	500							
	Warehouses	500	Sales, Office, etc. Occ. Fixt.	Sales, Office (3)	1-15 1 16-35 2	1 for each 150			
			1-15 1		36-60 3				
	Factories	200	16-35 2		61-90 4				
	Sales	200	36-55 3		91-125 5				
	Warehouses	500	56-80 4 81-110 5 111-150 6		Over 125 1 to 45				
Group R-1 Occupancies	Dwelling Units, Apt.	—	1	—	1	—	1	1	1 laundry tray
	Motel, Hotel Units	—	1 for each 10	—	1 for each 10	—	1 for each 10	1 for each 10	for each 10
	Rooming Houses	200	1 for each 10	—	1 for each 10	—	1 for each 10	1 for each 10	dwelling units
	Dormitories	200	1 for each 10	—	1 for each 10	—	1 for each 10	1 for each 10	or guest rooms
Group R-3 and R-4 Occupancies	1 and 2 Family	—	1	—	1	—	1	1	—
Group M Occupancies	—	—	—	—	—	—	—	—	—
TEMPORARY FACILITIES			1 for each 30	1 for each 30		1 for each 100			

*A—Area of building occupancy classification served
S.F.—per Occ.—from Column 3 of this table

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 to determine 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 waterclosets, and lavatories, these numbers are *minimum* & equal number for each sex is required.

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PROPOSED RULES

§ 1807(h) of the UBC is amended to read as follows:

UBC § 1807(h) Elevators. Elevators and elevator lobbies shall comply with the provisions of Chapter 51, 2 MCAR §§ 1.18801-1.18806 and the following:

Note: A bank of elevators is a group of elevators or a single elevator controlled by a common operating system; that is, all those elevators which respond to a single call button constitute a bank of elevators. There is no limit on the number of cars which may be in a bank or group but there may be not more than four cars within a common hoistway.

1. Except for the main entrance level, all elevators on all floors shall open into elevator lobbies which are separated from the remainder of the building as is required for corridor construction in § 3304 (g) and (h).

2. Each elevator lobby shall be provided with an approved smoke detector located on the lobby ceiling. When the detector is activated, elevator doors shall not open and all cars serving that lobby are to return to the main floor and be under manual control only. If the main floor detector or a transfer floor detector is activated, all cars serving the main floor or transfer floor shall return to a location approved by the fire department and building official and be under manual control only. The smoke detector is to operate before the optical density reaches 0.03 per foot. The detector may serve to close the lobby doors.

3. A permanent sign shall be installed in each elevator cab adjacent to the floor status indicator and at each elevator call station on each floor reading "IN FIRE EMERGENCY, DO NOT USE ELEVATOR — USE EXIT STAIRS," or similar verbiage approved by the building official.

4. Elevator hoistways shall not be vented through an elevator machine room. Cable slots entering the machine room shall be sleeved beneath the machine room floor and extend to not less than 12 inches below the shaft vent to inhibit the passage of smoke into the machine room.

5. ~~At least one elevator car serving all floors shall have a minimum inside car platform of 4 feet 3 inches deep 6 feet 8 inches wide with a minimum clear opening width of 42 inches, unless otherwise designed and approved to provide equivalent utility to accommodate an ambulance stretcher having minimum size of 22 inches by 78 inches in its horizontal position. This elevator shall be identified. For car size requirements see 2 MCAR § 1.18806 B.4.~~

§ 2303(a) of the UBC shall be amended to read as follows:

UBC § 2303. (a) General. All buildings and portions thereof shall be designed and constructed to sustain, within the stress limitations specified in this code, all dead loads and all other loads specified in this chapter or elsewhere in this code. Impact loads shall be considered in the design of any structure where impact loads occur.

Exception: Unless otherwise required by the building official buildings or portions thereof, other than earth sheltered structures, which are constructed in accordance with the

conventional framing requirements specified in Chapter 25 of this code shall be deemed to meet the requirements of this section.

§ 2305(d) of the UBC is amended to read as follows:

UBC § 2305(d) Snow loads. Snow loads full or unbalanced shall be considered in place of loads set forth in Table No. 23-C, where such loading will result in larger members or connections.

A basic snow load of 40 pounds per square foot of horizontal projection is required in the following counties: Anoka, Carlton, Carver, Chisago, Cook, Dakota, Hennepin, Isanti, Lake, Pine, Ramsey, St. Louis, Scott and Washington. A basic snow load of 30 pounds per square foot of horizontal projection is required for all other counties.

Potential accumulation of snow at valleys, parapets, roof structures and offsets in roofs of uneven configuration shall be considered. Where snow loads occur, the snow loads shall be determined by the building official in accordance with Appendix "B".

Exceptions:

1. The requirements of Appendix "B" shall not apply to Group R Division 3, Group R Division 4 and M Occupancies.

2. A basic snow load of 30 pounds per square foot of horizontal projection shall be acceptable for detached Group M, Division 1 Occupancies in all counties.

Snow loads in excess of 20 pounds per square foot may be reduced for each degree of pitch over 20 degrees. ~~by R, as determined by the following formula:~~ See Appendix B, Section A.

$$\begin{aligned} S &= 1 \\ R &= 40 \cdot 2 \end{aligned}$$

Where:

R = Snow load reduction in pounds per square foot per degree of pitch over 20 degrees.

S = Total snow load in pounds per square foot.

§ 2311(g) of the UBC is amended to read:

UBC § 2311(g) Open frame towers. Radio towers and other towers of trussed construction shall be designed and constructed to withstand wind pressures specified in this Section, multiplied by the shape factors set forth in Table No. 23-H.

Wind pressures shall be applied to the total normal projected area of all the elements of one face (excluding ladders, conduits, lights, elevators, etc., which shall be accounted for separately by using the indicated factor for these individual members).

The effect of one-half inch of radial ice shall be included in the design of open frame towers including all supporting guys. This effect shall include the weight of the ice and the increased profile of each such tower component so coated.

PROPOSED RULES

§ 2312(a) of the UBC is amended to read as follows:

UBC § 2312(a) General. For the purpose of the Code this State shall be considered to be in Zone "O," No Damage Area. Every building or structure and every portion thereof shall be designed and constructed to resist stresses produced by lateral forces as provided in this Section. Stresses shall be calculated as the effect of a force applied horizontally at each floor or roof level above the base. The Force shall be assumed to come from any horizontal direction.

Structural concepts other than set forth in this section may be approved by the Building Official when evidence is submitted showing the equivalent ductility and energy absorption are provided.

Where prescribed wind loads produce higher stresses, such loads shall be used in lieu of the loads resulting from earthquake forces.

§ 2403(e) is amended to read as follows:

UBC § 2403(e) Concrete masonry units. Concrete masonry units shall be of a quality at least equal to the requirements set forth in U.B.C. Standard No. 24-4 or No. 24-5 when used for bearing walls or piers or when in contact with ground or exposed to the weather; or equal to the requirements set forth in U.B.C. Standard No. 24-6 when used for nonbearing purposes and not exposed to the weather. Solid units subject to the action of weather or soil shall be Grade A. Concrete masonry units shall be tested as set forth in U.B.C. Standard No. 24-7.

Concrete masonry units used for walls below grade or for other uses as determined by the designer shall not be subject to the moisture control provisions of Table 24-4-A of UBC Standard 24-4.

§ 2417 is amended by the addition of paragraph (n):

UBC § 2417(n) Alternate design method. The Specification for the Design and Construction of Load-Bearing Concrete Masonry 8th Printing May, 1978, published by the National Concrete Masonry Association may be used as an alternate design method providing the following conditions are satisfied:

1. The permit applicant must inform the building official, in writing, that the masonry design is based on the requirements of this subsection prior to granting of a building permit.

2. An outline of testing and field inspection schedules and design calculations signed by the responsible design professional shall be submitted to the building official prior to granting of a building permit.

3. Prior to occupancy, the permit applicant shall submit to the building official written evidence from a registered profes-

sional engineer certifying compliance with all requirements of this subsection.

§ 2501(a) of the UBC is amended to read:

UBC § 2501(a) Quality and design. The quality and design of wood members and their fastenings shall conform to the provisions of this chapter, and to the applicable standards listed in Chapter 60 as amended herein.

§ 2510(h) of the UBC is amended to read as follows:

UBC 2510(h) Metal plate connectors. ~~The material and workmanship during fabrication and the design of metal plate connectors employed as joint connectors for light wood trusses shall conform with the requirements of U.B.C. Standard No. 25-17. Metal plate connectors employed as joint connectors in light wood trusses, and the design and testing of such trusses, shall conform to the Design Specification for Metal Plate Connected Wood Trusses, 1978 Edition published by the Truss Plate Institute, Inc. (TPI78) and the following amendments, thereto.~~

§ 102(c) 5 of TPI(78) shall be amended to read as follows: Concentrated loads, ~~and~~ their points ~~and~~ method of application.

§ 310 shall be added and reads: 310 Cross Grain Stress. Where design loads or their method of application induce cross-grain tension or bending stress, such cross-grain stress shall be considered in the design.

Snow loads shall be determined in accordance with the requirements of 2 MCAR § 1.10111 UBC § 2305(d). Wind loads shall be determined in accordance with the requirements of UBC § 2311.

Other loads shall be determined in accordance with the design requirements of UBC Chapter 23.

Each truss manufacturer shall retain an approved agency having no financial interest in the plant being inspected to make nonscheduled inspections of truss fabrication and delivery and operations.

The inspection shall cover all phases of truss operation, including lumber storage, handling, cutting, fixtures, presses or rollers, fabrication, bundling and banding, handling and delivery.

§ 2907(a) of the UBC is amended to read as follows:

UBC § 2907(a) General. Footings and foundation, unless otherwise specifically provided, shall be constructed of masonry, concrete or treated wood in conformance with U.B.C. Standard No. 29-3 and in all cases shall extend below the frost line. Footings of concrete and masonry shall be of solid material. Foundations supporting wood shall extend at least 6

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PROPOSED RULES

inches above the adjacent finish grade. Footings shall have a minimum depth below finished grade ~~as indicated in Table No. 29A~~ for the Zone as established below unless another depth is recommended by a foundation investigation.

1. In the absence of a determination by an engineer competent in soil mechanics, the minimum allowable footing depth in feet due to freezing shall be five feet in Zone I and three and one-half feet in Zone II.

Zone I shall include the counties of: Aitkin, Becker, Beltrami, Carlton, Cass, Clay, Clearwater, Cook, Crow Wing, Douglas, Grand, Hubbard, Itasca, Kanabec, Kittson, Koochiching, Lake, Lake of the Woods, Mahnommen, Marshall, Mille Lacs, Morrison, Norman, Otter Tail, Pennington, Pine, Polk, Red Lake, Roseau, St. Louis, Todd, Traverse, Wadena, Wilkin.

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

2. Soil under slab on grade construction for buildings. When soil, natural or fill, is sand or pit run sand and gravel, and of depth in accordance with minimum footings depth requirements for each zone, slab on grade construction which supports roof and wall loads shall be permitted. Slab on grade construction for detached buildings Group M, Division I Occupancies may be placed on any soil except peat or muck.

UBC § 3203(d) 3 is amended to read as follows:

UBC § 3203(d) 3. Shingle; shake and tile roofs. A General. Installation shall be in accordance with Table No. 32-B. Underlayment, when required, shall be lapped horizontally and vertically so as to shed water.

In areas subject to roof ice build-up, underlayment consisting of two layers of Type 15 felt applied shingle fashion shall be installed and solid mopped together with approved cementing material between the plies extending from the eave up the roof to a point 24 inches inside the exterior wall line of the building.

The entire State of Minnesota shall be deemed an area subject to roof ice build-up.

Exceptions: 1. For wood shingle or wood shake roofs the underlayment shall extend 36 inches inside the exterior wall line of the building.

2. When interlocking tiles are used, the underlayment may consist of one layer of Type 40 or heavier asphalt-coated base sheet extending from the eave to a point 24 inches inside the

exterior wall line of the building. When this method is used, all horizontal and vertical seams of the base sheet shall be lapped 6 inches and be continuously sealed with approved cementing material and shall be applied only over solid sheathing.

§ 3205(c) is amended to read as follows:

UBC § 3205(c) Ventilation. Where determined necessary by the building official due to atmospheric or climatic conditions, enclosed attics and enclosed rafter spaces formed where ceilings are applied direct to the underside of roof rafters shall have cross ventilation for each separate space by ventilating openings protected against the entrance of rain and snow. The net free ventilating area shall be not less than 1/150 of the area of the space ventilated, except that the area may be 1/300, provided at least 50 percent of the required ventilating area is provided by ventilators located in the upper portion of the space to be ventilated at least 3 feet above eave or cornice vents with the balance of the required ventilation provided by eave or cornice vents.

~~Where eave or cornice vents are used to provide the ventilation of combustible attic spaces, vent openings shall not be located within 3 feet measured laterally above window or door openings in the wall of the story immediately below.~~

~~Exception: Group M and Group R, Division 3 Occupancies.~~

§ 3207(c) of the UBC is amended to read as follows:

UBC § 3207(c). Where roof drains are required, overflow drains having the same size as roof drains shall be installed with the inlet flow line located 2 inches above the low point of the roof, or overflow scuppers having three times the size of the roof drains may be installed in adjacent parapet walls with the inlet flow line located 2 inches above the low point of the adjacent roof and having a minimum opening height of 4 inches. Overflow drains shall be connected to drain lines independent from the roof drains, and shall discharge above grade.

UBC § 3303(a) is amended to read as follows:

UBC § 3303. (a) General. This section shall apply to every exit door serving an area having an occupant load of more than 10, or serving hazardous rooms or areas, except that Subsections (c), (i) and (j) shall apply to all exit doors regardless of occupant load. Buildings or structures used for human occupancy and each dwelling unit or guest room leased for gain shall have at least one exit door that meets the requirements of Subsection (e).

UBC § 3305(j) exception 2 is amended to read as follows:

Exception 2 — Private Stairway 30 inches or less in height may have handrails on one side only. Handrails are not required on private stairways with less than 3 risers.

UBC Table 33A is amended as follows:

Delete the right hand column entitled "Egress by means of a ramp or elevator must be provided for the physically handicapped as indicated."

PROPOSED RULES

Also delete footnotes 2, 3, 4, 5, 6 and 8.

UBC Table 38A is amended as follows:

Section 2, occupancy column, shall read: Occupancies 4 3 stories or more but less than 150 feet in height, except Group R, Division 3 or 4. Class II standpipes are not required in Group E or Group R-I occupancies.

UBC § 4701(a) is amended to read as follows:

UBC § 4701(a) General. The installation of lath, plaster and gypsum board shall be done in a manner and with materials as specified in this Chapter, or as set forth in ANSI A42.2, 1971 Specifications for Portland Cement and Portland Cement-Lime Plastering, Exterior (Stucco) and Interior and ANSI A42.3, 1971 Specifications for Lathing and Furring for Portland Cement and Portland Cement-Lime Plastering, Exterior (Stucco) and Interior; and, when required for fire-resistive construction, also shall conform with the provisions of UBC Chapter 43.

Other approved wall or ceiling coverings may be installed in accordance with the recommendations of the manufacturer and the conditions of approval.

UBC §§ 5001-5006 are amended to read as follows:

UBC §§ 5001-5006 are deleted and replaced by 2 MCAR §§ 1.10301-1.10337.

UBC §§ 5101-5104 are amended to read as follows:

UBC §§ 5101, 5102, 5103 and 5104, Elevators, Dumbwaiters, Escalators, Manlifts, Moving Walks, Hoists and Lifts are deleted. Refer to 2 MCAR §§ 1.18801-1.18806.

§ 6001 of the UBC is amended as follows:

UBC § 6001. The UBC Standards which are referred to in various parts of this code shall be the Uniform Building Code Standards, 1979 Edition, and are hereby declared to be a part of this code with the following amendment.

UBC § 6001, Chapter 25, 25-17 is amended to read as follows:

Chapter 25, 25-17, 2510(a), 2510(b), 2510(c), 2510(d), 2510(e), 2510(h), 2514(b)1, 2514(b)2, Tables Nos. 25-F, 25-G, 25-H and 47-H Timber Connector Joints, Bolted Joints, Drift Bolts and Wood Screws, Lag Screws, National Design Specification for Stress-grade Lumber and its Fastenings (1971), National Forest Products Association. Light Metal Plate Connected Wood Trusses TPI 68 78, Truss Plate Institute, Nails and Staples, Federal Specification No. FF-N-105B (March 17, 1971).

End of Substitution — Note Change in Format.

2 MCAR § 1.18701 is amended to read as follows:

2 MCAR § 1.18701 Plumbing. All plumbing in buildings and structures as defined in the Minnesota ~~Plumbing Building~~ Code shall comply with the provisions of the Minnesota Plumbing Code ~~1976~~ 1979, which code is adopted by reference and made a part of the Code.

Section II

Validity Clause

2 MCAR § 1.10112 Validity clause. If any sections, subsection, sentence, clause, or phrase of this Code, are for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Code.

It is hereby declared that the Department of Administration would have adopted this Code and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section III

Proposed Amendments to the Provisions for Accessibility and Usability of Building by Physically Handicapped Persons

STATE BUILDING CODE CHAPTER 55 FACILITIES FOR THE HANDICAPPED

Accessibility and Usability Features for Handicapped Persons

2 MCAR § 1.15501 Where required.

A. General. ~~In addition to other provisions in this code, facilities for the handicapped~~ Accessibility and usability features shall be provided in accordance with ~~this chapter~~ these rules. ~~See UBC Chapter 17 for additional requirements~~ See Chapter 17 of the Uniform Building Code as amended by the State Building Code, Chapter 33 of the Uniform Building Code, and 2 MCAR §§ 1.18801-1.18806, and 1.18811-1.18813.

B. Scope. Accessibility provisions of this Chapter shall apply to all buildings, occupancies and skyways except the following:

1. Group R Division 3, Group R Division 4 and Group M occupancies.

2. Temporary Building, except group E and I (as amended by the S.B.C.) occupancies.

3. ~~Building not exceeding 150 square feet in floor area need not be provided with sanitation facilities for the handicapped specified in 2 MCAR § 1.15503.~~

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4. One story buildings, other than service stations, not exceeding 2000 square feet in floor area need not be provided with sanitation facilities for the handicapped specified in 2 MCAR § 1.15503 when approved by the Building Official.

5. Floors of buildings not used by the general public and on which handicapped persons can not be employed because of the nature of the work.

6. Group R-1 occupancies in which dwelling units are individually owned, sanitation facilities for the handicapped specified in 2 MCAR § 1.15503 and other facilities for the handicapped specified in 2 MCAR § 1.15504 need not be provided.

2 MCAR § 1.15502 Definitions. Building Accessibility.

A. General. These definitions are applicable to 2 MCAR §§ 1.15501-1.15517.

1. Ramp is a sloped walking surface within a building or attached to a building connecting levels of the building and may be part of an exit in accordance with U.B.C. § 3306.

2. Walk is a continuous, permanently defined pathway at grade between public ways and buildings, parking areas and buildings, or between buildings.

3. Slip resistant is any surfacing of a floor, ramp, or walk which has an anti-slip coefficient of not less than 0.04 as defined in Research Paper No. R-P-1879 of the National Bureau of Standards.

1. Accessible. Accessible shall mean readily approached, entered and used by handicapped persons without additional assistance.

2. Ancillary areas. Ancillary areas shall mean areas of common auxiliary use and include, but are not limited to, exterior site improvements and laundry, recreation, community and other common tenant spaces.

3. Curb ramp. Curb ramp shall mean a short inclined walking surface used to by-pass abrupt changes in level of less than nine (9) inches with a maximum slope ratio of one to ten (1:10). Such ramps shall have an aggregate finish in compliance with the State Department of Transportation specifications and shall contrast in color and texture with adjacent surfaces.

4. Floor. Floor shall mean occupied horizontal space within the exterior walls of a building. All raised or depressed levels of said floor available to the public and/or employees shall be accessible. Landings in stairways are not included.

5. Grip strength. Grip strength shall mean the compressive pressure a person can exert by closing his hand around an object.

6. Handicapped person. Handicapped person shall mean any person who has a physical or mental impairment which substantially limits one or more major life activities.

7. Hazardous area. Hazardous area shall mean an

area in which obstacles exist or in which a risk or peril exists which could jeopardize the health, safety, or life of a human being including, but not limited to, areas housing HVAC equipment, electrical transformers or panels, equipment with hot or moving parts, tunnels, pits, and loading platforms.

8. Public way. Public way shall mean any street, alley or similar parcel of land, public or private, unobstructed, which is deeded, dedicated, or otherwise permanently appropriated to the public for public use and having an unobstructed width of not less than 10 feet.

9. Ramp. Ramp shall mean an enclosed sloped walking surface within a building, or within an enclosure attached to a building, connecting floors and levels of floors of a building and may be part of an exit when constructed according to U.B.C. § 3306 except for slope as required by 2 MCAR § 1.15505 A.2. of these rules.

10. SBC. SBC shall mean the Minnesota State Building Code.

11. Skyways. Skyway shall mean an enclosed pedestrian passageway, elevated above street level, used to connect structures. Skyways shall not be considered as required exits from structures.

12. Slip resistant. Slip resistant shall mean a surface that is firm, flat, continuous which retards the sliding action of heels and shall have anti-slip co-efficient of not less than 0.40 as defined in Research Paper No. RP-1879 of the National Bureau of Standards.

13. Temporary buildings. Temporary building shall mean any building(s) or structure(s) authorized by the local authority for use for a determined period of time. Such building or structure shall be completely removed upon expiration of the time limit stated in such permit.

14. UBC. UBC shall mean the Uniform Building Code

15. Walk. Walk shall mean a permanently defined exterior pathway between a public way and buildings, parking areas and buildings, or between buildings and shall include public ways on private property.

B. Site Approaches

2 MCAR § 1.15503 Site approach.

Access to a defined accessible building entrances shall be by walks a walk.

Exception: access to temporary buildings and remodeled buildings may be by ramp or other approved means.

Such walks shall be of concrete, asphaltic paving or other similar permanent materials, with a slip resistant surface, and shall be not less than forty eight (48) inches wide with a slope not to exceed a ratio of one vertical to 20 twenty horizontal (1:20).

Exception: Existing buildings or facilities may use other approved materials. Walks shall not have any abrupt change in level. When walks are more than six (6) inches above the

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adjacent ground level, guardrails or curb 6" high shall be provided. When walks are thirty inches (30") or more above the adjacent ground level, guardrails shall be provided. Cross slope of walks shall not exceed a ratio of 1 to 48.

2 MCAR § 1.15504 Building entrances. ~~C.~~ At least ~~two~~ one required exits of the building shall be accessible for use as ingress for the handicapped. Primary entrances (required exit) to each building where required shall be accessible and shall be identified for such use. Such building entrances shall be at the main lobby or corridor, or shall be accessible thereto by ramp or elevator.

Clarification: It is preferable that all or most entrances (required exits) should be accessible to, and usable by, individuals in wheelchairs and individuals with other forms of physical disability. Signage or directional aids giving direction to the main lobby or corridor in compliance with § 1.15516 of this chapter shall be provided.

2 MCAR § 1.15505 D. Access to other stories floors and levels:

Access for the handicapped to other stories or levels of the building used by the general public and/or employees shall be by elevator or ramp, except the following:

1. ~~Group R-1 occupancies not exceeding three stories in height.~~

A. Access to all floors and levels of a building used by the general public and/or employees shall be by elevator or ramp

Exception: In Group R-1 occupancies not exceeding three (3) stories in height, at least one floor shall be accessible.

1. ~~Other occupancies not exceeding two (2) stories in height, and where the total occupant load is less than 100 on all floors other than the main floor. Such Ramps shall have a slip-resistant surface. It Ramps shall have a slope not to exceed a ratio of one (1) foot vertical to twelve (12) feet horizontal (1:12), and Ramps shall have a landing at the top and the bottom, and where the rise exceeds three feet vertically, it shall have an intermediate landing located not to exceed for each two feet six inches vertically of vertical rise. The bottom landing shall have a minimum dimension of six feet (6'0") measured in the direction of the adjacent ramp run(s), and The top landing and intermediate landing(s) shall have a minimum dimension of five feet (5'0") measured in the direction of the adjacent ramp run(s). Width of ramp, handrails, and guardrails shall be provided as required for stairs (UBC Chapters 33 and 17).~~

2 MCAR § 1.15506 E. Automobile parking areas Vehicle Offstreet Parking: ~~Where automobile parking spaces are provided at least one space per 50 spaces or fraction thereof, shall be provided for the use of the handicapped, and shall be~~

~~identified for such use. Such parking spaces shall be not less than 12 feet in width, and located as near as practicable to the building entrance specified in 2 MCAR 1.15502(e).~~

When vehicle offstreet parking is provided, the number of offstreet parking spaces required for vehicles transporting handicapped persons shall be in the ratio required by Table 55-C. The spaces provided shall be immediately adjacent to an accessible entrance or immediately adjacent to an accessible path of travel, using the most direct route, to an accessible entrance. The spaces provided shall be identified by means of a permanent upright sign designating such spaces only for vehicles transporting handicapped persons. The center of the sign shall be forty eight (48) inches above the surface or ground, located so as to prevent the sign or sign post from being damaged by vehicles. Spaces provided shall have minimum dimensions of twelve (12) feet in width and twenty (20) feet in length.

2 MCAR § 1.15507 F. Doors and doorways:

Doors and doorways serving buildings or portions thereof regulated by this chapter shall comply with the following:

A. This section applicable to Accessible Building entrance doors, entry doors to individual non residential tenant spaces, conferences rooms, accessible sanitation facilities and all doors in dwelling units required to be provided per table 55 A.

1. Doorways or doors in an open position shall ~~have a clear opening width of not less than 31 inches.~~ provide not less than thirty-two inches (32") of clear opening which shall be measured at all points up to thirty inches (30") above the floor.

2. Doors shall be operable by a single effort with one hand. All door hardware shall be operable by persons with no grip strength and shall be positioned not more than three feet six inches (3'6") above the floor. Nothing herein shall be construed to preclude the use of keyed locks.

3. In doorways consisting of two or more door leaves, at least one door leaf shall comply with the provisions of this section. See UBC § 3303(d) for minimum exit door width.

4. Where access regulated by this chapter is through two (2) or more sets of doors, as in a the same entry, foyer, vestibule, or lobby the ~~space separating the doorways shall be not less than seven feet.~~ distance between the sets of door shall be a minimum of forty-eight inches (48") plus the width of the door that swings into the space between doors or there shall be an area in the space between doors at least five feet (5'0") in diameter exclusive of door swing.

5. The floor or landing at doorways required for accessibility shall be level with, ~~or not more than~~ or shall not exceed one half inch (1/2") ~~lower than the threshold~~ of elevation change from the threshold exclusive of compressible

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gaskets. Thresholds shall be flush or beveled. Where the door swings over a floor or a landing such floor or landing shall extend eighteen inches (18") ~~not less than one foot~~ or more beyond the door to any obstruction on the latch side of the door in the closed position. Exterior landings shall not exceed a slope of one to forty eight (1 to 48).

6. ~~In dwelling units specified in 2 MCAR § 1.15503 A-1, entrances specified in 2 MCAR § 1.15502 C., and toilet rooms or compartments specified in 2 MCAR § 1.15503 C-1, door opening latch hardware shall have lever handles, and shall be not more than three feet six inches above the floor.~~

6. Doors with automatic closers shall have a maximum opening resistance pressure of eight point five (8.5) pounds and shall be so maintained.

7. Doors serving toilet rooms or stalls shall be capable of being ~~unlocked from either side, locked from the inside and unlocked from either side.~~ Stall doors shall have handles on both sides to pull the door open or closed.

(C) ~~Stair tread nosing.~~

Riser shall be slanted to meet the tread nosing edge, or where the tread extends beyond vertical risers, nosing shall be rounded and not project beyond the riser more than one inch.

2 MCAR § 1.15508 Maneuvering space.

Floor space shall be unobstructed by walls, cabinets, fixtures, appliances, door swing, or other obstructions so as to provide a space at least five feet (5') in diameter in all habitable rooms and ancillary areas of buildings, including toilet rooms and all rooms of dwelling units or guest rooms required to be accessible. Where cabinets, appliances, fixtures, and similar features have a base toe space not less than ten inches (10") or more in height above the floor surface, the clear floor space may be measured up to six inches (6") inside such toe space.

2 MCAR § 1.15509 Aisles and lanes Interior circulation:

A. ~~Where Pedestrian aisles or lanes~~ All interior circulation systems which are defined with directional barriers, rails, benches, merchandise, tables, seats, or fences, ~~at least one~~ shall have not less than ~~34 inches~~ thirty two inches (32") of clear width. ~~for use of the handicapped and shall be identified for such use.~~

B. Where turnstiles or checkout lanes are used in internal circulation at least one (1) alternate means of circulation, ~~thirty-two (32") inches of clear width shall be provided and shall be identified as accessible.~~

C. Corridors and aisles which serve doors or doorways and accessible sanitation fixtures and accessories shall be in compliance with Table 55-D.

D. Corridors, aisles, exit passageways, and foyers shall be clear of all hard objects suspended from the ceiling for a distance of eighty-four inches (84") above the floor. Below eighty-four inches (84") hard objects shall extend no more

than four inches (4") from the sidewall. In all occupancies regulated by this chapter, public corridors less than five feet (5') in width shall have at each end and at intervals no greater than seventy five feet (75') an area large enough to permit a wheelchair to be turned around. An area having a minimum dimension of five feet (5') shall meet this requirement.

E. Stairways shall have risers which slant to meet the tread nosing edge or where the treads extend beyond the risers the nosing edge shall be beveled at an angle of 60 degrees from the horizontal surface and shall not project more than one inch beyond the riser.

F. Ancillary Areas: At least one of each type of ancillary improvements, building, space or room shall be served by at least one accessible path of travel from the required accessible principal entrance(s) and regulated accessible dwelling units or guest rooms.

2 MCAR § 1.15510 Refuge areas: In all structures used for educational purposes for grades K through 12 in occupancy groups A-2.1, A-3, E-1, E-2, and E-3 a safe area of refuge shall be provided at all floors served exclusively by stairways or elevators. This area shall be clearly identified. The refuge area shall be of sufficient space to accommodate five percent (5%) of the total occupant load of each such level as determined by Table 33-A of the U.B.C. The minimum area per handicapped individual shall be twenty (20) square feet. The refuge area shall be of not less than two (2) hour non combustible fire resistive construction with interior openings protected with a fire-assembly having a 1½ hour fire protection rating. An exterior egress or rescue window openable by persons without special knowledge or grip strength and providing a clear openable area of not less than twenty (20) inches in width, twenty-four (24) inches in height and not less than five point seven (5.7) square feet in area with the bottom of the openable area not more than forty-eight (48) inches above the floor shall be provided for each refuge area. This window shall have interior identification for the building occupants and exterior identification for the fire department. Such openings shall be maintained readily accessible to the fire department and shall not be obstructed in a manner that rescue cannot be accomplished from the exterior. The maximum distance of travel from any point on a floor or level to a refuge area shall not exceed one hundred fifty (150) feet. In non emergency situations the refuge area may be occupied space other than storage.

2 MCAR 1.15511 Sanitation facilities.

A. General. Sanitation facilities ~~may~~ shall include ~~toilets~~ water closet, urinals, lavatories, bathtubs, showers, sinks, and other similar plumbing fixtures. For number and type of sanitation fixtures required in each occupancy, see SBC Table 17-B and the amendments to UBC § 1711(h).

A- B. Where required:

1. In group R-1 occupancies having ~~eight~~ four (4) or more dwelling units or guest rooms, accessible sanitation facilities shall be provided in dwelling units and guest rooms

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in accordance with Table 55-A. At least one dwelling unit or guest room shall have a shower as prescribed in H.7. of this section. In a multiple building development, the dwelling units or guest rooms containing sanitation facilities shall not be located solely in one building and shall be located in at least 25% of the buildings when more than three accessible units or guest rooms are required.

2. Sanitation facilities shall be provided in all other occupancies regulated by this Code except the following:

- a. Group R-3, R-4, and M occupancies.
- b. Temporary buildings other than group E and I occupancies.
- c. One story buildings, other than service stations, not exceeding 2000 square feet in floor area need not be provided with sanitation facilities for the handicapped specified in this Section when approved by the Building Official.
- d. Group R-1 occupancies in which dwelling units are owner-occupied.

3. Coin actuated access to toilet rooms and compartments required in this section shall be prohibited.

~~2. In other buildings regulated by this chapter, at least one required toilet room for each sex shall have not less than one toilet and lavatory complying with this section, and where urinals are provided, not less than one urinal complying with this section. In buildings having more than one toilet room for each sex shall comply with this section. Toilet rooms having plumbing fixtures required by this section shall be identified for use by the handicapped. Buildings having a posted room directory shall list the location of such toilet rooms in the directory.~~

C. Patient care areas of health care facilities shall comply with the requirements of the Minnesota Department of Health.

D. When toilet rooms are provided in all other occupancies regulated by these rules and in ancillary areas of group R-1 occupancies, at least one toilet room for each sex shall have not less than one (1) water closet and lavatory complying with this section, and where urinals are provided in such toilet rooms, not less than one (1) urinal complying with this section shall be provided. In toilet rooms having more than one (1) water closet, at least one (1) water closet and one (1) lavatory shall be in compliance with this section. Toilet rooms having plumbing fixtures in compliance with this section shall be identified as accessible by use of the State Symbol of Accessibility. Buildings having a posted room directory shall list the location(s) of accessible sanitation facilities in the directory.

E. Transportation terminals, theaters, museums, and

shopping malls shall, in addition to other requirements for accessible sanitation facilities, provide at least one (1) toilet room which houses only one water closet and one lavatory. This toilet room shall be in compliance with all other requirements of this section. Such facilities will be open to the public regardless of sex, and will have a sign indicating when in use that automatically displays when the door is locked from the inside.

F. In existing buildings, without sanitation facilities for the handicapped, and where it is desired or required to provide sanitation facilities for the handicapped and where because of existing physical limitations it is impossible to convert existing toilet rooms for use of the handicapped, a toilet room complying with the requirements of this section shall be provided.

B. G. Locations:

~~Other than group R-1 apartment occupancies. In buildings with an elevator or ramp, the sanitation facilities may be located at any level served by elevator or ramp.~~ Where sanitation facilities are required in buildings without an elevator or ramp, the accessible sanitation facilities shall be conveniently located at the required entrance level, on the accessible floor and shall be usable without leaving or re-entering the building.

C. H. Fixtures sizes and clearance:

1. Toilets. Water closet location and dimensions. Toilet rooms or water closet compartments shall have not less than thirty-six inches (36") clear space at the front of the toilet water closet and not less than ~~36 inches~~ fifty-four inches (54") clear width between walls free of door swing and other obstructions. The center line of the water closet shall be eighteen inches (18") from one of the side walls of the room or compartment. In renovation work the center line may be fifteen (15) inches. Clear floor space for the water closet shall be free of all obstructions such as lavatories, door swings, heat registers etc. Toilet seats shall be not less than 17 inches nor more than 20 inches above the floor.

2. Height. The top of the water closet seat shall be seventeen (17) inches to eighteen inches (18") above the floor, except that group R-1 (multi dwellings) may use standard height water closets.

3. Accessory fixtures. The toilet paper dispenser shall be mounted on the nearer side wall of the room or compartment beneath the horizontal leg of the grab bar described herein and not less than six inches (6") nor more than ten inches (10") beyond the front of the water closet.

4. Grab bars.

a. Grab bars shall be provided at ~~both sides or one side and rear of the toilet~~ the nearer side wall and the rear wall of the water closet compartment. Such grab bars shall be

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securely fastened to support a load of not less than two-hundred-fifty (250) pounds. They shall have an outside diameter not to exceed one and one-half inches ($1\frac{1}{2}$ ") nor less than one and one-quarter inches ($1\frac{1}{4}$ ") and shall have precisely one and one-half inches ($1\frac{1}{2}$ ") clearance from walls and or partitions.

b. Group E, I-1 and I-2 occupancies housing children below the age of ten (10) shall have grab bars one inch (1") in diameter, plus or minus one-eighth inch ($\frac{1}{8}$ ") and with precisely one inch (1") clearance from walls or partitions when other standard facilities are provided for persons 10 years and older.

A. A horizontal grab bar shall be mounted so that the lowest point is ten inches above the toilet seat, and extends not less than six inches in front of the toilet bowl. Grab bar shall be not less than 42 inches long.

c. The grab bar on the nearer side wall shall be "L" shaped with the vertical leg at least sixteen inches (16") long and the horizontal leg at least thirty-two inches (32") long. The shorter leg shall be mounted vertically twelve inches (12") in front of the seat of the water closet and shall extend upward from the horizontal leg. The center line of the horizontal leg shall be twelve inches (12") above the height of the seat of the water closet and six inches (6") for group E occupancies housing children under the age of ten (10). This does not exclude 2 bars from forming the "L" shape configuration.

b. A vertical grab bar shall be mounted 42 inches from the front of the toilet bowl extending from 42 inches above the height of the toilet seat to 30 inches above the toilet seat.

d. The grab bar at the rear shall be a straight bar at least thirty inches (30") long mounted horizontally twelve inches (12") above the height of the water closet seat or two inches (2") above the water closet flush tank and shall extend six to nine inches (6 to 9") beyond the center line of the water closet towards the nearest wall.

e. The requirements listed in § 1.15511 H.1. and in § 1.15511 H.4B. may be altered for Group E and I-1 and 2 occupancies housing handicapped children when approved by the Building Official.

f. Also see 7 and 8 of this section.

2- 5. Urinals: When provided ~~urinals~~ at least one urinal shall be centered in and have a clear access width of not less than ~~34~~ thirty-two inches (32"). When other than floor mounted urinals are used the front lip of the bowl of ~~wall mounted urinals~~ shall be not more than ~~48~~ fourteen inches (14") above the floor.

3- 6. Lavatories: Lavatories shall be centered in and have a clear access width of not less than ~~34~~ thirty-two inches (32"), clear height of not less than ~~29~~ twenty-nine inches (29") to the bottom of the fixture apron, clear height of not more than ~~34~~ thirty-four inches (34") to the rim of the fixture, and a

clear depth of not less than ~~42~~ twelve inches (12") under the fixture, exclusive of bowl or piping. The water control valves shall ~~have lever handles~~ be operable by persons with no grip strength. Lever action controls when provided shall have blades a minimum of three (3) inches in length. The waste pipe and hot water supply shall be shielded or insulated.

4. Bathtubs: When provided, and shower is not furnished, the bathtub shall be equipped with a flexible base hand shower not less than six feet in length, and a vertical height adjustment bar for the shower head of not less than four feet in length. The bathtub shall have a seat, either folding, retractable, or fixed, not less than 47 inches nor more than 20 inches above the tub floor and not less than 45 inches deep, and of water resistive material. Grab bars shall be provided at one side of the bathtub. Such grab bars shall be securely fastened to support a load of not less than 250 pounds. They shall have an outside diameter of one and one half inches and shall have one and one half inches clearance from wall and partitions.

a. A horizontal grab bar shall be mounted not less than four inches nor more than six inches above the rim of the bathtub. Grab bar shall be not less than 36 inches long.

b. A vertical grab bar shall be mounted 30 inches from the end of the tub extending from a height of nine inches to a height of three feet six inches above the rim of the tub. Water valves shall be a single lever control, and shall be accessible from the seat.

7. Shower stalls: Shower stalls when provided in required accessible dwelling units/guest rooms and in ancillary areas of other occupancies, such as schools, gymnasiums, swimming pools, etc. shall have at least one (1) in compliance with this section. The accessible shower stall shall be a minimum size of three feet by three feet (3' x 3'), have no more than a one-half inch ($\frac{1}{2}$ ") lip or curb at the entry, and shall be equipped with a flexible hand held shower head with not less than six feet (6') of hose and water control valves shall be mounted thirty-six (36) to forty-two (42) inches above the floor and shall be operable by persons with no grip strength. Lever action controls when provided shall have blades a minimum of three (3) inches in length. The shower head shall have a vertical height adjustment bar of not less than four feet (4'). A siphon break device shall be installed at the piping/hose connection.

A grab bar at least one and one fourth ($1\frac{1}{4}$) inches and not more than one and one half ($1\frac{1}{2}$) inches in diameter with precisely one and one half ($1\frac{1}{2}$) inches clearance from the wall shall be mounted horizontally to provide continuous support along three walls of the shower stall. This does not exclude three (3) bars from forming the continuous configuration. A grab bar with identical specifications at least twenty-four (24) inches long shall be mounted vertically within six (6) inches of the shower head vertical height adjustment bar extending upwards from between two (2) inches and four (4) inches above the horizontal grab bar.

5. Showers: When provided, the shower stall shall be

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accessible for the handicapped with a lip or curb at entry no higher than one half inch above the floor of room or stall. The shower stall shall have a seat, either folding, retractable or fixed, not less than 17 inches nor more than 20 inches above the shower floor, and not less than 15 inches deep, and of water resistive material. Grab bars shall be provided at two sides of the shower compartment. Such grab bars shall be securely fastened to support a load of not less than 250 pounds. They shall have an outside diameter of one and one half inches and shall have one and one half inches clearance from walls and partitions.

a. A vertical grab bar shall be mounted on the wall opposite the seat extending from a height of three feet to a height of five feet above the floor of the shower.

b. A horizontal grab bar shall be mounted on the wall adjacent to the seat ten inches above the seat. Grab bar shall be not less than 18 inches long.

Water valves shall be single lever control and shall be accessible from the seat.

8. Bathtubs: Bathtubs when provided in required accessible dwelling units/guest rooms and in ancillary areas of other occupancies, such as schools, gymnasiums, swimming pools etc. shall have at least one (1) in compliance with this section.

The accessible bathtub shall have a seat either fixed or folding, eighteen inches (18") above the tub room floor, not less than fifteen inches (15") deep and of water-resistive non-slip material. Clear floor space thirty-two (32) inches wide beside the tub shall be provided at the seat end. The tub shall be equipped with a flexible hose hand held shower head with not less than six feet (6') of hose and a vertical height adjustment bar not less than four feet (4') long extending upwards from ten inches (10") above the tub rim. The vertical height adjustment bar shall be mounted on the long wall of the tub enclosure and centered six inches (6") from the vertical grab bar described below on the side opposite the seat. Water control valves, shall be centered six inches (6") from the vertical grab bar on the seat side and operable with persons of no grip strength. Lever action controls when provided shall have blades a minimum of three (3) inches in length. A siphon break device shall be installed at the piping/hose connection. There shall be no raised tracks mounted on the tub edge.

Grab bars shall be mounted on the long wall adjacent to the tub seat and shall be at least one and one-fourth inches (1¼") and not more than one and one-half inches (1½") in diameter with precisely one and one half inches (1½") clearance from the wall and shall be capable of supporting not less than two hundred and fifty (250) pounds.

a. A straight bar not less than thirty-six inches (36")

long shall be mounted horizontally not less than four inches (4") nor more than six inches (6") above the tub rim. The horizontal bar shall extend six inches (6") behind the leading edge of the seat in its unfolded position.

b. A straight bar not less than thirty-six inches (36") long shall be mounted extending upwards from nine inches (9") above the tub rim. The vertical bar shall be mounted twelve inches (12") in front of the leading edge of the seat in its unfolded position.

9. Kitchen sinks: When provided kitchen sinks shall have a clear access width of not less than 34 inches, clear height of not less than 29 inches to the bottom of the fixture apron, clear height of not more than 34 inches to the rim of the fixture, and clear depth of not less than 12 inches under the fixture exclusive of bowl and waste pipe. The water control valve shall have lever handles. Kitchen sinks in accessible dwelling units with sanitation facilities for the handicapped and when provided in other than residential kitchens, shall comply with this section. At least one (1) sink shall have a fixture bowl depth of not more than five and one-half inches (5½") and have, or be adaptable, to provide a clear knee space width of not less than thirty-two inches (32"), a clear height to the bottom of the apron of not less than twenty-nine inches (29"), a clear height to the rim of not more than thirty-four inches (34") and, a clear depth of not less than eighteen inches (18") under the fixture exclusive of the piping. The water control valves shall be operable by persons with no grip strength. Lever action controls when provided shall have blades a minimum of three (3) inches in length. The waste pipe and hot water supply shall be insulated or shielded.

B. Toilet room accessories.

10. Accessory equipment. Mirrors and/or shelves: Where mirrors ~~and/or shelves~~ are provided, at least one shall be mounted so that the bottom is no higher than 40 inches ~~above thirty-eight inches (38")~~ from the floor. (When shelves are provided they shall be no higher than thirty eight inches (38") from the floor.)

2. Towel racks, dispensers, disposal units.

11. ~~Where~~ When provided wall mounted towel racks, dispensers, waste disposal containers, soap holders or dispensers or similar ~~appliances are provided~~ accessory equipment at least one of each shall be mounted so that working height is ~~not higher than 40 inches~~ all operable parts are not more than forty inches (40") above the floor and shall be free of interference by grab bars, or other appliances or fixtures. Such devices shall be operable by persons with no grip strength.

2 MCAR § 1.15512 Kitchen ~~Other~~ facilities.

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language. **PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."

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A. Kitchen Facilities: In dwelling units in which sanitation facilities for the handicapped are required, kitchen facilities shall be provided as follows:

A. General. Kitchen facilities in compliance with this section shall be provided in Group R Division 1 dwelling units equipped with accessible sanitation facilities as designated in Table 55-A.

1. **Space:** Clear space of not less than five feet measured between walls, cabinets, appliances, or other obstructions shall be provided. Where cabinets have a base toe space of not less than deep and eight and three fourths inches high. The clear space may be measured from toe space.

1. **Work surface.** A work surface of not less than four (4) square feet shall be provided with a clear access width of thirty-two inches (32"), a clear height to the bottom of not less than twenty-nine inches (29"), a clear height of not more than thirty-three inches (33") to the top, and a clear depth of not less than eighteen inches (18") under the work surface. The work surface shall have a minimum dimension of twenty-four inches (24") and be located in the normal working area without obstructing space requirements of this section and may be fixed, folding or retractable.

2. **Range: Controls.** When a range is provided, range control handles shall be located at the front or side of the range.

2. **Appliances.** When appliances including but not limited to ranges, cooktops, ovens, freezers, refrigerators, etc. are provided, they shall be equipped with controls within functional reach of handicapped and operable by persons with no grip strength.

3. **Work Space:** Work space shall have a clear access width of not less than 34 inches, clear height of not less than 29 inches to the bottom, clear height of not more than 34 inches to the top, and clear depth of not less than 42 inches under the work space. The work space shall have not less than four square feet of area with a minimum dimension of 24 inches. It may be fixed, folding or retractable.

3. **Counters:** Kitchen counters shall not exceed twenty-four inches (24") in depth unless accessible from opposite sides. (Also see § 1.15502 G.)

2 MCAR § 1.15513 Laboratory facilities.

A. General. Laboratory facilities in compliance with this section in E and educational portions of I occupancies.

B. Where required. Rooms and areas used for home economics, art studios, shops, model offices, science, occupational training, and similar instructional rooms having work stations composed of but not limited to sinks, counters, benches, testing equipment, preparation appliances, utility connections, and special task lighting shall have at least one such station accessible.

C. **Work surfaces.** A work surface of not less than four (4) square feet shall be provided with a clear access width of thirty-two inches (32"), a clear height to the bottom of not less

than twenty-nine inches (29"), a clear height of not more than thirty-three inches (33") to the top, and a clear depth of not less than eighteen inches (18") under the work surface. The work surface shall have a minimum dimension of twenty-four inches (24") and be located in the normal working area without obstructing space requirements of this section and may be fixed, folding or retractable.

D. Items of equipment in B. of this section shall be equipped with controls within functional reach and shall be operable by persons with no grip strength.

E. **Counters.** Laboratory counters required in B. of this section shall not exceed twenty-four inches (24") in depth unless accessible from opposite sides. (Also see § 1.15502 G.)

2 MCAR § 1.15514 Viewing positions in assembly occupancies areas.

A. General. In assembly occupancies performance viewing positions in compliance with this section shall be provided on the main floor in accordance with Table 55-B. There shall be a minimum of two (2) viewing positions adjacent to each other in any given area. **Accessibility:** Viewing positions required in this section shall be accessible for the handicapped by walk, ramp, or elevator or combination thereof through a principal entrance(s).

B. **Level floor space** at least thirty-two (32) inches wide by forty-eight (48) inches long with a thirty-two (32) inch dimension approximately perpendicular to the sight line to the stage or performance area, and which does not block the access to adjacent seating shall be provided by either clear floor space; or readily removable fixed or portable seating. **Number:** Performance viewing positions in assembly occupancies with fixed seating shall be provided in accordance with Table 55-B.

C. **Viewing positions** required by this section shall be accessible by walks, ramps, elevators, or combination thereof through required accessible principal entrance(s). **Location:** Viewing positions shall be located at the main floor.

C. **Space Requirements:** One of the following shall be provided:

1. Clear space free of fixed or portable seats, or with removable fixed seats.

2. Spaces with readily removable portable seats

E. **Floor Surface:** Viewing positions shall have level floor surfaces.

2 MCAR § 1.15515 Controls and electrical switches devices.

A. **Height.** The top of controls for elevator control, thermostats, manual fire alarm, and similar equipment in all buildings regulated by this chapter and electrical switches and receptacles in dwelling units regulated by this chapter shall be no higher than five feet above the floor: thermostats, electrical switches, manual fire alarms, or other emergency signal controls and similar equipment in buildings or portions thereof regulated by these rules, and also all electric panels,

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controls, required receptacles, and controls for heating, ventilating, air conditioning, and other equipment which require regular or periodic adjustment in accessible dwelling units and guest rooms, shall not be more than forty-eight (48) inches nor less than twenty-four inches (24") above the floor. Access to such controls shall be unobstructed. (See elevator code for controlled dimensions.)

B. Emergency and security signals. Emergency alarms shall provide and other signaling devices when provided shall be adaptable to provide, both audio and visual cues. Visual alarms shall either blink the lights, not faster than one (1) hz, or the visual component of the signal should raise or lower the ambient light level of the space ten percent (10%) once per second for the duration of the alarm sequence.

2 MCAR § 1.15516 Tactile identification.

A. Where required. Spaces normally used by the general public and all doors leading to stairways shall have tactile identification such as raised or recessed letters, labels, or plaques of colors contrasting sharply with their background. The center of the tactile identification shall not be less than be located four feet six inches (4'6") ~~nor more than five feet six inches~~ above the floor, mounted on the wall adjacent to the door of the space identified, on the strike jamb side nearest the door handle of the door.

B. Floor numbers at elevators ~~Floor numbers~~ shall be tactilely identified for the visually handicapped by raised or recessed numbers ~~attached to the elevator door jamb at each floor, not less than three feet six inches nor more than of~~ colors contrasting sharply with their background, attached to either the strike jamb or both elevator door jambs at each floor. The center of the tactile identification shall be located four feet six inches (4'6") in height above the floor.

C. Elevator controls. Elevator controls shall have tactile identification by raised or recessed letters, numbers, labels, or plaques of colors contrasting sharply with their background.

D. Door handles: Doors to stairs ~~other than exit stairs,~~ loading platforms, boiler rooms, stage, and doors serving other hazardous locations shall have knurled or similarly marked door handles.

D. Doors. Doors that are not intended for normal use, and that might prove dangerous if a blind person were to exit or enter by them, should be made quickly identifiable to the touch by knurling the door handle or knob. Knurling may also be accomplished by the use of acceptable plastic, abrasive coating. Example: such doors might lead to loading platforms, boiler rooms, stages, fire escapes, etc.

2 MCAR § 1.15508 Figures 55-1 through 55-18 of this chap-

ter are illustrative only. See appropriate chapter sections for specific provisions.

2 MCAR § 1.15517 In all E occupancies having swimming pools and in all publicly financed swimming pools accessibility shall be provided into the pool. Accessibility shall be by means of a ramp complying with § 1.15505 A. of these rules or other similar approved means equal in functional accessibility.

Table 55A
Sanitation Facilities for the Handicapped

Number of Dwelling Units/ Guest Rooms in Building	Number of Dwelling Units/Guest Rooms requiring Sanitation Facilities
0- 7	0
8- 39	1
40- 59	2
60- 79	3
80- 99	4
100-119	5
120-139	6
140-159	7
160-179	8
180-199	9
200	10 plus 1 per each 50 units exceeding 200

Table 55B
Viewing Positions

Motion Picture Auditoriums	
Occupant Load	Minimum Viewing Positions
500 and Less	4
Over 500	8
Other Assembly Occupancies	
500 and Less	4
501-1000	12
1001-1500	16
Over 1500	16 plus 1 per 500 additional

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Table 55-A

Ratio of Units to Have Facilities for the Handicapped

Column 1 Number of Dwelling Units/Guest Rooms in Development	Column 2 Number Required to have facilities
0-3	0
4-19	1
20-39	2
40-59	3
60-79	4
80-99	5
100-119	6
120-139	7
140-159	8
160-179	9
180-199	10
200 and over	10 plus 1 for each additional 50 units or fraction thereof

Table 55-B

Required Accessible Seating

Occupant Load of Seating Area	Minimum Number of Accessible Seats
Less than 500	4
500-999	12
1000-1499	16
1500 and over	16 plus 1 for each additional 500 seats or fraction thereof

Table 55-C

Ratio of Off Street Parking Spaces for
Vehicles Transporting Handicapped Persons

Total Number of Parking Spaces Provided	Number of Spaces Required for Handicapped Usage	Number Required for Handicapped Usage (I-1) Occupancies
5 or less	Optional	1
6-25	1	2
26-50	2	4
51-250	2 plus 1 additional per 50 parking spaces over 50	4 plus 1 additional per 25
251-1000	6 plus 1 additional per 100 parking spaces over 250	4 plus 1 additional per 25

NUMBER OF SPACES REQUIRED FOR
HANDICAPPED USAGE FOR R-1 OCCUPANCIES

(See Table 55A)

1 per accessible dwelling unit

Table 55-D

Corridors, Hallways and Aisles Which Have Doors or Doorways

Hallway Width or Other Nearest Obstruction	Clear Usable Opening of Doorway Required
36 inches	38 inches
38 inches	34 inches
42 inches	32 inches

This table shall apply wherever it is necessary to turn a wheelchair from an aisle, hallway or corridor into a doorway or from a doorway into an aisle and hallway or corridor.

Section IV

Proposed Amendments to the Elevator Code Including Provisions for Wheelchair Lifts for Existing Buildings

2 MCAR § 1.18801 Elevators, dumbwaiters, escalators, manlifts, moving walks, hoists and lifts. General. Elevators, dumbwaiters, escalators, manlifts, moving walks, hoists and lifts shall be designed, constructed, installed and maintained so as to be reasonably safe to life, limb and adjoining property.

2 MCAR § 1.18802 Definitions. For the purpose of this chapter, the terms or words listed below shall have the meaning indicated:

Existing installation. Shall mean an installation on which the construction or installation was begun prior to the effective date of this Code.

New installation. Shall mean an installation on which the construction or installation was begun subsequent to the effective date of this Code.

2 MCAR § 1.18803 Existing installations. is amended to read as follows:

A. All existing installations may be continued in service as long as they are properly maintained and are, in the opinion of the administrative authority, installed and maintained in a safe condition. The Administrative Authority may order the installation of car gates, car tops, and the car walls extended to the car top on all existing installations. The administrative authority shall have the authority to shut down any piece of equipment covered by this chapter, which in his opinion is dangerous to life, limb, and adjoining property, and such equipment shall not be put back into operation until such unsafe condition has been corrected and approved by the Administrative Authority.

B. Any installation which is materially changed subsequent to the date of enactment of this Code shall comply with all of the requirements covering a new installation.

A material change shall be defined as any change which moves the location, increases or decreases the length of travel, changes the type of operation, increases the speed or carrying capacity or changes the types of power supply of an existing installation.

Any installation, whether new or existing, which shall become damaged, defective or worn by fire or other causes including ordinary wear to such an extent that in the opinion of the administrative authority it becomes dangerous to life, limb and adjoining property, such installations shall be repaired or rebuilt in conformity with the provisions of this chapter for new installations. Such equipment shall, if in the opinion of the administrative authority, it is found necessary to protect life, limb and property, be taken out of service until such unsafe condition has been removed.

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Following section relocated from 2 MCAR § 1.18806 B.14.

C. Unsafe conditions. When an inspection reveals an unsafe condition, the inspector shall immediately file with the owner and the Administrative Authority a full and true report of such inspection and such unsafe condition. If the Administrative Authority finds that the unsafe condition endangers human life, he shall cause to be placed on such elevator, escalator or moving walk in a conspicuous place, a notice stating that such conveyance is unsafe. The owner shall see to it that such notice of unsafe condition is legibly maintained where placed by the Administrative Authority. The Administrative Authority shall also issue an order in writing to the owner requiring the repairs or alterations to be made to such conveyance which are necessary to render it safe, and may order the operation thereof discontinued until the repairs or alterations are made or the unsafe conditions are removed. A posted notice of unsafe conditions shall be removed only by the Administrative Authority when he is satisfied that the unsafe conditions have been corrected.

2 MCAR § 1.18804 Inspection, tests and approval. is amended to read as follows:

A. Approval of plans. Any person, firm or corporation desiring to install, relocate, alter materially or extend any installation covered by this chapter shall be required to obtain approval for so doing from the administrative authority. Two sets of drawings and specifications showing such installations, relocation, alteration or extension shall be submitted for approval.

B. Inspections and tests. It shall be unlawful for any person, firm or corporation to put into service any installation covered by this chapter whether such installation is newly installed, relocated or altered materially without such installation being inspected and approved by the administrative authority. The installer of any equipment included in this chapter shall notify the administrative authority seven days prior to completion of the installation for such inspection. The administrative authority shall have the authority to require such tests as provided in ANSI A17.1-1974 1978 Edition and Supplement as he may deem necessary to prove the safe operation of any installation.

C. Approval. A certificate or letter of approval shall be issued by the administrative authority for such installation when the entire installation is completed in conformity with this chapter. The entire installation shall include all enclosures or shafts, gates, doors, machinery safety and control devices and all other appurtenances necessary.

Following Section Relocated from 2 MCAR § 1.18806 C.

D. Limited use of an elevator. When a building or structure

is to be equipped with one or more elevators, at least one of such elevators may be approved for limited use prior to the completion of the building or structure. The use of such elevators may be permitted by the administrative authority under the authority of a limited permit issued by him for each class of service. Such limited permit shall specify the class of service. Such limited permit shall specify the class of service permitted and it shall not be issued until the elevator has been tested with rated load and the car safety and terminal stopping equipment have been tested to determine the safety of the equipment and until permanent or temporary guards or enclosures are placed on the car and around the hoistway and at the landing entrance on each floor. Landing entrance guards shall be provided with locks that can be released from the hoistway side only. Automatic and continuous pressure elevators shall not be placed in temporary operation from the landing push buttons unless door locking devices and/or interlocks are installed and operative.

2 MCAR § 1.18805 Accidents.

A. To be reported. The owner or person in control of an elevator or other installation covered by this chapter shall promptly notify the administrative authority of any accident to a person or apparatus, on, about, or in connection with such elevator or other installation, and shall afford the administrative authority every facility for investigating such accident and the damage resulting therefrom. Notification may be given to the administrative authority by telephone or verbally, but such notification shall be confirmed in writing.

B. Investigation. The administrative authority shall make or cause to be made an investigation of the accident and the report of such investigation shall be placed on file in his office. Such report shall give in detail the cause or causes, so far as they can determine, and such report shall be open to public inspection.

C. Operation discontinued. When an accident involves the failure or destruction of a part of the installation or the operating mechanism, the elevator or other installation shall be taken out of service and shall not be used again until it has been made safe and such re-use approved by the administrative authority.

The administrative authority may, if deemed necessary, order the discontinuance of operation of any such elevator or installation until a new certificate of approval has been issued.

D. Removal of parts restricted. No part of the damaged installation, construction or operating mechanism shall be removed from the premises until permission is granted by the administrative authority.

2 MCAR § 1.18806 Elevators, dumbwaiters, escalators and moving walks. is amended to read as follows:

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language. **PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."

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A. The ~~eight~~^{ninth} edition of the American National Safety Code for Elevators, Dumbwaiters, Escalators and Moving Walks — ANSI A17.1-1974, 1978 including supplements ANSI A17.1a-1972, 1979, ~~A17.1b-1973~~, as amended herein, ~~ANSI A17.1c-1974~~, ~~ANSI A17.1d-1975~~, ~~ANSI A17.1e-1975~~, ~~ANSI A17.1f-1975~~ and ~~ANSI A17.1g-1976~~ is hereby incorporated by reference and made a part of this Code. All references in ANSI A17.1-1974, 1978 and supplements, to the National Electrical Code ~~ANSI C1-1968~~ and ~~ANSI C1-1971~~ shall be changed to read: "National Electrical Code" ANSI C1 1978 (NFPA 70-1978).

B. Exceptions and Amendments to ANSI A17.1.

1. Winding drum machine. Winding drum machines shall not be permitted on new elevator installations nor replacements on existing installation.

2. Swing doors. Horizontal swing doors, either single section or center opening two section, shall not be permitted on new elevator installations nor as replacements on existing installations, except the administrative authority may approve such installation if the conditions are such as to make it impossible to install other than swing doors.

3. Side exits. Side emergency exits on elevator cars shall not be permitted.

4. Solid bumpers. Solid bumpers shall be not permitted on new installations nor as a replacement on existing installations.

5. Clearances. The minimum pit depth shall be not less than three (3) feet. Overhead clearance shall be not less than two (2) feet with piston in stop ring and in no case less than three (3) feet when car is leveled at top landing.

This section relocated to 2 MCAR § 1.18806 C. (Rule 111.9e).

6. Door unlocking devices hoistway door unlocking devices shall not be permitted except at the bottom landings.

This section relocated to 2 MCAR § 1.18806 C. (Rule 111.9b).

a. Top and bottom landings shall be provided with hoistway access switches conforming to Rule ~~111.9b~~ and ~~111.9e~~ of ANSI A17.1-1978. The operation of the switch at the top floor shall be zoned to stop the top of the elevator car substantially level with the top floor.

This section relocated to 2 MCAR § 1.18806 C. (Rule 111.9e).

b. The door at the lowest landing shall be provided with a special key not easily duplicated and said key shall be available only to elevator mechanics and inspectors. The interlocks shall be designed and adjusted as to prevent movement of the car until after the door is closed and in the locking position.

c. Access to hoistways for emergency purposes.

(+) The elevator shall have hoistway doors

which are unlocked when closed with the car at floor, or locked but openable from landing by means effective only when car is in landing zone.

(2) The operating means for unlocking the doors shall be kept on the premises by the person responsible for the maintenance and operation of the elevators in a location readily accessible to qualified persons in case of an emergency but where they are not accessible to the general public.

This section relocated to 2 MCAR § 1.18806 C. (Rule 110.2a).

7. Elevator doors shall provide a clear opening of at least 32 inches.

8. Automatic closing doors shall have a closing interval of not less than three (3) seconds except center opening horizontal sliding doors.

4. 9. In each elevator lobby served by elevators complying with ANSI rule 211.3 of the supplement to the Elevator Code identified as ANSI A17.1-1973 1978, all automatic-operation elevators serving three or more stories above or below the main floor or having a travel of twenty-five (25) feet or more above or below the main floor, at least one elevator car serving all floors in a building shall have a platform size that is standard for the elevator supplier, and capable of accommodating an ambulance stretcher in its horizontal position. The opening to the elevator car shall be capable of passageway for such ambulance stretcher.

5. 10. Exterior elevator call buttons shall be placed not higher than 60 inches above the floor. No emergency stop switch, door opening and door closing buttons, or elevator floor buttons shall be placed higher than 60 inches above the floor.

6. 11. Standby power. In every building over one story and more than 75 feet in height, emergency power shall be provided for at least one passenger elevator in each bank. This emergency power shall be transferable to any other elevator in the bank and shall be capable of operating the elevator with a full load at contract speed or not less than 150 feet per minute. Emergency power shall be provided by an approved self-contained generator set to operate whenever there is a loss of power in the normal power supply. The generator shall be in a separate room having at least a one-hour fire resistive occupancy separation from the remainder of the building and shall have an on site fuel supply adequate to operate the equipment for two hours. See UBC Standards 18-1.

This section relocated to 2 MCAR § 1.18806 C. (Rule 211.a).

12. Emergency communications. Every elevator car shall be provided with a two way communication system connected to an approved emergency service which operates 24 hours every day.

7. 13. Operating devices. All operating devices shall be of the enclosed electric type. Rope or rod operated devices

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activated by hand, or rope operating devices activated by wheels, levers or cranks, shall be removed. EXCEPTION: This shall not be considered a material change.

This section relocated to 2 MCAR § 1.18803 C.

14. Unsafe conditions. When an inspection reveals an unsafe condition the inspector shall immediately file with the owner and the Administrative Authority a full and true report of such inspection and such unsafe condition. If the Administrative Authority finds that the unsafe condition endangers human life, he shall cause to be placed on such elevator, escalator or moving walk in a conspicuous place, a notice stating that such conveyance is unsafe. The owner shall see to it that such notice of unsafe condition is legibly maintained where placed by the Administrative Authority. The Administrative Authority shall also issue an order in writing to the owner requiring the repairs or alterations to be made to such conveyance which are necessary to render it safe, and may order the operation thereof discontinued until the repairs or alterations are made or the unsafe conditions are removed. A posted notice of unsafe conditions shall be removed only by the Administrative Authority when he is satisfied that the unsafe conditions have been corrected.

15. A guard light and convenience outlet shall be provided on the top and underside of each elevator car.

This section relocated to 2 MCAR § 1.18806 C. (Rule 100.4a).

16. a. ANSI 100.4a Vents required. Hoistways of elevators serving more than three (3) floors shall be provided with means of venting smoke and hot gases to the outer air in case of fire. Vents may be manually openable or remote control automatic vents.

Exceptions: Hoistways not extending into the top floor of the building, in buildings other than hotels, apartment houses, hospitals and similar buildings with overnight sleeping quarters, where the hoistways are equipped with approved automatic sprinklers connected to the building water-supply system or to an approved automatic sprinkler system (See NFPA No. 13-1976 Sprinkler System.)

Such systems shall be responsive to an accumulation of smoke as well as heat the top of the hoistway.

This section relocated to 2 MCAR § 1.18806 C. (Rule 100.4b).

b. ANSI 100.4b Location of vents.

(1) In the side or top of the hoistway enclosure or directly below the floor or floors at the top of the hoistway, and shall open either directly to the outer air or through noncombustible ducts to the outer air; or

(2) In the wall or roof of the pent-house or overhead machinery space above the roof, provided that openings have a total area not less than the minimum specified in ANSI Rule 100.4c and vents passing through machine rooms must be in noncombustible ducts. When a vent is installed in the roof of the hoistway, a protective grill shall be provided to prevent persons from falling into hoistway.

This section relocated to 2 MCAR § 1.18806 C. (Rule 204.2.2.).

17. ANSI 204.2a 2. Slow burning combustible materials for insulating, sound deadening or decorative purposes may be used for lining enclosures if firmly bonded flat to the enclosure. Such materials shall not be padded. Materials used must have a Class I flame spread rating.

This section relocated to 2 MCAR § 1.18804 D.

C. Limited use of an elevator. When a building or structure is to be equipped with one or more elevators, at least one of such elevators may be approved for limited use prior to the completion of the building or structure.

The use of such elevators may be permitted by the administrative authority under the authority of a limited permit issued by him for each class of service. Such limited permit shall specify the class of service.

Such limited permit shall specify the class of service permitted and it shall not be issued until the elevator has been tested with rated load and the car safety and terminal stopping equipment have been tested to determine the safety of the equipment and until permanent or temporary guards of enclosures are placed on the car and around the hoistway and at the landing entrance on each floor. Landing entrance guards shall be provided with locks that can be released from the hoistway side only. Automatic and continuous pressure elevators shall not be placed in temporary operation from the landing push buttons unless door locking devices and/or interlocks are installed and operative.

D. Access to elevator pits. A pit ladder shall be provided for each elevator in all pits where access is from the bottom landing. Access to elevator pits which extend more than eighteen (18) inches below the sill of the pit access door shall have a pit ladder as required.

This section relocated to 2 MCAR § 1.18806 C. (Rule 602.1 and 703.1).

E. Dumbwaiters and handpowered elevators. All dumbwaiters and handpowered elevators shall be equipped with a broken rope safety device.

This section relocated to 2 MCAR § 1.18806 C. (Rule 206.4C).

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~~F. Car safety mechanism switch. Car safety mechanism switches shall be of the manually reset type.~~

This section relocated to 2 MCAR § 1.18806 C. (Rule 112.5).

~~G. Hoistway door protection in passenger elevators. Hoistway doors on all passenger elevators shall not be solely dependent upon the door edge reopening device for protection from the doors closing on an obstruction, but shall also be provided with an approval light beam or electronic door protection device.~~

This section relocated to 2 MCAR § 1.18806 C. (Rule 211.3a).

~~H. Emergency elevators. All keyed switches installed to operate elevators on emergency service will be required to be keyed alike to a pattern approved by the Administrative Authority. In lieu of the above, keys for emergency elevator service may be in a metal box placed in a location approved by the Administrative Authority, provided said box is locked with a 5 pin tumbler core lock or equivalent which is keyed to the same pattern.~~

This section relocated to 2 MCAR § 1.18806 C. (Rule 211.3a).

~~I. One (1) car in each bank of automatic operation elevators serving five (5) or more floors above or below the main floor shall be provided with emergency service controls as specified in ANSI Rule 211.3a of this supplement. ANSI Rule 211.3a-4. A two position (off and on) key operated switch shall be provided in or adjacent to an operating panel in each car and it shall be effective when the main floor key operated switch (see 211.3a-1) is in the "on" position or a sensor has been activated and the car has returned to the main floor or other approved level. The key shall be removable only in the "off" position and when in the "on" position, it shall place the elevator on emergency operation.~~

C. Amendments to ANSI A 17.1-1978.

ANSI A17.1-Rule 100.4a is amended to read as follows:

100.4a-Vents required. Hoistways of elevators serving more than three (3) floors shall be provided with means for venting smoke and hot gases to the outer air in case of fire. Vents may be manually openable or remote control automatic vents. Location of operating devices are subject to approval of the Fire Chief.

Exceptions. Hoistways not extending into the top floor of the building, in buildings other than hotels, apartment houses, hospitals and similar buildings with overnight sleeping quarters, where the hoistways are equipped with approved automatic sprinklers connected to the building water-supply system or to an approved automatic sprinkler system (See NFPA No. 13-1976 Sprinkler Systems). Such systems shall be responsive to an accumulation of smoke as well as heat at the top of the hoistway.

ANSI A17.1-Rule 100.4b is amended to read as follows:

100.4b Location of vents. Vents shall be located:

1. In the side of the hoistway enclosure directly below the floor or floors at the top of the hoistway, and shall open either directly to the outer air or through noncombustible ducts to the outer air; or

2. In the wall or roof of the penthouse or overhead machinery space above the roof, provided that openings have a total area not less than the minimum specified in Rule 100.4c. Vents passing through machine rooms must be in noncombustible ducts. When a vent is installed in the roof of the hoistway, a protective grill shall be provided to prevent persons from falling into hoistway.

ANSI A17.1-Rule 101.5a is amended to read as follows:

101.5a Lighting. Permanent electric lighting shall be provided in all machine rooms and machinery spaces.

The illumination shall be not less than ten (10) foot-candles at the floor level. The lighting control switch shall be located within easy reach of the access to such rooms or spaces. Where practicable, the light control switch shall be located on the lock-jamb side of the access door.

A 20 ampere 110-120 volt AC ground type convenience outlet shall be installed in the machine room. The circuit for this convenience outlet shall not be connected to the equipment circuits.

ANSI A17.1-Rule 106.1e is amended to read as follows:

106.1e Illumination of pits. A permanent lighting fixture shall be provided in all pits, which shall provide an illumination of not less than five (5) foot-candles at the pit floor. A light switch shall be provided and shall be so located as to be accessible from the pit access door.

A 20 ampere 110-120 volt AC ground type convenience outlet shall be installed in the pit. The circuit for this convenience outlet shall not be connected to the equipment circuits.

ANSI A17.1-Rule 110.2a is amended to read as follows:

ANSI A17.1-Rule 110.2a-For Passenger Elevators and Freight Elevators Authorized to Carry Employees.

Entrances shall be one of the following types:

1. Horizontal side, single or multisection.
2. Swing, single-section.
3. Combination horizontal slide and swing.
4. Power-operated, vertical slide biparting counter-balanced, or vertical slide counterweighted which slide down to open, where located at entrances used by passenger (See Rule 207.4).
5. Hand or power-operated vertical slide which slide up to open.

Exception: At landing openings used exclusively for freight, any type of entrance permitted by Rule 110.2b.

6. Elevator doors shall provide a clear opening of at least 32 inches.

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ANSI A17.1-Rule 111.9b is amended to read as follows:

111.9b-Location and Design of Hoistway Access Switches.

Hoistway access switches shall conform to the following:

1. ~~The switch shall be installed only at the access landings.~~ Hoistway access switches shall be provided at top and bottom landings. The operation of the switch at the top floor shall be zoned to stop the top of the elevator car substantially level with the top floor.

2. The switch shall be installed adjacent to hoistway entrance at the access landing with which it is identified.

3. The switch shall be of the continuous-pressure spring-return type, and shall be operated by a cylinder-type lock having not less than a five (5) pin or five (5) disc combination with the key removable only when the switch is in the "OFF" position. The lock shall not be operable by any key which will operate locks or devices used for other purposes in the building. The key shall be available to and used only by inspectors, maintenance men, and repairmen.

ANSI A17.1-Rule 111.9e is amended to read as follows:

111.9e-Location and design of hoistway door unlocking devices. Hoistway door unlocking devices shall conform to the following:

1. The device shall unlock and permit the opening of the hoistway door from the ~~access~~ lowest landing irrespective of the position of the car.

2. The device shall be installed only at the ~~access~~ lowest landings. Exception: For Emergency use see Rule 111.10.

3. The device shall be designed to prevent unlocking the door with common tools.

4. ~~The operating means for unlocking the door shall be available to and used only by inspectors, maintenance men, and repairmen.~~ provided with a special key not easily duplicated, and said key shall be available only to elevator mechanics and inspectors. The interlocks shall be designed and adjusted as to prevent movement of the car until after the door is closed and in the locking position.

5. The unlocking-device keyway shall be located at a height not greater than six (6) feet eleven (11) inches above the floor.

Note: For diagrammatic representation See Appendix C.

ANSI-A17.1 Rule 112.5 is amended to read as follows:

ANSI A17.1-Rule 112.5-Reopening device for power-operated car doors or gates. Where required by Rule 112.3d or Rule 112.4, a power-operated car door or gate shall be provided with a reopening device which will function to stop and

reopen a car door or gate and the adjacent hoistway door in the event that the car door or gate is obstructed while closing. If the closing kinetic energy is reduced to two and one-half (2½) foot pounds or less, the reopening device may be rendered inoperative (See Rule 112.4-a).

For center-opening doors, the reopening device shall be so designed and installed that the obstruction of either door panel when closing will cause the reopening device to function.

Hoistway door protection in passenger elevators. Hoistway doors on all passenger elevators shall not be solely dependent upon the door edge reopening device for protection from the doors closing on an obstruction, but shall also be provided with an approved light beam or electronic door protection device.

ANSI A17.1-Rule 204.2a is amended to read as follows:

204.2a-Material for Enclosures and Enclosure Linings.

Car enclosures and car-enclosure linings shall conform to the following:

1. Material for enclosures shall be:

- a. Metal; or
- b. Fire-retardant-treated wood; or
- c. Other equally fire retardant approved material.

Exception: Non-fire-retardant treated wood or materials of equivalent combustible characteristics may be used if all exterior surfaces of the enclosure are covered with sheet metal not less than No. 27 U.S. gage or other equally fire-retardant material or are protected by painting with an approved fire-retardant paint having a flame spread rating of not over 50, applied in accordance with the instructions of the manufacturer. Such ratings shall be based on the test procedure specified in ANSI/ASTM E84.

2. Slow burning combustible materials for insulating, sound deadening or decorative purposes may be used for lining enclosures if firmly bonded flat to the enclosure. Such materials shall not be padded or tufted. Materials must have a Class 1 Flame Spread Rating.

Exception: Padded protective linings used temporarily in passenger cars during the handling of freight, provided the pads are made of fire-retardant material or treated with an acceptable fire retardant. The fire retardant-treatment shall be renewed as needed. The protective linings shall clear the floor of the car by not less than four (4) inches.

ANSI A17.1-Rule 206.4c is amended to read as follows:

206.4c-Type of speed-governor overspeed switches, speed-reducing switches, and car-safety-mechanism switches required. Switches used to perform the function specified shall

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be positively opened. Overspeed and speed-reducing switches permitted by the exception to Rule 206.4b and operated by the speed governor shall remain in the open position until manually reset. Switches operated by the car safety mechanism shall be of a type which will not reset unless the car safety mechanism has been returned to the off position; the manually reset type.

ANSI A17.1-Rule 211.1 is amended to read as follows:

Rule 211.1-Car Emergency Signals for Elevators Operated Without a Designated Operator in the Car.

Elevators which are operated at any time without a designated operator in the car shall be provided with the following signal devices:

a. In all buildings, the elevators shall be provided with the following system:

1. An audible signaling device operable from the car, located inside the building and audible outside the hoistway. One device may be used for a group of elevators.

2. Means of two-way conversation between each elevator and a readily accessible point outside the hoistway. (Telephone, intercom, etc.).

3. If the audible signaling device, or the means of two-way conversation, or both, are normally connected to the building power supply, they shall automatically transfer to a source of emergency power within ten (10) seconds after the normal power supply fails. The power source shall be capable of providing for the operation of the audible signaling device for at least one (1) hour and the means of two-way conversation for at least four (4) hours.

b. In buildings in which an attendant or watchman is not continuously available to take action when the required emergency signal is operated, the elevators shall be provided with one of the following additional emergency signal devices:

1. A telephone connected to a central telephone exchange system.

2. A weatherproof audible signalling device with a minimum rating of eighty (80) decibels operable from inside the car and identified "ELEVATOR EMERGENCY CALL POLICE", in letters not less than two (2) inches high. The device shall be mounted on the outside of the building near the main entrance and located so that the sign can be read from the entrance sidewalk. Only one (1) outside signal is required if operable from all cars of all elevators of the type specified in the building.

An emergency power system shall be provided conforming to the requirements of Rule 211.1-a-3.

3. Means within the car for communicating with or signaling to an approved emergency service which operates twenty-four (24) hours each day.

c. The systems required by Rule 211.1a and b shall be inspected and tested during the inspections specified by Rules 1000.1 and 1001.1.

Rule 211.1 Emergency communications. Every elevator car shall be provided with a two-way communication system connected to an approved emergency service which operates 24 hours every day.

ANSI A17.1-Rule 211.3a is amended to read as follows:

211.3a-Automatic-Operation elevators. All automatic-operation elevators serving three or more landings or having a travel of twenty-five (25) feet or more, shall conform to the following:

1. A three position (on, off, and by-pass) key-operated switch shall be provided at the main floor for each single elevator or for each group of elevators. The key shall be removable only in the "on" and "off" positions. When the switch is in the "on" position, all elevators controlled by this switch and which are on automatic service shall return non-stop to the main floor, and the doors shall open and remain open.

a. An elevator traveling away from the main floor shall reverse at the next available floor without opening its doors.

b. Elevators equipped with automatic power-operated doors and standing at a floor other than the main floor, with doors open, shall close the doors without delay, and proceed to the main floor.

c. Door reopening devices for power-operated doors which are sensitive to smoke, heat or flame shall be rendered inoperative.

d. All car and corridor call buttons shall be rendered inoperative and all call registered lights and direction lanterns shall be extinguished and remain inoperative.

e. A car stopped at a landing shall have its "Emergency Stop Switch" rendered inoperative as soon as the doors are closed and it starts toward the main floor. A moving car, traveling to or away from the main floor, shall have its "Emergency Stop Switch" rendered inoperative immediately.

f. A sensor in each elevator lobby, which when activated prevents cars from stopping at that floor, shall not be substituted for the above requirements.

2. Sensing devices. In addition to the key-operated switch required in 1 above, heat and smoke or products of combustion sensing devices shall be installed in accordance with NFPA No. 72D 1975 in each elevator lobby at each floor, except the main floor. The activation of a sensing device in any elevator lobby shall cause all cars in all groups that serve that lobby to return nonstop to the main floor. The operation shall conform to the requirements of 211.3a-1-a to 211.3a-1-e. The key-operated switch required by 211.3a-1, when moved to the "by-pass" position, shall restore normal service independent of the sensing devices.

Exceptions:

(1) Elevators in buildings which are completely protected

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by an automatic sprinkler system (See NFPA No. 13 1976 Sprinkler Systems).

(2) Freight elevators located in or at openings into manufacturing areas.

(3) Elevator lobbies at unenclosed landings.

3. Elevators without a terminal landing at grade level shall be returned to that landing closest to grade level or other approved level and shall conform to the requirements of 211.3a-1, -2, -3, -4, -5, -6.

4. One (1) car in each bank of automatic-operation elevators serving five (5) or more floors above or below the main floor or having a travel of fifty (50) feet or more above or below the main floor ~~All elevators having a travel of seventy (70) feet or more and elevators having a terminal landing seventy (70) feet or more above the lowest grade elevation surrounding the building~~ shall be provided with the following operation:

A two position (off and on) key-operated switch shall be provided in or adjacent to an operating panel in each car and it shall be effective only when the main floor key-operated switch (211.3a-1) is in the "on" position or a sensing device has been activated and the car has returned to the main floor or other approved level. The key shall be removable only in the "off" position and when in the "on" position, it shall place the elevator on emergency operation.

The operation of elevators on emergency service shall be as follows:

- a. An elevator shall be operable only by a person in the car.
- b. Elevators shall not respond to elevator corridor calls.
- c. The opening of power-operated doors shall be controlled only by continuous pressure "open" buttons of switches. If the switch or button is released prior to the doors reaching the fully open position, the doors shall automatically reclose. Open doors shall be closed by either the registration of a car call or by pressure on "door close" switch or button.

d. Elevator shall be removed from emergency service by moving the emergency service key-operated switch in the car to the "off" position with the car at the main floor.

5. Multi-deck elevators shall conform to the requirements of 211.3a-1, -2, -3, -4, -6, and to additional requirements as follows:

- a. The key-operated switch required by 211.3a-1 may be located at either main lobby.
- b. The key-operated switch in the car required by 211.3a-4 for emergency service operation shall be located in

the top deck. The elevators shall be provided with means for placing the lower deck out of service including closing of car and hoistway doors. The lower deck shall be out of service before the emergency service operation from the top deck becomes effective. The means for placing the lower deck out of service shall be located in that deck or adjacent to the entrance in the corridor.

6. The switches required by 211.3a-1 ~~and 211.3a-4~~ shall be operated by the same key but which is not a part of a building master key system. There shall be a key for the main floor switch and for each elevator in the group and these keys shall be kept on the premises by persons responsible for maintenance and operation of the elevators, in a location readily accessible to authorized persons, but not where they are available to the public.

7. The switches required by 211.3a-4 shall conform to the following:

Emergency elevators. All keyed switches installed to operate elevators on emergency service shall be required to be keyed alike to a pattern approved by the Administrative Authority. In lieu of the above, keys for emergency elevator service may be in a metal box placed in a location approved by the Administrative Authority, provided said box is locked with a 5 pin tumbler core lock or equivalent which is keyed to the same pattern.

ANSI A17.1-Rule 602.1 is amended to read as follows:

Rule 602.1-Car safeties. Elevators having a travel of more than fifteen (15) feet shall be provided with a car safety, attached to the underside of the car frame, capable of stopping and sustaining the car and rated load.

The car safety device is not required to be operated by a speed governor, and may be of the instantaneous type operated as a result of the breaking or slackening of the suspension members.

Where the travel exceeds forty (40) feet, driving machines having hand-operated brakes shall also be equipped with an automatic speed retarder.

All handpowered elevators shall be equipped with a broken rope safety device.

ANSI A17.1-Rule 703.1 is amended to read as follows:

Rule 703.1-Where required. Car and counterweight safeties shall not be required except for protection of spaces below hoistways for all dumbwaiter cars and counterweights having a rated load over twenty-five (25) pounds. Where required, the car and counterweight safeties may be operated as a result of breaking the suspension means and may be of the inertia type without governors. Car safeties may be located in the car crosshead.

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All dumbwaiters shall be equipped with a broken rope safety device.

2 MCAR § 1.18807 Stage and orchestra lifts. Stage and orchestra lifts shall be designed, installed, constructed and maintained so as to be reasonably safe to life, limb and adjoining property and shall be approved by the administrative authority prior to installation or construction.

2 MCAR § 1.18808 Manlifts. Manlifts shall be designed, installed, constructed, and maintained so as to be reasonably safe to life, limb, and adjoining property and shall conform to the standards specified in the American National Safety Code for manlifts, ANSI A90.1-1969 and Regulations of the Department of Labor and Industry. 8 MCAR 1.7120-1.7129.

2 MCAR § 1.18809 Temporary interior and exterior hoists. Temporary interior and exterior hoists shall be designed, constructed, installed and maintained so as to be reasonably safe to life, limb and adjoining property, shall conform to Safety Requirements for Workman's Hoists, ANSI 10.4-1963, Safety Requirements for material hoists, ANSI 10.5-1969 and Regulations of the Department of Labor and Industry.

2 MCAR § 1.18810 Mechanical parking garage equipment. Mechanized parking garage equipment shall be designed, constructed, installed and maintained so as to be reasonably safe to life, limb and adjoining property, shall conform to the standards specified in the American Standard Safety Code for Mechanized Parking Garage Equipment ANSI A113.1 (R-1971).

~~Sec. 1.18901 Special provisions for handicapped persons is deleted in its entirety. (2 MCAR 1.18901 is reserved for future use).~~

Standards for Wheelchair Elevating Devices

Add new Sections 2 MCAR §§ 1.18811-1.18813 to read as follows:

2 MCAR § 1.18811 Standards for wheelchair elevating devices.

A. Applicability.

1. These rules apply to electric powered vertically traveling elevating devices used to raise or lower physically handicapped persons from one level to another in existing buildings, hereinafter in these rules referred to as a device.

2. The device shall conform to all applicable sections of ANSI A17.1-1978 National Safety Code for Elevators, Dumbwaiters, Escalators and Moving Walks, which are directly referred to in these rules.

2 MCAR § 1.18812 Hoistways, hoistway enclosures.

A. Hoistway walls shall be provided on all sides of the device not used for entrance or exits. Walls shall be fully enclosed and of non-combustible material. Walls shall extend to a height of at least the top terminal landing level. When

terminated at top landing level or any level below 42" above top terminal landing a guard rail conforming to UBC § 1716 shall be provided.

B. Strength of enclosure. See Rule 100.1e.

C. Construction at top of hoistway. A ceiling at the top of the hoistway is not required unless a hazard exists from falling objects from overhead. When a ceiling is provided it must be noncombustible material and must reject a ball 1" in diameter. Minimum clear headroom 7'-0".

D. Construction at bottom of hoistway. A pit is not required, but when provided it shall be designed as to prevent entry of ground water. The floor at the bottom level shall be designed to accept the loads imposed upon it. (UBC Chapter 23).

E. All ramp surfaces leading to or from the device shall be of the nonskid type. Ramps slope shall not exceed a ratio of 1 vertical to 12 horizontal.

F. Devices shall not be exposed to the outside elements.

G. Projections recesses and setbacks in hoistway enclosures, see Rule 100.6 and Rule 110.10A (Omit Item 1 only).

H. Means shall be provided to prevent movements of platform when loading or unloading.

I. For electrical wiring, pipes and ducts in hoistways and machine rooms, see Rule 102.

J. Location of device. The device may be installed in a stair enclosure or exit system provided it does not reduce or obstruct exit widths as required in UBC Chapter 33.

K. All exposed equipment on a device shall be guarded to protect against accidental contact which could cause bodily injury.

L. A movable barrier (or gate) at the upper terminal landing shall be installed to prevent a wheelchair from rolling off end of landing while waiting for the device. All movable barriers are to be self closing when the platform leaves the floor level. Means shall be provided so barrier can not be opened unless platform is in the top landing zone. When the movable barriers to the device are power operated they must meet all requirements of § 1, Rule 112.

M. The terminal landings shall be permanently fastened, and constructed so as to safely carry the imposed loads.

N. Upper terminal ramp or landing shall be provided with guard rails on open sides.

O. Lighting shall conform to Rule 204.7(a).

P. The device shall be permanently anchored and maintained in a level position.

Q. Guardrails shall be provided to protect against access to the area of the bottom terminal landing when skirt is utilized as a loading ramp.

R. The running clearance from front or rear to the permanent hoistway enclosure shall not be more than 1" nor less than 1/2".

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2 MCAR § 1.18813 Machinery and equipment for the devices.

A. The frame and platform shall be of steel or approved non combustible material. The platform shall not be larger than 42" wide by 60" long and not less than 36" wide x 48" long (inside dimensions).

B. The rated capacity shall be not less than 420 lbs. nor less than 35# per square foot.

C. The device shall be designed to insure a safety factor of 5.

D. Welding on the device shall conform to rule 203.7.

E. Means shall be provided on vertical traveling devices to prevent access below the platform when it is in the raised position.

F. When a skirt is provided, they must be solid (not perforated or grilled), and may be hinged or collapsible type. If of hinged or collapsible type they shall have a switch to cut off the power to the driving machine in case of accidental contact with any object while device is moving downward. The required pressure on the skirt to make the switch function shall not exceed 4 lbs.

G. Means shall be provided to prevent wheelchair from rolling off platform when in operation.

H. The speed of the device shall not exceed 15 feet per minute in either direction under full load conditions.

I. The total travel of the device shall not exceed 54".

J. 1. Operating means shall be provided by the use of a universal key or magnetic card available and restricted to key personnel and physically handicapped persons.

2. Operation shall be by continuous pressure, key operated switches. Switches shall be arranged so that they will not remain in the run position unless held in position and will automatically return to the "off" position if released. Key switches shall be so located as to permit an unobstructed view of the entire length of the travel of the device.

3. A slack cable or chain switch shall be provided where applicable.

4. An upper and lower terminal stopping switch shall be provided to stop the device at the terminal landings.

5. The device shall conform to Rule 501.11b for emergency stop switch in car and Rule 501.11c for control and operating circuit requirements.

K. A mechanical stop shall be provided at the top and bottom. Overtravel and undertravel shall not be more than 1" until the mechanical stop is reached. Stops shall be designed

to stop the car at full load, full speed in both directions and have a safety factor of not less than 5.

L. A data plate shall be installed under the platform which shall contain: car weight, capacity, total load, and speed plus total load, and speed plus total weight of device.

M. A full load speed safety test shall be performed on an annual basis.

N. Covers to mechanism shall be removable, for inspection purposes.

O. A sign shall be placed inside the device indicating, "for use by physically handicapped persons only." Letters shall not be less than 2" high.

P. Maintenance shall be provided on the device and shall conform to applicable rules of Part 10.

Q. If the device is of the hydraulic type, the engineering shall conform to Rule 1302.

R. An alarm bell shall be installed in accordance with Rule 211.1 and shall be connected to a push button on car operating panel marked "alarm."

Section V

Proposed Amendment to the National Electrical Code

2 MCAR § 1.18601 Electrical.

NEC Table 220-2(b) is amended as follows:

Unit load per sq. ft. (Watts) for Banks and Office Buildings shall be reduced from 5 to 3.



THE SAUM SCHOOL, a log structure built in 1903, cost about one hundred dollars. The school and its furnishings have been preserved by the Beltrami County Historical Society. (Courtesy of Beltrami County Historical Society)

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Table 220-2(b). General Lighting Loads by Occupancies

Type of Occupancy	Unit Load per Sq. Ft. (Watts)
Armories and Auditoriums	1
Banks	§ 3
Barber Shops and Beauty Parlors	3
Churches	1
Clubs	2
Court Rooms	2
*Dwelling Units	3
Garages — Commercial (storage)	½
Hospitals	2
*Hotels and Motels, including apartment houses without provisions for cooking by tenants	2
Industrial Commercial (Loft) Buildings	2
Lodge Rooms	1½
Office Buildings	§ 3
Restaurants	2
Schools	3
Stores	3
Warehouses (storage)	¼
In any of the above occupancies except one-family dwellings and individual dwelling units of multifamily dwellings:	
Assembly Halls and Auditoriums	1
Halls, Corridors, Closets	½
Storage Spaces	¼

*All receptacle outlets of 20-ampere or less rating in one-family and multifamily dwellings and in guest rooms of hotels and motels [except those connected to the receptacle circuits specified in Section 220-3(b)] shall be considered as outlets for general illumination, and no additional load calculations shall be required for such outlets.

Section VI

Proposed Amendments to the Flood Proofing Regulations

2 MCAR § 1.10110 § 1.18901 Adoption of “Flood Proofing Regulations.” Sections 100 through 1406 of the 1972 Edition of “Flood Proofing Regulations” (FPR) as promulgated by the Office of the Chief Engineers, U.S. Army, Washington, D.C. is incorporated by reference and hereby made a part of the State Building Code subject to the following amendments:

(FPR Sections 201.2 through 208.2 are placed in the appendix of this Code.)

FPR Section 200.2 is amended to read as follows:

Official Flood Plain Zoning Map: The Official Plain Zoning Map showing the extent and boundaries of the Primary and Secondary Flood Hazard Areas is hereby declared and established as part of these Regulations. Hereinafter reference to term Primary Flood Hazard Areas in these regulations shall be synonymous with the term “flood plain areas” as used in the Minnesota Regulations NR 85-93.

FPR Section 200.3 is amended to read as follows:

Regulatory

Flood Datum: For the purpose of these regulations, the Regulatory Flood Datum, or as hereinafter referred to as the “RFD”, is hereby declared and established for use as the reference datum for determining the elevation above mean sea level to which flood-proofing protection shall be provided. Hereinafter reference to the term “Regulatory Flood Datum” in these regulations shall be synonymous with the term “flood protection elevation” as used in Minnesota Regulations NR 85-93.

FPR Section 201.1 is amended to read as follows:

Application: These regulations shall apply to the construction, alteration, and repair of any building or parts of a building or structure in the Flood Hazard Area(s) of the municipalities. Additions, alterations, repairs and changes of use occupancy shall comply with all provisions for new buildings and structures as otherwise required in the Building Code, except as specifically provided in these Regulations.

FPR Section 201.2 is amended to read as follows:

This section shall apply unless equivalent provisions are incorporated in the Flood Plain Zoning Ordinance.

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

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

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

3. If such use is discontinued for 12 consecutive months, any future use of the building premises shall conform to these Regulations. The assessor shall notify the zoning administrator in writing of instances of non-conforming uses which have been discontinued for a period of 12 months.

4. If any nonconforming use or structure is destroyed by any means, including floods, to an extent of 50 percent or more of its assessed value, it shall not be reconstructed except in conformance with the provisions of these Regulations; provided, the Board of Appeals may permit reconstruction if the use or structure is located outside the floodway and is

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adequately and safely flood-proofed, elevated, or otherwise protected in conformance with these Regulations.

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

6. ~~Except as provided in "The Building Code," any use which has been permitted as a special exception shall not be deemed a nonconforming use but shall be considered a conforming use.~~

7. 6. Any alteration, addition, or repair to any nonconforming structure which would result in substantially increasing its flood damage or flood hazard potential shall be protected as required by these Regulations.

8. 7. The Building Official shall maintain a list of nonconforming uses including the date of becoming nonconforming, assessed value at the time of its becoming a nonconforming use, and the nature and extent of nonconformity. This list shall be brought up-to-date annually.

9. 8. The Building Official shall prepare a list of those nonconforming uses which have been flood-proofed or otherwise protected in conformance with these regulations. He shall present such list to the Board of Appeals which may issue a certificate to the owner stating that such uses, as a result of these corrective measures, are in conformance with these Regulations.

FPR Section 203.3 is amended to read as follows:

Records. Copies of such tests, reports, certifications, or the results of such tests shall be kept on file in the office of the Building Official for a period of not less than two (2) years after the approval and acceptance of the completed structure for beneficial occupancy.

FPR Section 204.6 is amended to read as follows:

Board of Appeals: ~~In order to determine the suitability of alternate materials and methods of construction and to provide reasonable interpretations of the provisions herein, there shall be and is hereby created a Board of Appeals of five (5) members. Each member of the Board shall be a licensed professional architect or engineer, or builder or superintendent of building construction, with at least ten years experience, for five years of which he shall have been in responsible charge of work. At no time shall there be more than two members from the same profession. At least one of the members shall be licensed structural or civil engineer with architectural engineering experience. The Board shall adopt reasonable rules for its investigations and shall render written decisions to the Building Official.~~

See 2 MCAR § 1.10111, UBC § 204.

FPR Section 204.7 is amended to read as follows:

Validity: It shall be unlawful for any person, firm or corporation or agency (state or local) to erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish, any building or structure in the Flood Hazard Area(s), or cause the same to be done, contrary to or in violation of any of the provisions of these Regulations and/or "The Building Code."

FPR Section 205.1 is amended to read as follows:

Statement of intention to improve. The Owner or any registered architect or licensed professional engineer authorized to represent the Owner shall, before preparing final plans for any improvement in the Flood Hazard Area(s), file with the Building Official a Statement of Intention to Improve, including a brief description of the type of improvement being considered and giving its precise location, on a form provided by the Building Official. The Building Official shall note on two copies the elevation of the RFD at the location of the proposed improvement. One copy of the Statement of Intention to Improve shall be retained by the Building Official until a permit copy for improvement on the site is approved or one year has elapsed; a second copy shall be returned to the Owner for his use in final siting and design of his improvement. Assignments of the RFD elevations at all locations shall be made from profiles and/or cross sections provided by the Army Corps of Engineers, SCS, USGS. This information shall be open to public examination at all reasonable times.

FPR Section 205.2 is amended to read as follows:

Permits required. No person, firm or corporation shall erect, construct, alter, repair, move, remove, convert, or demolish any building or structure or any part thereof, or make any other improvement within the structure or any part thereof, or make any other improvement within the Flood Hazard Area(s), or cause same to be done, without first obtaining a separate building flood proofing permit for any such improvement from the Building Official. Ordinary minor repairs may be made with the approval of the Building Official without a permit, provided that such repairs shall not violate any provisions of these Regulations or of "The Building Code."

FPR Section 205.3 No. 2 is amended to read as follows:

Two (2) sets of complete plans and specifications, in addition to plans and specifications required by "The Building Code," except that plans and specifications for any and all proposed improvement in the primary Flood Hazard Area(s) shall be prepared by an engineer or architect licensed by the State to practice as such. All drawings and specifications shall bear the name of the author thereof in his true name, followed by such title as he may be lawfully authorized to use. All plans and sections shall be noted with the proposed flood-proofing class of each space below the RFD including detail drawings of walls and wall openings.

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Exception: Plans for Group R Division 3 & 4 Occupancies need not be prepared by a licensed architect or engineer.

FPR Section 205.3 No. 3 is amended to read as follows:

Two (2) copies of the Owner's Contingency Plan, which shall describe in detail all procedures for temporary placement and removal or contingent protection proposed items in spaces affected by these Regulations including:

1- (a) Plans and schedules for items to be removed and locations of places above the RFD to which they will be removed if these contents violate restrictions associated with the flood-proofing class of the space in which they are placed temporarily, including specific organizational responsibilities.

2- (b) Procedures, materials and equipment for protecting items required to have protection by their flood-proofing class, but for which this protection is proposed to be provided contingently, including specific organizational responsibilities for accomplishing this protection.

Waivers of restrictions implicitly requested by submission of the Owner's Contingency Plan may be granted by the Building Official as provided by 1101.2

FPR Section 209.1 is amended to read as follows:

New Building and Structures: Every building or structure hereafter erected, that is located in the primary Flood Hazard Area(s) where the ground surface is two (2) feet or more below the RFD, or where flood water velocities may exceed five (5) feet per second, shall be provided with an enclosed refuge space above the RFD, of sufficient area to provide for the occupancy load with a minimum of 12 square feet per person. It shall be provided with one or more exits through the exterior walls above the RFD to an exterior platform and stairway not less than three (3) feet wide.

FPR Section 209.3 is amended to read as follows:

Use of Space Below the Regulatory Flood Datum: No floor level or portion of the building or structure that is below the

RFD regardless of structure or space classification shall be used ~~for human occupancy~~ as habitable space, or for storage of any property, materials, or equipment that might constitute a safety hazard when contacted by flood waters.

FPR Section 210.7 is amended to read as follows:

Placard Types: Placards shall be white rigid plastic or other non-water susceptible materials eight (8) inches long and twelve (12) inches wide, and shall have printed thereon in black letters the information shown in Figure 2.

FPR Section 300.0 is amended by adding a subsection to read as follows:

FPR Section 300.2 Interpretation: For the purpose of these regulations, where definition of terms as set forth in this Chapter conflict in meaning with those as set forth in Minn. Regs. NP 85(c), the latter shall take precedence.

FPR Section 301.2.9 is amended to read as follows:

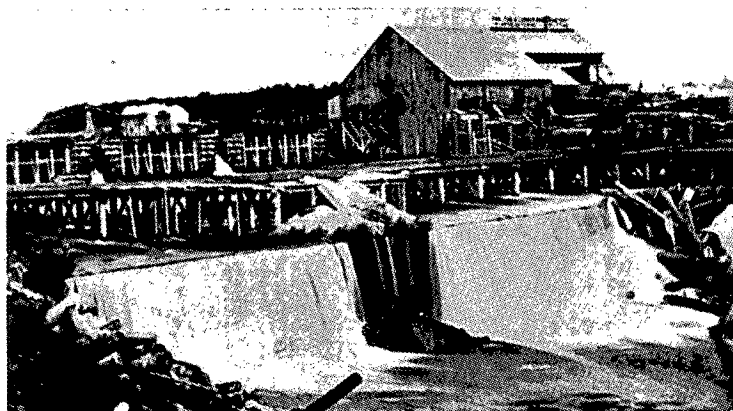
Habitable space (Room) A is space ~~used in a structure for living, sleeping, eating or cooking, or combination thereof, but not including bathrooms.~~ Bathrooms, toilet compartments, closets, halls, storage rooms, laundry and or utility rooms space, cellars and similar spaces and similar areas, are not considered habitable space.

FPR Section 301.4.1 is amended to read as follows:

Building Code: The State Building Code setting forth standards for the construction, addition and modification and repair of buildings and other structures for the purpose of protecting health, safety, and general welfare of the public.

FPR Section 402.1 (Table 2) is amended to read as follows:

General: Table 2 indicates the various degrees of protection required to permit use of spaces for each flood-proofing, the chart in itself shall not be construed as being exhaustive with respect to all requirements imposed by these Regulations. Any disputes arising over the interpretation of this chart, the written provisions of these Regulations shall be considered as definitive.



THIS MILL at the Falls of St. Anthony sawed logs into the lumber needed to build homes, churches, schools, and stores on the frontier. Located in what is now Minneapolis, it was one of many powered by the Falls of St. Anthony in the 1860s and 1870s. (Courtesy of the Minnesota Historical Society)

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Table 2
Space Classification Chart
Flood-proofing Classification of Spaces
Minimum Requirements

Flood- Proofing Classes	Water- Proof- ing	Struc- tural Loads	Closure of Open- ings	Internal Flood- ing & Drain- ing	Floor- ing	Walls and Ceil- ings	Con- tacts	Elec- trical	Mechan- ical
W1 Com- pletely Dry	Type A	Class 1	Type 1	See Chapter 8	Class 1	Class 1	Class 1		
W2 Essentially Dry	Type B	Class 1	Type 2		Class 2	Class 2	Class 2	See Chapter 12	See Chapter 13
W3 Flooded with Pota- ble Water	Type A	Class 2	Type 3		Class 3	Class 3	Class 3		
W4 Flooded with Flood Water	Type C	Class 3	Type 4		Class 4	Class 4	Class 4		
W5 Non- Flood- Proofing	—	—	Type 5		Class 5	Class 5	Class 5		

FPR Section 612.2.1 is amended to read as follows:

Natural Terrain: In addition to the requirements of "The Building Code," the building shall be located not less than fifteen (15) feet back from the line of incidence of the RFD on the ground, foundation design shall take into consideration the effects of soil saturation on the performance of the foundations, the effects of flood waters on slope stability shall be investigated, normal access to the building shall be by direct connections with areas above the RFD and all utility service lines shall be designated and constructed as required to protect the building and/or its components from damage or failure during a flooding event to the RFD.

FPR Section 612.2.2 is amended to read as follows:

Building on Fill: The building and all parts thereof may be constructed above the RFD on the earth fill. Prior to placement of any fill or embankment materials the area upon which fill is to be placed, including a five-foot strip measured horizontally beyond and contiguous to the toe line of the fill, shall be cleared of standing trees and snags, stumps, brush, down timber, logs and other growth, and all objects including structures on above the ground surface or partially burned. The area shall be stripped of topsoil and all other material which is considered unsuitable by the Building Official as foundation material. All combustible and noncombustible materials and

debris from the clearing, grubbing and stripping operations shall be removed from the proposed fill area and disposed of at locations above the RFD and/or in the manner approved by the Building Official. Fill material shall be of a selected type, preferably granular and free-draining placed in compacted layers. Fill selection and placement shall recognize the effects of saturation from flood waters on slope stability, uniform and differential settlement, and scour potential.

The minimum elevation of the top slope for the fill section shall be no more than one foot below the RFD. Minimum distance from any point of the building perimeter to the top of the fill slope shall be either fifteen (15) feet or twice the depth of fill at that point, whichever is the greater distance. This requirement does not apply to roadways, driveways, playgrounds and other related features which are not integral and functional parts of the building proper. Fill slopes for granular materials shall be not steeper than one vertical on one and one-half horizontal, unless substantiating data justifying steeper slopes are permitted to the Building Official and approved. For slopes exposed to flood velocities of less than five (5) feet per second, grass or vine cover, weeds, bushes and similar vegetation undergrowth will be considered to provide adequate scour protection.

FPR Section 802.1 is amended to read as follows:

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Applicability: Spaces to be intentionally flooded with flood water (W4) shall be provided with the necessary equipment, devices, piping, controls, etc. necessary for automatic flooding during the flood event and drainage system (s) shall utilize approved piping materials and have sufficient capacity for raising or lowering the internal water level at a rate comparable to the anticipated rate of rise and fall of a flood that would reach the RFD. These pipe systems shall be directly connected to the external flood waters to maintain a balanced internal and external water pressure condition. Provisions shall be made for filling the lower portions of the structure first and for interconnections through or around all floors and partitions to prevent unbalanced filling of chambers or parts within the structures. All spaces below the RFD, shall be provided with air vents extending to at least three (3) feet above the elevation of the RFD to prevent the trapping of air by the rising water surface. All openings to the filling and drainage systems shall be protected by screens for grills to prevent the entry or nesting of rodents or birds in the systems.

FPR Section 1101.3.2 is amended by changing the "Contents Class" of Food Products from X to I.

FPR Section 1301.2.1 is amended to read as follows:

Heating systems utilizing gas or oil fired furnaces shall have a float operated automatic control valve installed in the fuel supply line which shall be set to operate when flood waters reach an elevation equal to the floor level of the space where furnace equipment is installed. A manually operated gate valve that can be operated from a location above the RFD shall be provided in the fuel supply line to serve as a supplementary safety provision for fuel cutoff. The heating equipment and fuel storage tanks shall be mounted on and securely anchored to a foundation pad or pads of sufficient mass to overcome buoyancy and prevent movement that could damage the fuel supply line. As an alternate means of protection, elevation of heating equipment and fuel storage tanks above the RFD on platforms or by suspension from overhead structural systems will be permitted. All unfired pressure vessels will be accorded similar treatment. Fuel lines shall be attached to furnaces by means of flexible or swing type couplings. All heating equipment and fuel storage tanks shall be vented to an elevation of at least three (3) feet above the RFD. Air supply for combustion shall be furnished if required for systems installed in W1 or W2 spaces and piping or duct work for each purpose shall be terminated at least three (3) feet above the RFD.

FPR Section 1302.2.2 is amended to read as follows:

Where the state of dryness of a space is dependent on a sump pump system, or where the stability of a structure during a flood event depends on the relief of up-lift pressures on building components, all interior storm water drainage or seepage, appliance drainage, and underslab drain tile systems shall be directly connected to a sump (pump) and discharged at an elevation at least three (3) feet above the RFD.

FPR Section 1302.2.3.1 is amended to read as follows:

All vents shall extend to an elevation of at least three (3) feet above the RFD.

FPR Section 1302.3 is amended to read as follows:

Sewage Disposal/Treatment. Individual sewage disposal and/or treatment facilities will be permitted in a Flood Hazard Area but only at locations where connection with a public sewer system is not permissible or feasible. Such facilities shall conform to applicable standards, criteria, rules and regulations of the Minnesota Department of Health and Pollution Control Agency in terms of size, construction, use and maintenance and with standards and criteria of the Minnesota Department of Natural Resources regarding setbacks from normal high water mark of a water-course in accordance with the public water classification. ~~Installations in low swampy areas or areas where the highest known ground water table is within four feet of the bottom of the soil absorption systems or which may be subject to recurrent flooding will not be permitted.~~

FPR Section 1302.3.1 regarding cesspools/sewage disposals has been amended by deleting this section in its entirety.

FPR Section 1302.3.2 regarding seepage pits has been amended by deleting this section in its entirety.

FPR Section 1302.4.1 is amended to read as follows:

Water supply wells, tanks, filters, softeners, heaters, and all appliances located below the RFD shall be protected against contamination by covers, walls, copings, or castings. All vents shall be extended to a minimum elevation of three (3) feet above the RFD.

Section VII Proposed Amendments to the Minnesota Plumbing Code

Amend MHD 122(g) by adding (4) as follows:

"(4) Connection to Public or Private Sewer. Every building shall have its own independent connection with a public or private sewer, except that a group of buildings may be connected to one or more manholes which are constructed on the premises, and connected to a public or private sewer."

Amend MHD Table 123(c) (3) VI. Water Service as follows:

"Water Service—Minimum working pressure rating shall be at least 460 150 psi for municipal water service and 420 100 psi for other service."

Amend MHD 123(d) (2) as follows:

"(dd) Copper tube 3E or 3G and 3D fittings 3D or 3N.

(ee) Copper tube 3C and 3D fittings with the provision that this pipe be used only in yard areas.

(ff) Lead pipe 4B with heavy duty bronze unions or wiped joints with the provision that each

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joint must be supported by a durable support without abrasive or cutting edge.

(gg) ~~(ff)~~ Asbestos cement pipe 5A and fittings with the provision that this material be supported continuously and laid in granular soil and only in yard areas. Further that it not be used to convey extremely soft water, and shall pass through the floor within 3 feet of the outside wall.

(hh) ~~(gg)~~ Concrete pipe 5N.

(ii) ~~(hh)~~ Plastic pipe 6D, 6E, 6F and 6G provided that these materials be used only in yard areas, may be used for water service pipe only up to the water meter or pressure tank and provided there is no more than 2 feet of such piping exposed within the building. These materials shall be installed in accordance with ASTM D.2774-72. Particular care should shall be taken to avoid sharp edges in contact with the pipe and to provide for expansion and contraction.

Amend MHD 124(a) (2) (11-4) as follows:

“(11-4) Mechanical Joints in Hubless Cast Iron Soil Pipe. Mechanical joints for hubless cast iron soil pipe and fittings may be made—by using a neoprene sleeve and stainless steel retaining band as specified in CISPI standard 301, —by using a transition fitting made of elastomeric material (ASTM C 425 and ASTM C 564) and 300 series stainless steel bands and bolts, or mechanical joints for hubless cast iron soil pipe and fittings may be made by using a two part coupling consisting of the whose housing is fabricated in two parts of grey-cast iron casting in accordance with (ASTM A 48), with a The coupling gasket shall be molded made of neoprene rubber per (ASTM C 564), Coupling, and coupling bolts and nuts shall be made of 18-8 stainless steel.”

Amend MHD 124(a) (4) by adding a new part (ff) as follows:

“(ff) Transition Couplings. A transition coupling is one which is to be used when pipes made of different materials are to be joined. A transition coupling may be made of elastomeric materials (ASTM C 425 and ASTM C 564) and 300 series stainless steel bands and bolts. Any transition coupling joining plastic to plastic, copper to copper, or galvanized to galvanized, must be approved by the Administrative Authority.

Amend MHD 125(b) (3) as follows:

(3) Cleanout Materials. The bodies of cleanout ferrules shall be made to standard pipe sizes, conform in thickness to that required for pipes and fittings of the same material and extend not less than ¼ inch above the hub. The cleanout cover or plug shall be of brass, cast-iron or approved

plastic and be provided with a raised nut or recessed socket for removal.

Neoprene or norden rubber with a plastic disc and a single stainless steel (300 series) band may be used for a cleanout cover provided that it is exposed and readily accessible. Cleanouts for cast iron soil pipe shall have Cleanout covers made of brass and shall conform to specifications and details as shown in Figure 125 (b) (3), Appendix B.”

Amend MHD 130(b) (2) (aa) as follows:

“(aa4) Where the provisions of subsections (aa1) and (aa2) cannot be met, the sewer pipe shall be of cast iron or plastic 6A, 6B, 6C(2) or 6C(3) and the water pipe of copper, or cast iron, or plastic 6D, 6E, 6F or 6G (MHD Table 123(C) (3) VI.).

(aa5) Where the water service pipe must cross the building sewer, the bottom of the water service pipe located within 10 feet of the point of crossing shall be at least 12 inches above the top of the sewer, except where this is not feasible, the sewer shall be of cast iron or plastic 6A, 6B, 6C(2) or 6C(3) (MHD Table 123(C) (3) VI.) for at least 10 feet on either side of the crossing.”

Amend MHD 130(e) 9(gg) (gg1) as follows:

“(gg1) Connections Not Subject to Back Pressure: Where a water connection is not subject to back pressure a ~~nonpressure~~ an atmospheric type vacuum breaker shall be installed on the discharge side of the last valve on the line serving the fixture or equipment. Where a valve is installed on the discharge side of a vacuum breaker, that vacuum breaker must be a pressure-type vacuum breaker which complies with MHD 130(e) (9) (dd). A list of some conditions requiring protective devices of this kind is given in Table 130(e) (9) (gg1) Cross Connections Where Protective Devices Are Required and Critical Level (C-L) Settings for Backflow Preventers.”

Amend MHD 130(f) by adding (6) as follows:

“Every water heater installation shall be readily accessible for inspection, repair or replacement. The appliance space shall be provided with an opening or doorway of sufficient size to provide such access.”

Amend MHD Table 131(a) (2) (A) by changing the second heading as follows:

“Building Sewer *****, Building Drain and Building Drain Branches—from Stacks *****” and by adding a footnote to the Table as follows:

“***** No building sewer shall be less than 4 inches in diameter.”

Amend MHD 131(b) (5) by adding (aa-5) as follows:

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"(aa5) In single family dwellings the minimum capacity of a sump shall be 18 gallons."

Amend Table 123(C) (3) VI PLASTIC PIPE AND FITTINGS DRAIN, WASTE AND VENT BUILDING SEWER by adding 6C(3) as follows:

"6C(3) Acrylonitrile-Butadiene-Styrene (ABS) ASTM D 2751"

Amend MHD 123(d) (4) (gg) as follows:

"(gg) Plastic 6A, 6B, 6C(1), and 6C(2) and 6C(3) laid on a continuous granular bed."

Amend MHD 130(e) (5) as follows:

"Potable water connections to boiler feed water systems or, cooling systems, or other liquid systems, in which water conditioning chemicals are may be introduced shall be made through an air gap or provided with an approved backflow preventer located in the potable water line before the point where such chemicals are may be introduced. When water conditioning chemicals will not be introduced, an approved check valve shall be installed in the water supply line to the boiler or cooling device. Where a system is filled with an anti-freeze or toxic solution a permanent tag will be placed in plain view stating "Caution, this system contains anti-freeze/toxic solution." There shall be no permanent direct connection between this system and the potable water supply to the building."

Section VIII

Proposed Amendments to the Manufactured Building Code

2 MCAR § 1.10303 is amended to read as follows:

2 MCAR § 1.10303 Definitions. Unless otherwise expressly stated, the following terms shall, for the purpose of this Code, have the meaning indicated in this section. The definitions promulgated by the Model Code Standardization Council shall apply to terms included within this Code but which are not herein defined.

A. "Approved" is approved by the State Building Inspector.

B. "Code" is the Minnesota State Building Code ~~including such revisions adopted by the Commissioner of Administration.~~

C. "Commissioner" is the Commissioner of Administration.

D. "Closed Construction" is any building component, assembly or system manufactured in such a manner that all portions cannot be readily inspected at the installation site without disassembly, damage to, or destruction thereof.

E. "Open construction" is any building, component, assembly or system manufactured in such a manner that all

portions can be readily inspected at the installation site without disassembly, damage to, or destruction thereof.

F. "Manufactured building" means any building which is of closed construction and which is made or assembled in manufacturing facilities, on or off the building site, for installation, or assembly and installation, on the building site. Manufactured building may also mean, at the option of the manufacturer, any building of open construction, made or assembled in manufacturing facilities away from the building site, for installation, or assembly and installation, on the building site.

G. "Building component" is any sub-system, sub-assembly, or other system designed for use in, or as a part of, a structure, including but not limited to: structural, electrical, mechanical, fire protection, and plumbing systems, and other systems affecting health and safety.

H. "Building System" is plans, specifications and documentation for a system of manufactured building or for a type or a system of building components, including but not limited to, structural, electrical, mechanical, fire protection and plumbing systems, and including such variations thereof as are specifically permitted by regulation, and which variations are submitted as part of the building system or amendment thereof.

I. "Code Compliance Certificate" is the certificate provided by the manufacturer to the State Building Inspector which warrants that the manufactured building or building component complies with the Code.

J. "Compliance Assurance Program" means the system documentation and methods of assuring that manufactured buildings and building components, including their manufacture, storage, transportation, assembly, handling and installation, conform with these rules and regulations.

K. ~~J.~~ "Evaluation agency" is an approved person or organization, private or public, determined by the State Building Inspector to be qualified by reason of facilities, personnel, experience and demonstrated reliability and independence of judgment, to investigate, evaluate and approve manufactured buildings or building components, building systems, or compliance assurance programs.

L. ~~K.~~ "Independence of judgment" means not being affiliated with or influenced or controlled by building manufacturers or producers, suppliers, or vendors of products or equipment used in manufactured buildings and building components in any manner which is likely to affect their capacity to render reports and findings objectively and without bias.

M. ~~L.~~ "Inspection agency" is an approved person or organization, private or public, determined by the State Building Inspector to be qualified by reason of facilities, personnel, experience and demonstrated reliability and independence of judgment, to conduct or supervise compliance assurance programs relating to the manufacture, handling, storage, and transportation of manufactured buildings or building components, and attach labels evidencing compliance with the Code.

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~~N. M.~~ "Installation" is the process of affixing or assembling and affixing, manufactured buildings or building components on the building site, or to an existing building.

~~O. N.~~ "Label" is an approved device affixed to a manufactured building or building component, by an approved agency, evidencing code compliance.

~~P. O.~~ "Local enforcement agency" is an agency of a municipality which enforces the Code.

~~Q.~~ "Quality control program" as used herein shall be synonymous with compliance assurance program.

~~R. P.~~ "Seal" is a device or insignia issued to the Manufacturer by the State Building Inspector evidencing compliance with the Code.

2 MCAR § 1.10310 is amended to read as follows:

2 MCAR § 1.10310 Inspection. ~~The State Building Inspector, his approved inspection agency, or his approved local enforcement agency shall inspect, as required, at the manufacturing facility, manufactured buildings or components for which applications for a state seal have been made. The manufacturer shall consent to such inspections at all reasonable hours.~~

General. The State Building Inspector shall make, or cause to be made, such inspections of the entire process of manufacturing, certifying, handling, storing and transporting of manufactured buildings and building components produced pursuant to approved building systems as he deems necessary.

A. Manufacturing facilities. As part of the approval process of evaluating building systems and compliance assurance programs, the State Building Inspector or an evaluation agency shall inspect the manufacturing facilities in which the buildings or building components are to be manufactured.

B. Production process. The State Building Inspector or an inspection agency, shall make such inspections as may be required by an approved compliance assurance program, or as may be deemed necessary by the State Building Inspector.

C. Damaged buildings or components. Prior to the issuance of a building permit, the State Building Inspector or an inspection agency shall inspect, or cause to be inspected, certified manufactured buildings or building components which it determines to have been sufficiently damaged after certification to warrant such inspection and take such action with regard to such buildings or building components as is authorized under 2 MCAR § 1.10319, or as is otherwise necessary to eliminate dangerous conditions. The State Building Inspector shall require manufactured buildings or building components which are so damaged as no longer to comply with the Act and these rules and regulations to be brought into

compliance promptly. If such buildings or building components are not brought into compliance with the Act and these rules and regulations within a reasonable time, or if they are so damaged that they cannot be brought into compliance, the State Building Inspector shall order that the labels be removed from such buildings or building components. Irreparably damaged buildings or building components shall be disposed of in accordance with applicable law.

D. Inspection agency review. The State Building Inspector shall have the right to examine each approved inspection agency, at any reasonable time, and without prior announcement, in order to monitor the reliability of each agency and of its monitoring of each compliance assurance program. Each such examination shall investigate the adequacy of all procedures used by the agency in monitoring compliance assurance programs including inspection, tests, production methods, process controls, operator performance, materials receipt, storage and handling, workmanship standards, records and all other activities which implement the compliance assurance program in the manufacturing facility during transport, on-site, and at critical subcontractors' facilities. The results of such examinations shall be kept on file at the offices of the State Building Inspector. Copies of such reports shall be sent to the inspection agency. Inspection agencies shall be specifically notified of any deficiencies and of the manner in and time by which such deficiencies must be eliminated. If deemed necessary by the State Building Inspector, an agency's approval may be suspended or revoked as provided in 2 MCAR § 1.10334. Such inspections shall take place at the manufacturing facility, and may also take place at the inspection agencies office, or at the site of installation.

E. Evaluation agency review. The State Building Inspector shall have the right to examine each approved evaluation agency, at any reasonable time, and without prior announcement, in order to monitor the reliability of each agency. Each such examination shall investigate the adequacy of all evaluative procedures including engineering evaluation of plans, specifications and test results, testing, and analysis of compliance assurance programs. The results of such examination shall be kept on file at the offices of the State Building Inspector. Copies of such reports shall be sent to the evaluation agency. Agencies shall be specifically notified of any deficiencies and of the manner in time by which such deficiencies must be eliminated. If deemed necessary by the State Building Inspector, approval of an evaluation agency may be suspended or revoked as provided in 2 MCAR § 1.10334.

2 MCAR § 1.10312 is amended to read as follows:

2 MCAR § 1.10312 Local zoning. Local use zone requirements, ~~fire zone requirements based on performance,~~ building setback, side and rear yard requirements, site

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development and property line requirements are specifically and entirely reserved to local municipalities.

2 MCAR § 1.10320 shall be revised to read as follows:

2 MCAR § 1.10320 Seals. A. R-3 and R-4 Occupancies. Each manufactured building ~~or system~~ manufactured pursuant to the Code shall have permanently attached thereto in a ~~visible~~ location as shown on the approved plans, a state seal evidencing the State Building Inspector's approval of such building, — ~~component or system~~. When a manufactured building consists of one or more sections, that may be transported or stored individually each section must be marked or labeled to indicate that the section is a part of a manufactured structure and shall bear the number of the State of Minnesota Seal assigned to the building.

The marking or label shall also indicate the name of the manufacturer, the address of the manufacturing facility and the manufacturers serial number or other designator assigned to the building. All labels shall be visible from the exterior, shall be legible and shall remain on the structure until the building is complete.

B. All other occupancies. One seal is required per transportable unit.

2 MCAR § 1.10321 is amended to read as follows:

2 MCAR § 1.10321 Issuance. A seal shall be issued by the State Building Inspector to the manufacturer upon application and after plan approval has been issued, and shall be issued in accordance with the following:

A. If the State Building Inspector delegates the issuance of seals to an inspection agency, the agency shall be required to obtain approval from the State Building Inspector for the manner in which they are handled;

B. Seals must be serially numbered;

C. A manufacturer's compliance assurance program, submitted in accordance with 2 MCAR § 1.10332 A. shall include requirements for issuance, possession of, attachment of and accounting for all seals to assure that seals are attached only to buildings or building components manufactured pursuant to an approved building system and inspected pursuant to an approved compliance assurance program;

D. If the State Building Inspector or an inspection agency determines that the manufacturer's record of compliance is such that the State Building Inspector or inspection agency need not maintain an inspector in a given plant at all times, the State Building Inspector or inspection agency may entrust seals to the custody of one or more employees of the manufacturer, who shall be charged with controlling the use of such seals. Such employees shall not be given custody of more seals than are necessary to accommodate the manufacturer's anticipated production for one month. If the conditions of custody are violated, the State Building Inspector or an inspection agency shall immediately regain possession of all seals that have not applied to the manufactured buildings or

building components and shall take such further action with respect to buildings or components already sealed, and with respect to future seals, as it may deem necessary to assure compliance with the Act and these rules and regulations.

2 MCAR § 1.10325 Manufacturer's data plate. The data plate form furnished by the State Building Inspector shall contain but not be limited to the following information, and shall be placed by the manufacturer directly or by reference on one or more permanent manufacturer's data plates in the vicinity of the electrical distribution panel or in some other approved designated location that is readily accessible for inspection:

A. Manufacturer's name and address.

B. Serial number of the unit.

C. Model designation and name of manufacturer of major factory-installed appliances.

D. Where applicable, identification of permissible type of gas for appliances and direction for water and drain connections.

E. Name and date of standards complied with.

F. Seal serial number.

G. Design loads

H. Special conditions or limitations of the unit.

I. Date of manufacture.

J. Electrical ratings-instructions and warnings on voltage, phase, size and connections of units and grounding requirements.

2 MCAR § 1.10334 is amended to read as follows:

2 MCAR § 1.10334 Requirements for inspection agency. Approval of inspection and evaluation agencies

A. The inspection agency shall provide acceptable evidence and certify to the State Building Inspector and the evaluation agency that it is totally independent of the manufacturer, and maintains independence of judgment.

B. The inspection agency shall establish that it has the capabilities to inspect the type of construction proposed by the manufacturer and inspect for compliance with the approved plans and specifications and approved quality control manual.

C. When the quality control program involves sampling and testing of materials or components, the inspection agency must substantiate that it has experienced personnel and adequate equipment to witness and verify testing in accordance with the approved quality control manual.

D. The inspection agency shall employ a professional engineer or architect to be in responsible charge of all undertakings of the agency in connection with these rules and regulations and the Code.

E. When requested by the State Building Inspector, the inspection agency shall, independently of any reporting by

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the manufacturer, send directly to the State Building Inspector or the evaluation agency a full and complete report as to the results of all tests, inspections, recommendations, actions, analyses, evaluations and dispositions during any specified period.

F. The inspection agency shall prepare and submit for approval by the State Building Inspector and/or the evaluation agency a detailed inspection manual for use by their inspectors.

A. Requirements For submission. An inspection or evaluation agency seeking approval shall submit an application to the State Building Inspector which shall include the items listed in this Section.

1. The original Articles of Incorporation of the agency and all subsequent amendments thereto, as filed in the State of incorporation.

2. The bylaws of the organization, if any.

3. The names, addresses and business affiliations of all members of the Board of Directors and of top management personnel.

4. Stock owned in amounts over \$5,000 reflecting the financial interests of the agency's Board of Directors and top management personnel.

5. Certification by the agency that:

a. Its board of directors, as a body, and its technical personnel, as individuals, can exercise independence of judgment; and,

b. Its activities pursuant hereto will result in no financial benefit to the agency via stock ownership, or other financial interests in any producer, supplier or vendor of products involved, other than through standard published fees for services rendered.

c. Names, years of experience, State in which professionally registered and other qualifications of the directors of inspection or evaluation programs.

d. Names and years of experience of employees practicing in the following disciplines: architecture, structural engineering, mechanical engineering, electrical engineering, fire protection and other branches of engineering; the States in which each is registered and the services each performs.

E. An organization chart showing management and supervisory persons including the number of graduate engineers and architects, and the names of all consulting engineers or architects, designating which are full-time and which are part-time engineers.

6. Number and location of factory inspectors, supervisors, and other technicians, including evaluators of factory

inspectors and the qualifications of each specialized group, including records of work experience, licenses held and other pertinent qualifications; descriptions of the type of work each group and each technician is expected to perform, and the qualifications of each group and each technician to perform the work assigned.

7. An outline of the training program, if any, of the agency to assure that all inspectors, evaluators and other technicians are properly trained to do each job assigned to them.

8. An outline of the general procedures for supervision of inspectors and evaluators, including checking and evaluation of their work.

9. All engineers, technicians and other personnel who will perform services for the organization but who are not employees of the organization, and the supervisory and other relationships which each will have to the agency.

10. Type of products, components, equipment, structures and other items which the organization has evaluated, tested, or inspected, and the number of years of experience the organization has had with each, and the type of codes, standards, specifications and requirements with respect to which the organization has had experience in providing evaluation, inspection or testing services, and the number of years of experience with each.

11. Description of the record-keeping system the agency proposes to use with particular regard to availability of records to the State Building Inspector and the capacity to render reports to the State Building Inspector.

12. Description of the frequency with which the agency is capable of performing inspections or evaluations.

13. List of States in which the agency is now approved to inspect or evaluate manufactured buildings or building components, and a further listing of those States in which the agency intends to seek such approval within the next two (2) years.

14. Certification that the agency is able to evaluate building systems for compliance with the codes, standards, specifications and requirements adopted herein, or manufactured buildings or building components for compliance with approved building systems.

15. Fee as required by 2 MCAR § 1.10335

B. Procedures for approving and delegating.

1. The State Building Inspector may approve inspection or evaluation agencies which meet the requirements of Section I of this Part and which the State Building Inspector finds otherwise qualified to perform the functions proposed to be delegated to them.

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language. **PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."

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2. Prior to a full evaluation of an application for approval, the State Building Inspector shall determine whether such application is complete and suitable for processing. In the event the application is found to be unsuitable for processing, the applicant shall be notified in writing of such unsuitability and the basis thereof within thirty (30) days of the date the application is received by the State Building Inspector. In such event, all but \$25.00 of the fee will be returned, and the findings of unsuitability shall be without prejudice. Any subsequent submission shall be treated as a new application.

3. In the event the inspection or evaluation agency is not approved, the State Building Inspector shall return one complete application to the applicant with a written explanation of the reasons for such disapproval attached thereto.

4. Approval of inspection or evaluation agencies shall be evidenced by a letter to the applicant indicating such approval and stating specifically the functions which the applicant has been approved to perform. Such approval shall not constitute the actual delegation of such functions.

C. Suspension and revocation.

1. Grounds. The State Building Inspector may suspend or revoke its approval of any evaluation agency or inspection agency if the approval was issued in error, was issued on the basis of incorrect information, or was issued in violation of the Act or these rules and regulations, or if the agency violates the Act or these rules and regulations, if examination pursuant to 2 MCAR § 1.10310 4 D. and E. disclose that the agency has failed to perform properly, or for such other cause as may be deemed sufficient by the State Building Inspector to warrant such action. Appeals from suspensions or revocations shall receive timely review.

2. Procedures in event of revocation.

a. General. If the State Building Inspector suspends or revokes the approval of an evaluation or inspection agency, the evaluation or inspection agency shall be given notice in writing of the suspension or revocation with the reasons therefor set forth therein. Manufacturers being evaluated or inspected by such agencies, and all local enforcement agencies within this State shall also be notified in writing of such suspensions or revocations.

Such notices shall contain instructions to the local enforcement agencies as to manufactured buildings or building components previously certified by an agency whose approval has been suspended or revoked.

b. Records. An evaluation or inspection agency whose approval has been suspended or revoked shall within (90) days of the suspension or revocation deliver to the custody of the State Building Inspector the originals of all records required by these rules and regulations to be made of, or in the course of, the agency's operations pursuant to the Act and these rules and regulations.

C. Seals. An evaluation or inspection agency for which approval has been suspended or revoked shall, within ten (10)

days of the suspension or revocation, deliver to the custody of the State Building Inspector all seals in the agency's possession, under its control, or for which it is responsible pursuant to these rules and regulations.

2 MCAR § 1.10335 Fees. General. All fees shall be:

- A. In the form of checks or money orders.
- B. Payable to: Minnesota State Treasurer.
- C. Addressed to: State of Minnesota
Department of Administration
Building Code Division
408 Metro Square Building
7th and Robert Streets
St. Paul, Minnesota 55101

D. Seal Fee, twenty dollars (\$20.00) per Seal. Replacement seal fee for damaged seals, five dollars (\$5.00) per Seal.

E. For all other work performed by the Building Code Division such as, but not limited to: the review of plans, specifications, and independent agency reports, inspection and quality control evaluation, a fee of ~~fifteen~~ twenty dollars (~~\$15.00~~) (\$20.00) per man hour shall be charged.

F. Travel expense shall be charged at the rates established for state employees by the Commissioner of Administration.

G. Inspection and/or evaluation agencies.

1. Initial fee of \$150.00 shall be submitted with the application for agency approval. The initial fee shall be submitted prior to September 1, 1979 by all currently approved agencies and shall include any additional data necessary to show compliance with MCAR §§ 1.10310, 1.10321, 1.10334.

2. A registration fee of \$75.00 is required annually, due January 1 of each year, to maintain State approval.

2 MCAR § 1.10336 Provisional authority. A manufacturer who files an application in proper form for quality control approval shall have temporary authority to acquire seals commencing twenty days after the date of filing of the application, unless within such period the Commissioner, by written notice mailed to the manufacturer at the address shown on his application or served upon him personally, shall deny temporary authority and state his reasons for doing so. Such temporary authority shall continue until final determination of the manufacturer's application for quality control approval, or revocation pursuant to 2 MCAR Section 1.10319, whichever shall first occur, and shall empower the manufacturer to affix seals to all models whose plans have been approved and which comply with Code. A manufacturer operating under temporary authority is subject to all verification inspections and other requirements imposed upon a manufacturer who has obtained quality control approval.

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Section IX

Amendments Proposed by Other Than the Building Code Division

Proponent — Minneapolis Association of Building Owners & Managers Inc., Arthur Olofson, Executive Vice President

2 MCAR § 1.18601 — N.E.C. Section 300-22(b) is amended to read as follows:

(b) Ducts or Plenums Used for Environmental Air. Only wiring methods consisting of mineral-insulated metal-sheathed cable, Type MC cable employing a smooth or corrugated impervious metal sheath, electrical metallic tubing, flexible metallic tubing, intermediate metal conduit, or rigid metal conduit shall be installed in ducts or plenums used for environmental air. Flexible metal conduit, flexible metallic tubing and liquidtight flexible metal conduit shall be permitted, in lengths not to exceed 4 feet, to connect physically adjustable equipment and devices permitted to be in these ducts and plenum chambers. The connectors used with flexible metal conduit shall effectively close any openings in the connection. Equipment and devices shall be permitted within such ducts or plenum chambers only if necessary for their direct action upon, or sensing of, the contained air. Where equipment or devices are installed and illumination is necessary to facilitate maintenance and repair, enclosed gasketed-type fixtures shall be permitted.

Exception: Circuits and equipment as set out in Section 800-1 when installed in return air handling plenums located above ceilings in new and existing buildings housing Group B2 occupancies, are not required to be installed in metallic tubing, metal conduit, or any other type of metallic raceway. All such communication wiring shall be grouped and shall be independently supported from the structure. All such communication wiring, when abandoned, shall be removed.

Proponent — Minneapolis Association of Building Owners & Managers, Inc., Arthur W. Olofson, Executive Vice President

UBC § 1807 (h) (1) is amended as follows:

UBC § 1807 (h)1. Except for the main entrance level, all elevators on all floors shall open into elevator lobbies, which are separated from the remainder of the building as is required for corridor construction in Section 3304 (g) and (h).

Exception: When a complete and approved automatic fire extinguishing system is installed in Group B Division 2 Office Buildings, separation of elevator lobbies is not required on any floor.

Proponent — Minneapolis Association of Building Owners & Managers Inc., Arthur Olofson, Executive Vice President.

UBC § 1807 (m) (1)(2) is amended as follows: Delete the following paragraph 1. in its entirety.

UBC § 1807 (m) 1- The fire resistive time periods set forth in Table No. 17 A may be reduced by one hour for interior bearing walls; exterior bearing and nonbearing walls; roofs and the beams supporting roofs; provided they do not frame into columns. Vertical shafts other than stairway enclosures and elevator shafts may be reduced to one hour when sprinklers are installed within the shafts at alternate floors.

Substitute with the following paragraph 1.:

1. The fire-resistive time periods set forth in Table 17-A may be reduced by one hour for interior bearing walls, exterior bearing and nonbearing walls, roofs and the beams supporting roofs, provided they do not frame into columns. All office building partitions required to be of one-hour fire-resistive construction by Table No. 17-A and Section 3304(g) may be of noncombustible construction without a fire-resistive time period. Openings in corridor walls shall be protected by tight-fitting, self-closing doors that need not have a fire-resistive time period. In Group R, Division 1 Occupancies, corridor and dwelling unit or guest room separation may be reduced to one-half hour.

Delete the following paragraph 2:

UBC § 1807 (m)2. ~~Except for corridors in Group B, Division 2 and Group R, Division 1 Occupancies and partitions separating dwelling units or guest rooms all interior nonbearing partitions required to be one-hour fire-resistive construction by Table No. 17-A may be of noncombustible construction without a fire resistive time period.~~

Proponent — Minnesota Energy Agency — Robert Gish

2 MCAR § 1.16005 — ASHRAE 90-75 § 4.2.2 is amended to read as follows:

§ 4.2.2 The gross area of exterior walls consists of all opaque wall areas (including foundation walls, between-floor spandrels, peripheral edges of floors, etc.), window areas (including sash), and door areas, where such surfaces are exposed to outdoor air or are within frostline depth of outdoor air, and enclose a heated and/or mechanically cooled space (including interstitial areas between two such spaces).

Proponent — Minnesota Energy Agency — Robert Gish

2 MCAR § 1.16005 — ASHRAE 90-75 Figure 1 page 13 is deleted and replaced with the new figure 1 as follows:

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language. **PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."

PROPOSED RULES

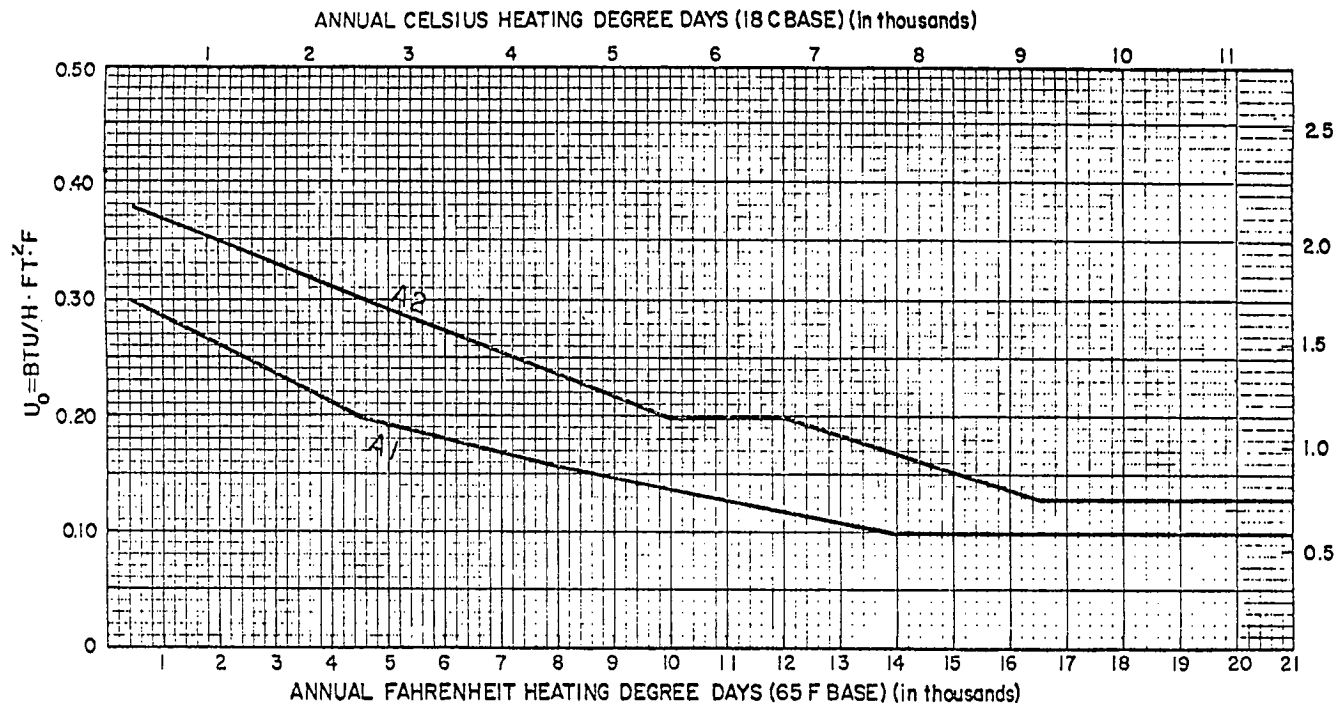


Fig. 1 U_o Type "A" Buildings
Type "A" Buildings Shall Include: A₁ Detached One- and Two-Family Dwellings
A₂ All other Buildings; Three Stories or Less
Including but not Limited to—Multi-Family Dwellings
Hotel and Motels

Proponent — Minnesota Energy Agency — Robert Gish

2 MCAR § 1.16005 — ASHRAE 90-75 § 4.3.2.2 is amended to read as follows:

§ 4.3.2.2 Roof/ceiling. Any building that is heated and/or mechanically cooled shall have a combined thermal transmittance value (U_o value) for roof/ceilings not to exceed 0.05 Btu/h-ft²-F (0.28 W/m²K) for area with 8000 fahrenheit Heating Degree Days (4444 Celsius Heating Degree Days) or less and not to exceed 0.04 Btu/h-ft²-F (0.23 W/m²K) for areas with more than 8000 Fahrenheit Heating Degree Days (4444 Celsius Heating Degree Days); 0.027 Btu/h-ft²-F (0.154 W/m²K).

2 MCAR § 1.16005 — ASHRAE 90-75 Section 4.4.2.3 is amended to read as follows:

§ 4.4.2.3 Floors over unheated spaces. For floors of heated spaces over unheated areas, the U_o value shall not exceed the values shown in Fig. 5. For floors over outdoor air (example: overhangs) the U_o value for heating shall meet the same requirements as for roofs shown in Fig. 4.

Proponent — Minnesota Energy Agency — Robert Gish

2 MCAR § 1.16005 — ASHREA 90-75 § 4.4.3.2 is amended to read as follows:

§ 4.4.3.2 Roof/ceiling. Any building that is mechanically cooled shall have a combined Thermal Transmittance value (U_o Value) for roof/ceilings not to exceed that which would be determined by the heating criteria above (see § 4.4.2.2.) an

Overall Thermal Transfer Value, OTTV_r, for the gross area of a roof assembly not exceeding 8.5 Btu/h-ft² (26.8 W/M²)

§ 4.4.3.2.2 Eq 4 shall be used to determine acceptable combinations to meet the requirements of § 4.4.3.2.1.

Equation 4 — Roof/ceiling

OTTV_r

$$8.5 = \frac{U_r A_r T_{Deqr} + 138 A_s SC_s + U_s A_s \Delta T}{A_o}$$

where

U_r	=the thermal transmittance of all elements of the opaque roof area, Btu/H-ft ² F (w/M ² K)
A_r	=opaque roof area, ft ² (M ²)
T_{Deqr}	=Value given in Fig. 8
A_s	=skylight area, ft ² (M ²)
SC_s	=shading coefficient of the skylight
U_s	=the thermal transmittance of the skylight, btu/H-ft ² F (W/m ² K)
ΔT	=temperature difference between exterior and interior design conditions, F, (see 4.2.5)

Note: Where more than one type of roof and/or skylight is used, the respective term or terms shall be expanded:

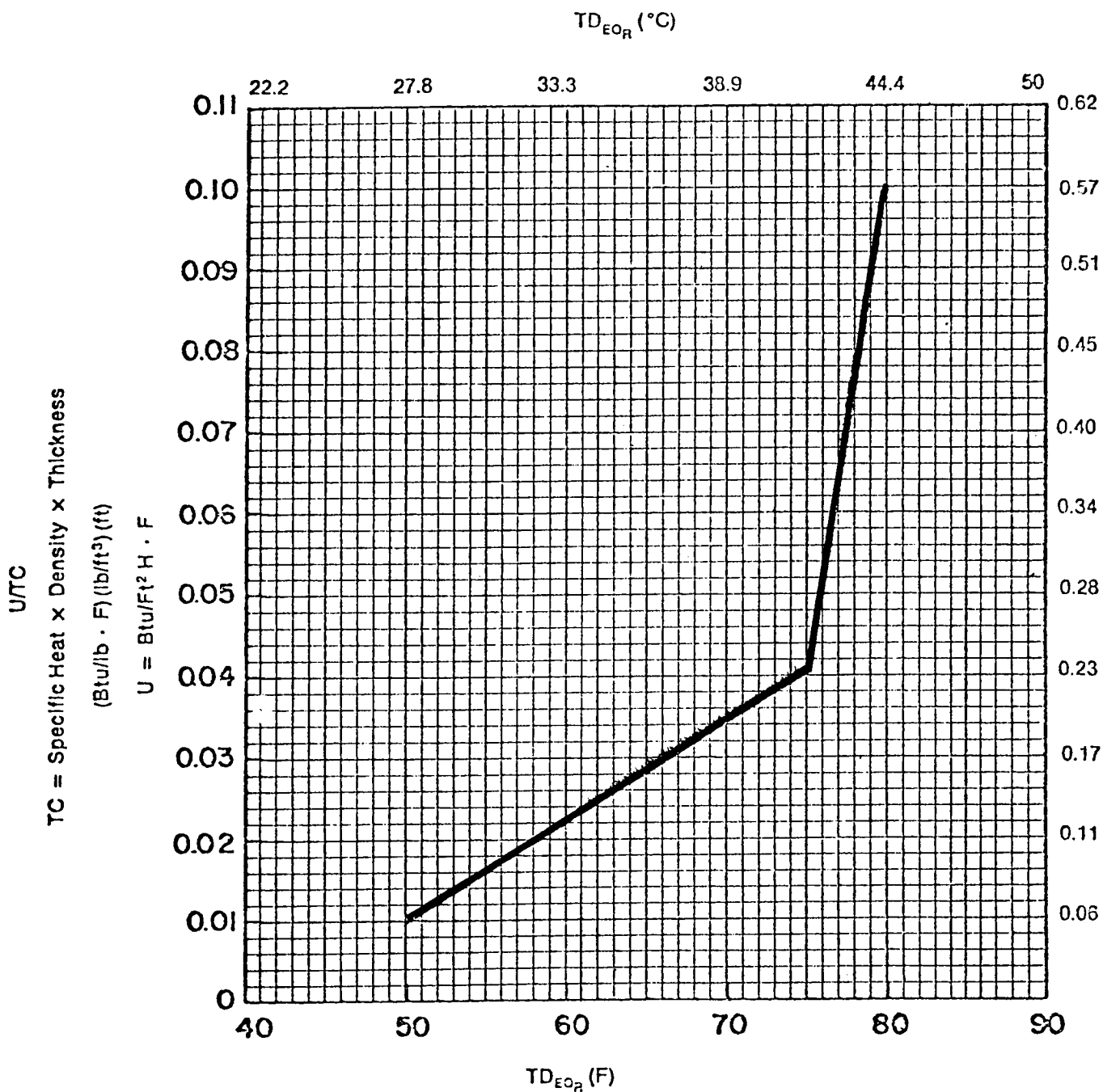
$$(U_{r1} A_{r1} T_{Deqr1}) + (U_{r2} A_{r2} T_{Deqr2}), + \dots, \text{etc.}$$

(Add fig. 8, T_{Deqr} Values for use in EQ. 4

Proponent — Minnesota Energy Agency — Robert Gish

2 MCAR § 1.16005 — ASHREA 90-75 is amended by adding new figure 8 as follows:

FIG 8
 TD_{EO_R} VALUES FOR USE IN EQ. 4



KEY: RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language. **PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."

PROPOSED RULES

Proponent — Legal Advocacy for the Developmentally Disabled of Minnesota Stephen E. Scott, Attorney

Proposed Amendments

The following sections of the Uniform Building Code should be amended as shown.

§ 405 of the UBC shall be amended to read:

Dwelling is any building . . . for living purposes and shall include Class A-1 Supervised Living Facilities as defined in this Code.

§ 420 of the UBC shall be amended by adding:

Class A-1 supervised living facilities shall include homes providing boarding and lodging for 6 or fewer ambulatory or mobile disabled persons . . . at street level.

and by adding:

Class A-2 supervised living facilities shall include homes providing boarding and lodging for more than 6 ambulatory or mobile disabled persons . . . at street level.

UBC Table 5-A is amended to read as follows:

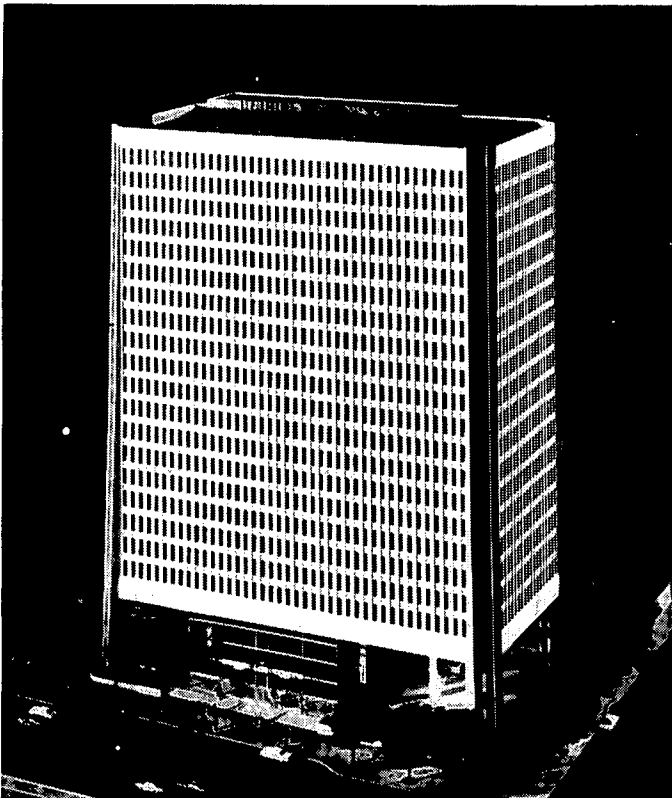
R-1 — Hotels and apartments houses. Convents, monasteries (each accommodating more than ten persons). Supervised living facilities Class A-2 (each accommodating more than six persons).

R-3 — Dwellings and lodging houses. Supervised living facilities Class A-1 (each accommodate six or fewer persons).

§ 1201 of the UBC shall be amended by changing Supervised living facility Class A to Supervised living facility Class A-2.

§ 1201 of the UBC shall be amended by adding:

Supervised living facility Class A-1 as defined in § 420 of this Code (each accommodating six or fewer persons).



Office Building — Northwestern National Life Insurance Co.
Minneapolis, Minnesota
Minoru Yamasaki & Associates

JULY 1980 is the scheduled completion date for the new Northwestern National Life Insurance Company tower in downtown Minneapolis. Facing southward to Washington Avenue, it will be connected to the NWNL home office by a tunnel beneath Marquette Avenue. The exterior of the building is to be faced with white marble-chip aggregate, and its glass-encased lobby will boast verde antique marble from Vermont.

Special emphasis on energy conservation calls for mechanical systems which capture heat and cooling from exhausted air. Separate heating and air conditioning systems have been devised for each floor to permit shutdown of service to unoccupied space. Energy-saving lighting, insulated glass, and maximum thermo insulation on exposed surfaces also contribute to the energy efficiency and cost effectiveness of the structure. The 20-story tower will cost approximately \$35 million to construct.

SUPREME COURT

Decisions Filed Friday, August 24, 1979

Compiled by John McCarthy, Clerk

49165/208 Northwest Mechanical, Inc., petitioner, Appellant, vs. The Public Utilities Commission of the City of Virginia, Minnesota. St. Louis County.

An arbitration award must be set aside if there exist undisclosed business dealings between an arbitrator and a party.

Reversed. Sheran, C. J. Took no part, Todd, J.

47688/259 State of Minnesota vs. Richard Carpenter, Appellant. Hennepin County.

Evidence is sufficient to support trial court's finding of guilty, which rejected defense of insanity.

It was not a denial of due process of law that defendant bore the burden of proving insanity by a preponderance of the evidence.

Commitment of defendant to St. Peter State Security Hospital and subsequent transfer to Stillwater State Prison did not deny defendant due process or law or equal protection of the law.

Issue of credit to defendant for time spent at St. Peter and the Hennepin County Jail will not be considered on this direct appeal.

Affirmed. Sheran, C. J.

49868/300 Minnesota Education Association and Minnesota Community College Faculty Association vs. State of Minnesota, et al, Appellants. Ramsey County.

Minn. St. 179.74, subd. 5, reserves the right to legislative review and modification of arbitration awards involving state employees, and such reservation is not a denial of equal protection.

Judgment reversed by order of this court of May 1, 1979. Sheran, C. J.

49608/269 General Drivers Union Local 346, for Itself and on Behalf of Its Members, Employees of Independent School District No. 704, vs. Independent School District No. 704, Proctor School Board, et al, Appellants. St. Louis County.

The language of the collective bargaining agreement between Independent School District No. 704 and General Drivers Union Local No. 346 did not entitle the school board to contract out busing services, which is a mandatory subject of negotiation as a term and condition of employment under the Public Employees Labor Relations Act, without submitting the subject to negotiation.

The union did not waive any claim of an unfair labor practice by failing to demand negotiation where it was not given sufficient notice of the decision to contract out.

Affirmed. Otis, J. Took no part, Todd, J.

49317/277 State of Minnesota vs. Clayton A. Terrell, Appellant. Blue Earth County.

A criminal suspect is not entitled to a suppression hearing before the grand jury meets to hear evidence against him, but may challenge the evidentiary basis for an indictment after it has been issued.

Under Rule 18.06, subd. 2, Rules of Criminal Procedure, reception of inadmissible evidence at grand jury was not ground for dismissal of indictment because there was sufficient admissible evidence to support the indictment.

Omnibus court, in determining suppression issue, did not rely on evidence admitted in violation of defendant's right of confrontation.

"Emergency exception" to warrant requirement justified warrantless entry of cabin to investigate shooting of victim who, for all police knew, may still have been alive.

Evidence held sufficient on issue of intent to kill.

Affirmed. Otis, J. Took no part, Sheran, C. J.

48997/264 Denise G. Lemke, et al, Appellants, vs. Bernadine J. Schwarz. St. Louis County.

Where an insured has clearly and unambiguously demonstrated an intent to change the beneficiary on a life insurance policy, this intent should be given effect, despite failure to fully comply with policy requirements, unless prejudice to the insurer would result.

Reversed. Kelly, J. Took no part, Otis, J.

48403 David Joseph Fritz, petitioner, 48403 vs. State of Minnesota, Appellant, and David 49521/204 J. Fritz, petitioner, Appellant, 49521 vs. State of Minnesota and the Commissioner of Public Welfare, State of Minnesota. Anoka County.

Because commitment to the Department of Public Welfare under the Minnesota Sex Offender Act is a sentencing alternative and is limited in duration to the length of a criminal sentence for the offense, due process and equal protection do not require application of civil commitment procedures.

The constitutionality of provisions in the Minnesota Sex Offender Act which authorize transfer of an offender from the mental hospital to prison will not be considered on appeal when the offender is not subject to a transfer.

The constitutionality of procedures in the Minnesota Sex Offender Act for release from commitment will not be considered on appeal when the offender has not claimed that he has sought or been denied any specific release procedures.

It is permissible, but not mandatory, to impose a "dual

sentence" under the Minnesota Sex Offender Act whereby the trial court commits the offender to the Department of Public Welfare and stays a penal sentence to the commissioner of corrections.

Affirmed in part; reversed in part; and remanded. Todd, J.

49357/247 William James Vezina, petitioner, Appellant, vs. State of Minnesota and the Minnesota Corrections Board. Ramsey County.

The Postconviction Remedy Act does not encompass challenges concerning the decision of the corrections board to transfer a person from youthful offender status to adult status.

Appellant waived his right to a hearing on the transfer from youthful offender status to adult status because he did not request a hearing within 30 days after receiving notice of the transfer.

When probation is revoked and a penal sentence is executed, the time spent in a county workhouse as a condition of probation is not credited against the target date for release on parole.

Affirmed. Todd, J. Concurring in part, dissenting in part, Wahl, J. Dissenting in part, Otis, J.

49310/248 Frank Patrick Rongitsch, petitioner, Appellant, vs. State of Minnesota. Ramsey County.

The Postconviction Remedy Act Does not encompass challenges concerning the decision of the Youth Conservation Commission to transfer a person from youthful offender status to adult status.

Minn. St. 1971, § 242.265, does not authorize the transfer of a person from youthful offender status to adult status if, at the time he commits the felony while on parole from the Youth Conservation Commission, he is under 21 years of age.

Affirmed in part; reversed in part. Todd, J. Concurring in part, dissenting in part, Wahl, J.

49208/263 Floyd A. Kruse, Appellant, vs. Harvey J. Planer. Wright County.

Where the only material facts relied upon by the trial court in reaching its decision are not in dispute and the record clearly reveals the factual basis for the trial court's ruling, the absence of separate findings of fact and conclusions of law is not reversible error.

It is well settled that, absent the clear showing of language authorizing prepayment by the vendor, a purchaser may not accelerate the time of payment contrary to that delineated in the contract.

Affirmed. Scott, J. Took no part, Todd, J.

48037 In the Matter of the Village of Burnsville Assessments for Improvement No. 70TS-8 for Sanitary Sewer. Edward Kraemer & Sons, Inc., vs. Village of Burnsville (now City of Burnsville), Appellant. Dakota County.
48042/146 (1978)

Where a special assessment is challenged as an unconstitutional taking the trial court must determine whether the improvement confers a special benefit on the property in an amount at least equal to the assessment, based on an independent consideration of all the evidence.

Where the trial court found that no special benefits were conferred and vacated special assessment in its entirety, trial court impliedly set permissible assessment ceiling at zero and a remand to the city for reassessment pursuant to Minn. St. 429.081 would have been pointless.

Trial court has discretion to award costs and disbursements to a successful challenger of a special assessment against a municipality under Minn. St. 429.081.

Affirmed. Kelly, J.

48334/401 Culligan Soft Water Service of Inglewood, Inc., et al, vs. Culligan International Company, a corporation, formerly known as Culligan, Inc., Appellant. Hennepin County.

Where an actual controversy existed as to whether franchisor unreasonably withheld consent to franchisee's assignment of the franchise, a justifiable controversy appropriate to resolution in an action for declaratory judgment was presented, and the trial court was empowered to grant suitable relief.

A right of first refusal given to a third party by the franchisee does not violate a franchise provision prohibiting assignment, transfer, sharing, or division of the franchise since it does not confer any property right on the third party, and the franchisor may prevent the acquisition of such right by reasonably withholding consent to the transfer.

The trial court's findings that the proposed assignee of the franchise was qualified to assume the franchise and that franchisor's consent to the assignment was unreasonably withheld are not clearly erroneous.

Affirmed. Kelly, J. Took no part, Otis, J.

49607/177C Kenneth R. Olson, Jr., and Ann B. Olson, Appellants, vs. Robert J. Lindberg and Marjorie A. Lindberg. St. Louis County.

Where an existing structure encroached upon portion of plaintiffs' land trial court properly ordered plaintiffs to convey that parcel to defendants in exchange for payment of reasonable value of land and expert appraisal fees by defendants.

Affirmed. Kelly, J.

48399/145 G.G.C. Co., et al, vs. The First National Bank of St. Paul, and Charles Cox, et al, additional defendants on the counterclaim, Melvin C. Gittleman, intervenor, Appellant. Dakota County.

SUPREME COURT

An assignment-of-rents clause is enforceable during the redemption period following a mortgage foreclosure sale to secure any deficiency resulting from the sale and for the purpose of paying taxes, assessments, insurance, interest and principal payments on the first mortgage, and necessary repairs.

An escrow arrangement with safeguards such as periodic accountings to the court is a proper and efficient method of enforcing an assignment-of-rents clause.

A mortgagor is not held personally liable for any postforeclosure sale taxes, assessments, interest, and other necessary expenses if the rental income from the property is insufficient to meet such necessary expenses.

A foreclosure sale free from fraud or irregularity will not be held invalid for inadequacy of price, since the mortgagor may redeem from the foreclosure.

Disregard of the corporate entity theories are equitable in nature, and generally are not available absent fraud. Where a mortgagee looked to the three principals in a corporation as guarantors on the mortgage note, and the mortgagee settled

its claim with them, the corporate veil will not be pierced to hold liable on that note a partner of the partnership which dominated the corporation since the mortgagee did not rely on the partner in executing the note.

Affirmed in part and remanded for a modification of the judgment in accordance with this opinion. Kelly, J. Took no part, Otis, J.

Decision Filed Friday, August 17, 1979

**50177/394 State of Minnesota, Appellant, vs. Tony
Luris Stangel. Cass County.**

Common-law rule that a person reaches his next year in age at the first moment of the day preceding his birthday does not govern in computing a person's age for purpose of determining juvenile court jurisdiction.

Affirmed. Sheran, C. J.

OFFICIAL NOTICES

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on

the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

Department of Agriculture Shade Tree Program

Announcement of Continuing Availability of Grant-in-aid Funds for Experimental Programs and Wood Utilization and Disposal

The Minnesota Department of Agriculture's Shade Tree Program announces the continuing availability of grants-in-aid for experimental programs and wood utilization and disposal. The criteria and procedures for application are described below.

Experimental Programs

Objective: To establish and evaluate the effectiveness of various types of shade tree disease control and reforestation methods and treatment programs.

Eligible Applicants: All Minnesota municipalities, counties, state and federal agencies, and the University of Minnesota.

Application Procedures: Interested applicants must submit a description of the proposed experimental program to the Shade Tree Program. The description should clearly state the objective of the experiment, the methodology to be used, the background and experience of the personnel who will conduct the experiment, evaluation techniques, and cost of the experiment.

Criteria: All proposals will be evaluated by a Department review panel and grants awarded by the Commissioner of Agriculture based upon the following criteria:

OFFICIAL NOTICES

(1) General applicability—proposed sanitation and treatment programs should not be limited in their application to a single community or county, but should be applicable in other parts of the state;

(2) Contribution to the overall State Shade Tree Program—proposed programs will be considered for their ability to enhance those shade tree disease control programs already established.

(3) Cost—effectiveness—proposed programs will be evaluated for their potential effectiveness given the cost of implementing the program:

(4) Ability of the "proposer" to provide the necessary evaluation—the capability of the "proposer" to reliably interpret and evaluate the results of the experiment will be considered.

(5) The proposed program must lend itself to experimental design and evaluation;

(6) Use of existing staff—proposed programs should operate with a minimum number of additional staff required for the project and,

(7) Limited purchase of equipment—program proposals should involve limited equipment purchases.

Amount of Grant: May be up to 100% of program costs as allowed by the Commissioner.

Total Amount Available for Grants: \$400,000.

Deadline: All applications must be received by March 1, 1981.

Wood Utilization And Disposal

Objective: To assist interested parties in Minnesota in identifying potential uses of elm and oak wood and to financially assist eligible units of government in the acquisition or implementation of wood utilization or disposal programs.

Eligible Applicants: Any Minnesota municipality, county, special purpose park and recreation board organized under a charter of a city of the first class, or non-profit corporation serving a city of the first class having an approved shade tree disease control program.

Application Procedures: Interested applicants should contact the Shade Tree Program office to obtain the application form. On this form, the applicant describes how the system will be operated, what equipment will be purchased, where the site will be located and when it will become operational.

Criteria: All proposals will be evaluated and grants awarded by the Commissioner based upon the following criteria:

(1) The proposed system will aid in the control of shade tree diseases;

(2) The proposed system will aid in the recovery of material or energy from wood;

(3) The proposed system will be located to accomplish the above with maximum efficiency and use of available facilities;

(4) The proposed system will be available to all parties, public and private;

(5) The proposed system will be able to render wood pest-risk free within five (5) days of delivery to the site unless an extension of time has been granted by the Commissioner based on existing circumstances of the disposal/utilization site.

(6) The proposed system includes adequate manpower to operate and service equipment; and,

(7) The proposed system will provide for proper handling and the timely removal of processed wood from the site.

In addition, the Commissioner, as appropriate, may consider other specific criteria including the following in evaluating grant payment requests:

Sites for Wood Disposal Systems

(1) Shall be selected on the basis of anticipated volumes of wood and/or the need for a wood disposal system;

(2) Shall be accessible by roadways that permit year-round truck traffic;

(3) Shall have adequate storage areas for both processed wood and equipment;

(4) Shall have protective enclosures, adequate control, and supervision to prevent entry of unwanted materials and unauthorized persons;

(5) Shall be in compliance with all applicable Federal and State statutes, rules, and regulations; and,

(6) Shall be in conformance with regional solid waste management plans and requirements.

Equipment for Wood Disposal Systems

(1) Shall, where feasible, be portable so that it can be used for servicing more than one site;

(2) Shall be stationary only when the anticipated volume over a five-year period will fully utilize the facility;

(3) Shall be capable of processing large-diameter logs; and,

(4) Shall include auxiliary units and equipment necessary to the operation of the system.

Eligible Costs: Equipment and site acquisition costs; operations costs are not eligible.

Amount of Grant: Up to 50% of the eligible costs:

Total Amount Available for Grants: \$550,000.

Deadline: All applications must be received by March 1, 1981.

All inquiries should be addressed to Minnesota Shade Tree Program, 600 Bremer Building, St. Paul, MN 55101, Phone: 612-296-8580.

Department of Commerce Banking Division

Bulletin No. 2117: Maximum Lawful Rate of Interest for Mortgages for September 1979

Notice is hereby given that the Banking Division, Department of Commerce, State of Minnesota, pursuant to House File No. 564, Chapter 279, 1979 Session Laws, as it amended Minn. Stat. § 47.20, subd. 4, effective May 31, 1979, hereby determines that the maximum lawful rate of interest for home mortgages for the month of September, 1979, is eleven and three-quarters (11.75) percent.

August 23, 1979

Michael J. Pint
Commissioner of Banks

Department of Commerce Board of Barber Examiners

Notice and Order for Hearing in the Matter of the Application of Arthur Brooks for a Change of Location of Brooks School of Barbering and Hairstyling

TO: All Interested Parties

Adam J. Mikrot, Executive Secretary of the Minnesota Board of Barber Examiners, issues this Order pursuant to the authority vested in the Board of Barber Examiners by Minn. Stat. § 154.07 (1978) and 4 MCAR §§ 8.056-8.066.

It is hereby ordered that Arthur Brooks ("Applicant") shall appear at a hearing to be held at 9:30 a.m. on the 26th day of September, 1979, at 500 Metro Square Building (Large Hearing Room) before Hearing Examiner Howard Kaibel, 1745 University Avenue, St. Paul, Minnesota, telephone (612) 296-8107, duly appointed as Hearing Examiner in this matter by the Chief Hearing Examiner of the State Office of Hearing Examiners.

The hearing in this matter will be held for the purpose of determining whether the Board of Barber Examiners should approve the change of location of Brooks Barber School from 481 Rice Street, St. Paul, Minnesota, to 262 University Avenue, St. Paul, Minnesota, based on the criteria set forth in Minn. Stat. § 154.07 (1978) and 4 MCAR §§ 8.056-8.066 and based on the application for a Certificate of Approval submit-

ted to the Board of Barber Examiners by the Applicant.

The hearing will be conducted pursuant to the contested case procedures set forth in Minn. Stat. §§ 15.0411-15.0422 (1978) as amended, and pursuant to the rules of contested case procedures adopted by the State Office of Hearing Examiners, 9 MCAR §§ 2.201-2.222.

Applicant may be represented by legal counsel, by a person of his choice, or by himself if not otherwise prohibited as the unauthorized practice of law, throughout the proceedings in this matter. Questions concerning issues, concerning informal disposition of these proceedings, or discovery should be directed to Special Assistant Attorney General Robert J. Clayton, 500 Metro Square Building, St. Paul, Minnesota 55101, telephone (612) 296-9412, or Adam J. Mikrot, Executive Secretary of the Board of Barber Examiners, 500 Metro Square Building, St. Paul, Minnesota 55101, telephone (612) 296-2364.

Department of Commerce Insurance Division

Notice of Intent to Solicit Outside Information on Proposed Rules Governing the Automatic Adjustment of a Schedule of Rates for Workers' Compensation Insurance

Notice is hereby given that the Department of Commerce, Insurance Division, is considering the promulgation of proposed rules governing the automatic adjustment of Workers' Compensation Insurance Rates. Workers' Compensation Insurance Rates may be adjusted by two means: (1) A schedule of rates adjusted by a contested case hearing pursuant to chapter 79, and (2) a change in the schedule of rates to reflect changes in the average weekly wage which is adjusted annually by the Department of Labor and Industry. Workers' Compensation Insurance benefits are paid to injured workers based upon the average weekly wage. Since this moves the benefits up annually, premiums must be collected for the new benefits that are required to be paid by insurance carriers under the Workers' Compensation law. These rules are authorized by Special Session 1979, Senate File 1, Section 6, which will be codified as 79075.

In order to adequately determine the nature and utility of the rules, the Commerce Department and Insurance Division hereby request information and comment from all interested individuals or groups concerning the subject matter of the proposed rules. All interested or affected persons and/or groups are requested to participate. Statements of information and comment may be made orally or in writing. Written statements of information and comment may be addressed to Berton W. Heaton, Insurance Analyst, Insurance Division, Department of Commerce, Fifth Floor, Metro Square Building, Saint Paul, MN 55101. Oral statements and information

OFFICIAL NOTICES

and comment will be received during regular business hours over the telephone at (612) 296-8592, or in person at the above-referenced address.

The proposed permanent rules, if adopted, would allow insurance companies writing Workers' Compensation to adjust their rate by a predetermined formula based upon changes in the average weekly wage which would require them to pay additional benefits. The formula will take into consideration the proper loading for losses, profits, contingencies, loss adjustment expense, and other loss and expense factors and will be reviewed at the next subsequent rate hearing following a change in the adjustment of schedule of rates by this automatic adjustment formula. Under present law, these rates are not changed except after a rate hearing. The Legislature, however, by amending Minn. Stat. § ch. 79, has requested that the Insurance Division come up with a formula which would automatically adjust insurance rates by operation of rule after certain stated events are fulfilled.

Therefore, pursuant to the requirements of this legislation, the Insurance Division is seeking information and comment prior to the promulgation of permanent rules. These rules will set the formula so that increases in Workers' Compensation rates may be made without a hearing for automatic adjustment in rates.

Department of Commerce Insurance Division

Notice of Meeting

Finance Committee

Minnesota Comprehensive Health Association

Monday, September 10, 1979

12:00 noon

North American Life and Casualty Company

1750 Hennepin Avenue

Minneapolis, Minnesota

Department of Commerce Insurance Division

Notice of Meeting

Board of Directors

Minnesota Comprehensive Health Association

Tuesday, September 18, 1979

9:00 a.m.

Federated Mutual Insurance Company

129 East Broadway

Owatonna, Minnesota

Minnesota Teachers

Retirement Association

Notice of Meeting

The Board of Trustees, Minnesota Teachers Retirement Association, will hold a meeting on Wednesday, September 19, 1979, at 9 a.m. in the office of the Association, 302 Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota, to consider matters which may properly come before the Board.

STATE CONTRACTS

Pursuant to the provisions of Minn. Stat. § 16.098, subd. 3, an agency must make reasonable effort to publicize the availability of any consultant services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Department of Administration procedures require that notice of any

consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contract person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal.

Department of Education School Management Services Division

Notice of Request for Proposals for Auditing Sponsors for the Child Care Food Program (CCFP)

Notice is hereby given that the Department of Education intends to engage the services of one or two certified public accounting firms to examine and report upon the fiscal integrity of financial transactions and accuracy of CCFP sponsors' claims for reimbursement. The CCFP sponsors are located throughout the state, but the majority of the sponsors to be audited will be in the Minneapolis/St. Paul metropolitan area. Audits must comply with generally accepted auditing standards and the U.S. Department of Agriculture Audit Guide for Auditing Sponsors of the Child Care Food Program.

The initial amount of funds available for the audit program is \$36,154.00, and there is the possibility of an additional \$35,000.00 being made available for the audit program. As many as possible CCFP sponsors will be audited until total funds available for this program have been exhausted. It is estimated that each audit can be completed in two to ten working days with the majority of the audits taking about three days. The audit contract will have to be agreed upon by no later than September 30, 1979, and the audits must be completed by no later than March 31, 1980. The auditing firm or firms selected will be required to have at least one audit team member to attend a one day orientation course for the CCFP at the Department of Education, Capitol Square Building, St. Paul, Minnesota.

Those interested in submitting proposals should request a copy of the CCFP Audit Guide and a listing of the first six CCFP sponsors to be audited. The proposal should list the charge per hour for auditors conducting the audit. Reimbursement for travel and subsistence expenses will not exceed State reimbursement rates. The request for Audit Guide, list of sponsors and proposals should be sent to:

Mr. Charles L. Matthew, Director
Minnesota Department of Education
Child Nutrition Section
Room 509, Capitol Square Building
550 Cedar Street
St. Paul, MN 55101

The deadline for the submission of completed proposals will be the close of the working day, September 25, 1979.

Office of the Legislative Auditor

Notice of Request for Proposals for Computer Operations Evaluation

The Program Evaluation Division of the Office of the Legislative Auditor is conducting an evaluation of the Information Systems Division (ISD) of the Department of Administration. In connection with this study, a consultant is sought to perform a review of ISD operations. The Program Evaluation Division has prepared an RFP which describes a brief study to be performed within two months. The cost of this study shall not exceed ten thousand dollars. For a copy of the RFP, please contact:

Elliot Long
Program Evaluation Division
Office of the Legislative Auditor
122 Veterans Service Building
St. Paul, Minnesota 55155
(612) 296-1226

Department of Public Safety

Office of Public Information

Notice of Availability of a Child Safety Information Campaign Contract

The Department of Public Safety is seeking proposals for executing an existing plan for the first year of a major campaign to increase knowledge and usage of infant and child safety restraints. Details of the campaign plan, which includes media and community planning, are contained in a Request for Proposal. Copies of the Request for Proposal may be obtained at the Department of Public Safety Office of Public Information, 318 Transportation Building, St. Paul, MN 55155.

STATE CONTRACTS

The terms of the contract are for October 1, 1979, until September 30, 1980, with the amount of the contract not to exceed \$45,000.

Final submission date for proposals is September 14, 1979.

Department of Public Welfare Chemical Dependency Program Division

Notice of Request for Proposals for Statewide Services Program Monitor

The Chemical Dependency Program Division is accepting proposals for up to \$50,000 in order to procure technical services related to monitoring and oversight of treatment and rehabilitation programs for drug abusers and narcotic addicts. Project tasks include use of a monitoring protocol for evaluating services of contractors and clinics, and making recommendations to the State. Applications are due in the offices of the Chemical Dependency Program Division, Centennial Office Building, St. Paul, MN 55155 by the close of business, 4:30 p.m., Friday, September 20, 1979. Information regarding the procurement can be directed to Mr. Paul Jarcho, (612) 296-3504, or at the above address.

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