

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

*Author/requestor:* Gregory Metz

*Date:* 4/2/2024

*Email address:* [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

*Model Code:* N/A

*Telephone number:* 651-284-5884

*Code or Rule Section:* MR 1301.0200

*Firm/Association affiliation, if any:* DLI/CCLD

*Topic of proposal:* Forms of  
Certification- Certified Building Official

*Code or rule section to be changed:* **1301.0200 Subp. 1. Certified building official**

*Intended for Technical Advisory Group ("TAG"):*

### General Information

**Yes    No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).  
1300.0200, Subpart 1.
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

### **1301.0200 FORMS OF CERTIFICATION.**

Subpart 1. **Certified building official.** ~~This classification is granted to a person who has met the "certified building official" prerequisites of part 1301.0300 and successfully passed the written examination prepared by the state.~~ This certification is identified as "certified building official " on the certification card. A person with this certification may serve as the building official for any municipality and may administer the Minnesota State Building Code established by Minnesota Rule 1300.0050 for all building and structure types except those assigned by statute to the Department of Labor and Industry. Certified building Officials may administer the Minnesota State Building Code for buildings assigned to the Department of Labor and Industry when performing duties under a delegation agreement issued by the Department that do not require a delegation agreement. This certification is granted to a person who has met the "certified building official" prerequisites of part 1301.0300 and successfully passed the written examination prepared by the state.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
  - a. Changing "classification" to certification to be more descriptively accurate and consistent with BOL and AS certifications.
  - b. Additional language clarifies the jurisdictional parameters of the certification which was previously unidentified.
2. Why is the proposed code change a reasonable solution?
  - a. Technical revision for consistency with other sections.
  - b. Clarification of duties associated with the certification to codify what has been assumed as the responsibilities of the certified building official who may not be a designated building official for a municipality.

3. What other factors should the TAG consider?

None

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No cost change.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

No cost increase.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

No cost increase.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Certified building officials, building officials- limited, and accessibility specialists as well as building inspectors interested in obtaining certification.

2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Continued vagueness regarding the authority granted to certified building officials who may not be the designated municipal building official for a city or town.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 4/2/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1301.0200

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Forms of  
Certification- Class I Certification

Code or rule section to be changed: **1301.0200 Subp. 3. Class 1 Certification**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes    No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).  
1300.0200, Subpart 3.
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~strikethrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

### **1301.0200 FORMS OF CERTIFICATION.**

Subpart 3. ~~**Class I Certification.**~~ ~~A Class I certification is identified as "Class I" on the certification card. This classification was granted to a person who met a prerequisite and passed a written examination. This classification restricts the holder to administering the code only for one and two family dwellings and their accessory structures. As of July 1, 1990, this class is no longer issued. Persons with this classification may continue to hold this classification by submitting evidence of fulfilling the appropriate continuing education program established by part 1301.0900, item A. [Repealed]~~

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
  - a. Class I Certification dates back to 1990 and is no longer a certification that is issued or held by anyone.
2. Why is the proposed code change a reasonable solution?
  - a. The certification is obsolete.
3. What other factors should the TAG consider?

None

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No cost change.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.  
No cost increase.
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
No cost increase.
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Certified building officials, building officials- limited, and accessibility specialists as well as building inspectors interested in obtaining certification.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

N/A

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 4/2/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1301.0200

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Forms of  
Certification- Certified Building  
Official- Limited

Code or rule section to be changed: **1301.0200 Subp. 5. Certified building official- limited**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes    No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

change language contained the model code book? If so, list section(s).

change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).  
1300.0200, Subpart 5.

delete language contained in the model code book? If so, list section(s).

delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).  
1300.0200, Subpart 5.

add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

### **1301.0200 FORMS OF CERTIFICATION.**

Subp. 5. **Certified building official-limited.** This certification is identified as "certified building official-limited" on the certification card. This certification ~~classification~~ is granted to a person who has met the "certified building official-limited" prerequisites of part 1301.0300 and successfully passed the written examination prepared by the state. A person with this ~~classification~~ certification may perform ~~code administration including~~ plan review, inspections, and other code administration for one- and two-family dwellings, townhouses, their accessory structures, and "exempt classes of buildings" as provided in part 1800.5000 of the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, and Geoscience rules, as well as "facilities for persons with physical disabilities" as provided in chapter 1341 of the Minnesota State Building Code. Individuals holding a building official-limited certification may perform plan review, inspections, and other code administration for other building types that do not require a state delegation agreement when working under the direct supervision of a certified building official as defined in Subpart 1. However, the certified building official-limited may conduct inspections at the direction of a certified building official or the state building official.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
  - a. To clarify that the credential is a certification and not merely a classification.
  - b. To clearly identify the parameters of the certified building official-limited credential including what work can be done, and what work requires supervision of a certified building official.
2. Why is the proposed code change a reasonable solution?
  - a. The changes are all clarifications to alleviate confusion. There have been mis-interpretations that without a municipal delegation, that certified building official's-limited had no authority to inspect projects or provide code administration.
3. What other factors should the TAG consider?

None

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No cost change.



2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

No cost increase.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

No cost increase.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Certified building officials, building officials- limited, and accessibility specialists as well as building inspectors interested in obtaining certification.

2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

N/A

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 4/2/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1301.0200

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Forms of  
Certification- Accessibility Specialist

Code or rule section to be changed: **1301.0200 Subp. 6. Accessibility Specialist**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes    No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

change language contained the model code book? If so, list section(s).

change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).  
1300.0200, Subpart 6.

delete language contained in the model code book? If so, list section(s).

delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~strike through~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

### **1301.0200 FORMS OF CERTIFICATION.**

Subp. 6. **Accessibility specialist.** This certification is identified as "accessibility specialist" on the certification card. This ~~classification~~ certification is granted to a person who has met the "accessibility specialist" prerequisites of part 1301.0300 and successfully passed the written examination prepared by the state. A person with this certification is limited to the administration of those provisions of the Minnesota State Building Code which provide access for persons with disabilities. Use of this certification is restricted to municipalities that according to Minnesota Statutes, sections 16B.72 and 16B.73, do not administer the code. If a municipality adopts the Minnesota State Building Code, the responsibilities for code administration and enforcement are under the authority of the certified building official or the certified building official-limited.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
  - a. To clarify that the credential is a certification and not merely a classification.
2. Why is the proposed code change a reasonable solution?
  - a. It is consistent with the other certification language associated with certified building officials and certified building officials-limited.
3. What other factors should the TAG consider?

None

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost change.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

No cost increase.
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

No cost increase.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Certified building officials, building officials- limited, and accessibility specialists as well as building inspectors interested in obtaining certification.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

N/A

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can be considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 4/2/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1301.0300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Certification prerequisites- Certified building official prerequisites

Code or rule section to be changed: **1301.0300 Subp. 1. Certified Building Official Prerequisites**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes   No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

change language contained the model code book? If so, list section(s).

change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).  
1300.0300, Subpart 1.

delete language contained in the model code book? If so, list section(s).

delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

### **1301.0300 CERTIFICATION PREREQUISITES.**

Subpart 1. Certified building official prerequisites. Prior to making application for certification as a certified building official, a person shall accumulate a minimum of 100 points from ~~the categories A to C~~ Subpart 4.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
  - a. Reformatting to add subparts to this section for consistency and ease of administration.
2. Why is the proposed code change a reasonable solution?
  - a. Adds clarity.
3. What other factors should the TAG consider?

None

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No cost change.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.  
No cost increase.
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
No cost increase.
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is

any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Certified building officials, building officials- limited, and accessibility specialists as well as building inspectors interested in obtaining certification.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

N/A

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 4/2/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1301.0300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Certification prerequisites- Certified building official-limited prerequisites

Code or rule section to be changed: **1301.0300 Subp. 2. Certified Building Official-Limited Prerequisites**

Intended for Technical Advisory Group (“TAG”):

### General Information

**Yes    No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

change language contained the model code book? If so, list section(s).

change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).  
1300.0300, Subpart 1.

delete language contained in the model code book? If so, list section(s).

delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

add new language that is not found in the model code book or in Minnesota Rule.



2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.
  
3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

### **1301.0300 CERTIFICATION PREREQUISITES.**

Subpart 2. Certified building official-limited prerequisites. Prior to making application for certification as a certified building official-limited, a person shall accumulate a minimum of 30 points from ~~the categories in items A to C~~ subpart 4. Prior to taking the examination for certification as a certified building official-limited, a person shall attend a course specified by the state building official.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
  - a. Reformatting to add subparts to this section for consistency and ease of administration.
2. Why is the proposed code change a reasonable solution?
  - a. Adds clarity.
3. What other factors should the TAG consider?

None

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No cost change.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.  
  
No cost increase.
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
No cost increase.
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Certified building officials, building officials- limited, and accessibility specialists as well as building inspectors interested in obtaining certification.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

N/A

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 4/2/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1301.0300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Certification prerequisites- Accessibility Specialist prerequisites

Code or rule section to be changed: **1301.0300 Subp. 2. Accessibility Specialist Prerequisites**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes**    **No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

change language contained the model code book? If so, list section(s).

change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).  
1300.0300, Subpart 3.

delete language contained in the model code book? If so, list section(s).

delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striethrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

### **1301.0300 CERTIFICATION PREREQUISITES.**

Subpart 3. Accessibility specialist prerequisites. Prior to taking the examination for certification as an accessibility specialist, a person shall attend a course specified by the state building official.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
  - a. Reformatting to add subparts to this section for consistency and ease of administration.
2. Why is the proposed code change a reasonable solution?
  - a. Adds clarity.
3. What other factors should the TAG consider?

None

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No cost change.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.  
No cost increase.
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
No cost increase.
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is

any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Certified building officials, building officials- limited, and accessibility specialists as well as building inspectors interested in obtaining certification.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

N/A

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 4/2/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1301.0300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Certification  
prerequisites- Prerequisite  
Experience & Education Points

Code or rule section to be changed: **1301.0300 Subp. 4. Prerequisite Experience & Education Points**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes   No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

change language contained the model code book? If so, list section(s).

change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).  
1300.0300, Subpart 4.

delete language contained in the model code book? If so, list section(s).

delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~strikethrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

### **1301.0300 CERTIFICATION PREREQUISITES.**

Subpart 4. Prerequisite experience and education points.

A. Education: BIT refers to building inspection technology programs offered in the community college system. Points shall be awarded as follows for successful completion of the programs or courses listed:

(1) ~~BIT AAS degree, 100 points; Repealed.~~

(2) BIT certificate, ~~60~~32 points (14 college credits);

(3) BIT code-related courses:

(a) 8 points each (total of 32) for completing each of the following courses: Foundations of Construction Codes and Inspections, Residential Plan Review and Field Inspections; Commercial Plan Review and Inspections; and Legal and Administrative Aspects of Construction Codes~~field inspection, nonstructural plan review, building department administration, and building codes and standards, 20 points total for all four courses; zero points if any of the courses in this unit have not been successfully completed;~~

(b) upon successful completion of the courses named in unit (a), additional ~~BIT~~ building code, building inspections, or building construction technologies related courses, ~~four~~2 points per each college credit up to a maximum accumulation of 40 points;

(4) 1 point per college credit with a maximum accumulation of 30 points for postsecondary courses in building construction, building construction-oriented architecture or engineering, or public administration,~~one point each up to a maximum accumulation of 30 points;~~

(5) 30 points for completing an associate's degree in building construction, building construction-oriented architecture or engineering,~~or public administration, 30 points;~~

(6) 60 points for completing a bachelor's degree in building construction-oriented architecture or engineering,~~60 points~~. If points are claimed in this category, additional points may not be claimed in subitem (4) or (5).

B. Certifications: Points ~~must~~ shall be awarded for certifications obtained as follows:

(1) ~~Council of American Building Officials building officials examination:~~

(a) ~~legal and management module, 50 points;~~

(b) ~~technology module, 50 points;~~

(1) International Code Council Certifications ~~International Conference of Building Officials examination:~~

- (a) residential building inspector, 20-40 points;
- (b) residential plans examiner, 20 points;
- (c) residential mechanical inspector, 10 points;
- (d) residential energy inspector/plans examiner, 10 points;
- (e) commercial building inspector, 20 points;
- (f) commercial plans examiner, 40 60 points;
- (g) commercial mechanical inspector, 10 points;
- (h) commercial energy inspector, 5 points;
- (i) commercial energy plans examiner, 5 points;

(2) International Association of Plumbing and Mechanical Officials Certifications:

- (a) uniform plumbing code residential and commercial plumbing inspector, 15 points;
- (b) uniform plumbing code residential and commercial plumbing plans examiner, 15 points;

~~(3) Minnesota Class I certification, 10 points;~~

(3) Minnesota certified building official-limited certification, 30 ~~20~~ points.

C. Experience: Points shall be awarded for experience obtained as follows:

- (1) 5 points for each 3-month period of employment for with a maximum accumulation of 80 points for municipal building code inspection or plan review experience under the supervision of a currently certified building official. ~~Twenty points must be awarded for each 12-month period of employment, with a maximum of 80 points;~~
- (2) 5 points for each 6-month period of employment with a maximum accumulation of 30 points for experience in the design of buildings or in the construction of buildings with specific skilled participation in the construction of foundations, superstructures, or installation of the building's mechanical, plumbing, electrical, or fire suppression systems. ~~Ten points must be awarded for each 12-month period of employment, with a maximum accumulation of 30 points.~~

D. Other education, certifications, and experience directly relating to the field of the construction industry that is not enumerated in items A to C must be given credit as determined by the state building official based on comparison with the prerequisites in items A to C.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

**Need and Reason**



1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
  - a. Several programs no longer exist and there are new programs in their place.
  - b. Cleaning up and clarifying prerequisite points.
  - c. Tying points to college credits to make them more equitable where possible and readjusting some points to align more closely with the experience and training obtained.
  - d. Converting exams from ICBO to ICC credentialing exams and reassigning points accordingly.
  - e. Subdividing the work experience into smaller time measurements so that partial credit may be given for work experience increments less than a year.
  
2. Why is the proposed code change a reasonable solution?
  - a. Adds clarity by eliminating obsolete language.
  - b. Provides more options for obtaining points
  - c. Realigns points received with training or experience obtained
  - d. Restructuring is more equitable to those with less experience because they can get partial credit for work experience that is less than a year.
  
3. What other factors should the TAG consider?
 

None

**Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.
 

No cost change.
  
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.
 

No cost increase.
  
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.
 

No cost increase.
  
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
 

No.
  
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.
 

No.

**Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?
 

Certified building officials, building officials- limited, and accessibility specialists as well as building inspectors interested in obtaining certification.

2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

N/A

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can be considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 4/2/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1301.0400

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Application for Certification

Code or rule section to be changed: **1301.0400 Application for Certification**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes    No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

change language contained the model code book? If so, list section(s).

change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).  
1300.0400

delete language contained in the model code book? If so, list section(s).

delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

### **1301.0400 APPLICATION FOR CERTIFICATION.**

A person seeking certification shall submit a completed application to the state building official on an application form provided by the commissioner, along with a nonrefundable fee payable to the commissioner of management and budget. The state building official shall review applications for compliance with prerequisites in part 1301.0300. If the prerequisites are satisfied, the state building official shall ~~schedule~~ authorize the applicant to take the applicable examination.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
  - a. The state building official will authorize examination. Scheduling is a separate function that happens within the division.
2. Why is the proposed code change a reasonable solution?
  - a. Merely a non-material clarification.
3. What other factors should the TAG consider?

None

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No cost change.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.  
No cost increase.
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
No cost increase.
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Certified building officials, building officials- limited, and accessibility specialists as well as building inspectors interested in obtaining certification.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

N/A

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 4/2/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1301.0800

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Definitions

Code or rule section to be changed: **1301.0800 Definitions**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes   No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

change language contained the model code book? If so, list section(s).

change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).  
1300.0400

delete language contained in the model code book? If so, list section(s).

delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

### **1301.0800 DEFINITIONS.**

Subp. 4. **State building official.** "State building official" means the individual appointed by the commissioner of labor and industry to administer the Minnesota State Building code on behalf of the department and the state.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
  - a. Clarification that the state building official administers the Minnesota State Building Code.
2. Why is the proposed code change a reasonable solution?
  - a. It clarifies that the state building official has jurisdiction over administering any and all rules chapters listed in Minnesota Rule 1300.0050 and not other codes.
3. What other factors should the TAG consider?

None

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost change.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

No cost increase.
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

No cost increase.
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Certified building officials, building officials- limited, and accessibility specialists as well as building inspectors interested in obtaining certification.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

N/A

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.



## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 4/2/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1301.1000

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Continuing  
Education Credit- Approved Education  
programs

Code or rule section to be changed: **1301.1000 Approved education programs**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes    No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

change language contained the model code book? If so, list section(s).

change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).  
1300.1000

delete language contained in the model code book? If so, list section(s).

delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~strikethrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

### **1301.1000 CONTINUING EDUCATION CREDIT.**

Subpart 1. **Approved education programs.** The following programs are approved for the number of continuing education hours of credit ~~units~~ indicated:

A. ~~Annual Building Official Institute of Minnesota, 2.4 units for each full day of attendance, University of Minnesota, College of Continuing Education & Professional Studies, Annual Institute for Building Officials: Education specific to construction codes administered by building officials and building inspectors credentialed in Minnesota: 1 hour of continuing education credit for each 50 minutes of instruction and 10 minutes of break. Each session of continuous instruction may not be longer than 120 minutes without having a break;~~

B. ~~Department of Labor and Industry Construction Codes and Licensing Division seminars, 2.5 units for each full day of attendance 1 hour of continuing education credit for each 50 minutes of instruction and 10 minutes of break. Each session of continuous instruction may not be longer than 120 minutes without having a break;~~

C. ~~International Conference of Building Officials seminars, 2.5 units for each full day of attendance International Code Council seminars conducted at the ICC Region III Upper Great Plains Annual Educational Institute, 1 hour of continuing education credit for each 50 minutes of instruction and 10 minutes of break. Each session of continuous instruction may not be longer than 120 minutes without having a break;~~

D. ~~International Conference of Building Officials annual education and code development conference, 2.5 units for each full day of attendance. International Code Council seminars, 1 hour of continuing education credit for each 50 minutes of instruction and 10 minutes of break. Each session of continuous instruction may not be longer than 120 minutes without having a break;~~

E. ~~State Building Code development committee meetings, 0.42 unit for each hour of attendance; Minnesota State Construction Code development Technical Advisory Group and committee meetings, 1 hour of continuing education credit for each hour of attendance;~~

F. ~~State International Conference of Building Officials chapter meetings, one unit for each meeting with a minimum three-hour educational program. National Model Construction Code development committee meetings, 1 hour of continuing education credit for each hour of attendance;~~

G. ~~regional building official meetings, one unit for each meeting with a minimum three-hour educational program one hour of continuing education credit for each 50 minutes of instruction during each meeting;~~

H. ~~area building official luncheon meetings, 0.25 unit for each meeting 0.5 hours of continuing education credit for each completed 25 minutes of instruction during the meeting;~~

I. ~~college building inspection technology and other related college courses, four units for each credit earned; Postsecondary BIT code-related courses including: Foundations of Construction Codes and Inspections, Residential Plan Review and Field Inspections; Commercial Plan Review and Inspections; and Legal and Administrative Aspects of Construction Codes~~ 15 hours of continuing education credit for each college credit when completing the following courses;

J. ~~Postsecondary training courses specific to the Minnesota adopted model construction codes or specific to the Minnesota State Building Code or Fire Code, and also including courses in construction, management, or supervision, one unit for every three hours of instruction received or related shop work~~ 15 hours of continuing education credit for every college credit of instruction;

K. ~~certification in an International Conference of Building Officials certification program received after January 1, 1985, six units~~ International Code Council Certification, 10 hours of continuing education credit for each new certificate;

L. ~~certification as a certified building official by the Council of American Building Officials after January 1, 1985, six units~~ Repealed.

M. ~~teaching a course at the community college level in the building inspection technology program or teaching a course at a technical college, one unit for every four hours of instruction provided during a three-year reporting period; teaching a college level course specific to the Minnesota adopted model construction codes or specific to the Minnesota State Building Code or Fire Code, 15 hours of continuing education credit for every college credit of instruction provided per course during a three-year reporting period; and~~

N. ~~maintenance of an International Conference of Building Officials certification, one unit.~~ Department of Public Safety, State Fire Marshals Division training programs, 1 hour of continuing education credit for each 50 minutes of instruction and 10 minutes of break. Each session of continuous instruction may not be longer than 120 minutes without having a break.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
  - a. Referenced organizations no longer exist.
  - b. Units method of calculating continuing education is obsolete.
2. Why is the proposed code change a reasonable solution?
  - a. Updates credentialing organizations;
  - b. Converts the units method to calculating continuing education in contact hours of instruction
  - c. Clarifies how break times are included in the calculation
  - d. Expands training to include training provided by the MN State Fire Marshal
3. What other factors should the TAG consider?

If the revised guidance is broad enough to capture the pertinent training available for certificate holders.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No cost change.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.  
  
No cost increase.
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
No cost increase.
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.  
  
No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Certified building officials, building officials- limited, and accessibility specialists as well as building inspectors interested in obtaining certification.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.  
  
No.
3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?  
  
N/A
4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.  
  
No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 4/2/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1301.1300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Authority and Purpose- Inspector competency

Code or rule section to be changed: **1301.1300 Authority and purpose- Inspector competency**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes   No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

change language contained the model code book? If so, list section(s).

change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).  
1300.1300

delete language contained in the model code book? If so, list section(s).

delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

### **1301.1300 AUTHORITY AND PURPOSE.**

The purpose of parts 1301.1300 to 1301.1600 is to establish competency criteria, establish and approve education programs, and establish continuing education requirements for construction code inspectors pursuant to Minnesota Statutes section 326B.135. Parts 1301.1300 to 1301.1600 shall be administered by the supervising designated building official. Construction code inspectors shall be registered with commissioner and shall maintain records of continuing education to demonstrate competency.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
  - a. There is currently no documentation to the commissioner demonstrating credentialing of construction code inspectors.
  - b. There is currently no auditing program in place to ensure that construction code inspectors are maintaining or advancing their education in times of rapidly changing technology.
2. Why is the proposed code change a reasonable solution?
  - a. State registration of inspectors does not require examination or any other form of credentialing. It is merely a means by which the commissioner can quickly and easily audit inspectors statewide to ensure that they are complying with the minimum requirements in statute.
3. What other factors should the TAG consider?

Establishing minimum competency criteria for actually credentialing construction code inspectors. Credentialing inspectors will allow the commissioner to ascribe delegation competency criteria to individual inspectors that could be transferrable between jurisdictions should the inspector move from work in one municipality to another.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No cost change.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.  
  
No cost increase.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
The only cost increase would be to the Department of Labor and Industry to create a registration system in the database for construction code inspectors.
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Certified building officials, building officials- limited, and accessibility specialists as well as building inspectors interested in obtaining certification.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.  
  
No.
3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?  
  
N/A
4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can be considered by the TAG.



## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 4/2/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1301.1600

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Inspector  
competency- Continuing Education

Code or rule section to be changed: **1301.1600 Inspector Continuing Education**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes   No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

change language contained the model code book? If so, list section(s).

change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).  
1300.1600

delete language contained in the model code book? If so, list section(s).

delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striethrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

### **1301.1600 CONTINUING EDUCATION.**

Subpart 1. **Mandatory continuing education.** Each construction code inspector must annually meet the requirements for continuing education in subpart 2 or 3, and provide verifiable evidence of completed continuing education credits to the designated building official, and shall report continuing education to the commissioner. The designated building official must retain evidence of compliance for three years.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
  - a. There is currently no documentation to the commissioner demonstrating construction code inspectors maintenance of continuing education minimum requirements.
  - b. There is currently to auditing program in place to ensure that construction code inspectors are maintaining or advancing their education in times of rapidly changing technology.
2. Why is the proposed code change a reasonable solution?
  - a. State reporting of continuing education does not require any additional education itself. It is merely a means by which the commissioner can quickly and easily audit inspectors statewide to ensure that they are complying with the minimum requirements in statute.
  - b. State reporting will allow documentation of continuing education credits to transfer should an inspector move from one job to another.

3. What other factors should the TAG consider?

Establishing minimum competency criteria for actually credentialing construction code inspectors. Credentialing inspectors will allow the commissioner to ascribe delegation competency criteria to individual inspectors that could be transferrable between jurisdictions should the inspector move from work in one municipality to another.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No cost change.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

No cost increase.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
The only cost increase would be to the Department of Labor and Industry to create a registration system in the database for construction code inspectors.
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Certified building officials, building officials- limited, and accessibility specialists as well as building inspectors interested in obtaining certification.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.  
  
No.
3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?  
  
N/A
4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can be considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/26/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Bldg Code Scoping

Code or rule section to be changed: **1300.0040 Subp. 2 Building Code Scoping Exceptions**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes    No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
  
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  
- delete language contained in the model code book? If so, list section(s).
  
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.
4. Subp. 2. **Compliance.** Structures classified under part 1300.0070, subpart 12b, as IRC-1, IRC-2, IRC-3, and IRC-4 occupancies not more than three stories above grade plane in height with a separate means of egress shall comply with chapter 1309 and other applicable rules. Other buildings and structures and appurtenances connected or attached to them shall comply with chapter 1305 and other applicable rules.

**Exceptions:** ~~The following structures that meet the scope of Chapter 1305 shall be permitted to be designed to comply with Minnesota Rules, Chapter 1311;~~

~~1) Existing buildings undergoing repair, alteration, change of occupancy, addition, or being moved; and~~

~~2) Historic buildings.~~

1. Existing structures and existing buildings that meet the scope of chapter 1305 and undergoing repair, alteration, change of occupancy, addition, or being moved shall be permitted to be designed to comply with Minnesota Rules, Chapter 1311.

2. Historic buildings shall be permitted to be designed to comply with Minnesota Rules, Chapter 1311.

If different provisions of the code specify different materials, methods of construction, or other requirements, the most restrictive provision governs. If there is a conflict between a general requirement and a specific requirement, the specific requirement applies.

If reference is made in the code to an appendix, the provisions in the appendix do not apply unless specifically adopted by the code. Optional appendix chapters of the code identified in part 1300.0060 do not apply unless a municipality has specifically adopted them.

5. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

The purpose of this change is to allow documented historic homes to comply with the conservation code for existing buildings which provides some greater latitude with regards to existing conditions being allowed to remain if not deemed dangerous or unsafe. Existing historic homes do not have access to conservation code language under current rule and Minnesota Rule Chapter 1311 would provide greater flexibility with compliance while maintaining the critical historic character of buildings.

2. Why is the proposed code change a reasonable solution?  
Minnesota Rules Chapter 1311 is already established and provides the flexibility and nationally vetted allowances for existing older buildings and historic buildings.
3. What other factors should the TAG consider?  
Potential to coordinate adoption of an IRC appendix into Minnesota Rule 1309 as an alternative for all existing homes, not just historic ones.

## **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
Costs will decrease for historic homeowners because non-critical compliance criteria will be relaxed.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.  
N/A
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
N/A
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No. The local code official is already charged with enforcing MR 1311, this would be merely an expansion of those allowances into another construction type.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.  
No.

## **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, home designers, architectural historians, construction contractors, building officials and building inspectors, home owners.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.  
Write amendments to Minnesota Rule 1309 to adopt a related conservation appendix to the Minnesota Residential Code.
3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?  
Existing historic homes will not be able to remodel, renovate, or add on to existing buildings in cost effective ways without potentially destroying some historic character of the building in order to meet a code requirement.
4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.  
No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

*Author/requestor:* Gregory Metz

*Date:* 3/26/2024

*Email address:* [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

*Model Code:* N/A

*Telephone number:* 651-284-5884

*Code or Rule Section:* MR 1300

*Firm/Association affiliation, if any:* DLI/CCLD

*Topic of proposal:* Bldg Code  
Definitions

*Code or rule section to be changed:* **1300.0070 Subp. 1 Definitions**

*Intended for Technical Advisory Group ("TAG"):*

### General Information

**Yes   No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 1. **Scope; incorporation by reference.** The definitions in this part apply to parts 1300.0010 to 1300.0250. For terms that are not defined through the methods authorized by this chapter but are included in other rules chapters of the Minnesota State Building Code, such terms shall have the meanings as ascribed to them in those rules chapters. For terms that are not defined through the Minnesota State Building Code, the Merriam-Webster Collegiate Dictionary, available at [www.m-w.com](http://www.m-w.com), shall be considered as providing ordinarily accepted meanings. The dictionary is incorporated by reference, is subject to frequent change, and is available through the Minitex interlibrary loan system.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

The proposed change adds a first default for definitions to the other rules chapters in the State Building Code before simply going to the dictionary.

2. Why is the proposed code change a reasonable solution?  
Construction code definitions are highly technical and often integrated with other codes. Meanings found in other rules chapters of the state building code will be more applicable for interpretation than those found in the general dictionary.
3. What other factors should the TAG consider?  
Potential conflicts between terms used but not defined in MR 1300 that may be defined in other Minnesota State Building Code related rules chapters and their intended meaning within the context of MR 1300. There have been no such conflicts found that are not identified in other code change proposals.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No cost change.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.  
N/A
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
N/A
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No. No cost change and no additional enforcement costs.



5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Since these are the general administrative provisions, the potential is to affect anyone associated with or affected by construction in Minnesota.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No better means. This is a clarifying change.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

No costs. This is merely clarifying definitions.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.



**CODE CHANGE PROPOSAL FORM**  
(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/26/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Definition-Correctional Facility

Code or rule section to be changed: **1300.0070 Subp. 9a. Correctional Facility**

Intended for Technical Advisory Group ("TAG"):

**General Information**

**Yes   No**

- A. Is the proposed change unique to the State of Minnesota?  Yes  No
- B. Is the proposed change required due to climatic conditions of Minnesota?  Yes  No
- C. Will the proposed change encourage more uniform enforcement?  Yes  No
- D. Will the proposed change remedy a problem?  Yes  No
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?  Yes  No
- F. Would this proposed change be appropriate through the ICC code development process?  Yes  No

**Proposed Language**

1. The proposed code change is meant to:
  - change language contained the model code book? If so, list section(s).
  - change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - delete language contained in the model code book? If so, list section(s).
  - delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - add new language that is not found in the model code book or in Minnesota Rule.
2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 9a. Correctional Facility. "Correctional Facility" means a building or portion of a building licensed by the Minnesota Department of Corrections for detainment or incarceration of people for more than 36 hours.

**Commented [MG(1)]:** 36 hours is the limit of what a police department can arrest and hold a person. We need this definition to clarify DLI/CCLD jurisdictional authority.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

Correctional Facility is not currently defined in code but is designated as part of DLI/CCLD jurisdiction. There is confusion on where the differentiation between a police station detention area, jail, and a correctional facility lay.

2. Why is the proposed code change a reasonable solution?  
The definition is consistent with the Department of Corrections requirement for licensing which is traditionally where DLI/CCLD has taken jurisdiction.
3. What other factors should the TAG consider?  
None

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No cost change.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.  
N/A
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
N/A
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No. No cost change and no additional enforcement costs.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Designers of correctional facilities, correctional facility owners, DLI/CCLD and DLI/CCLD code compliance delegates.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No better means. This is a clarifying change.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

No costs. This is merely clarifying definitions.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can be considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

*Author/requestor:* Gregory Metz

*Date:* 3/26/2024

*Email address:* [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

*Model Code:* N/A

*Telephone number:* 651-284-5884

*Code or Rule Section:* MR 1300

*Firm/Association affiliation, if any:* DLI/CCLD

*Topic of proposal:* Definition- IRC  
Occupancy Classifications

*Code or rule section to be changed:* **1300.0070 Subp. 12b. IRC occupancy classifications**

*Intended for Technical Advisory Group ("TAG"):*

### General Information

**Yes   No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 12b. **International residential code (IRC) occupancy classifications.** International residential code (IRC) occupancy classifications are as follows:

IRC-1 single-family dwellings;

IRC-2 two-family dwellings;

IRC-3 townhouses (non-transient); and

IRC-4 accessory structures under 2,500 square feet and not containing dwelling or sleeping units):

A. garages;

B. storage sheds; and

C. similar structures.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

Buildings scoped to the IRC presume that the occupant of the building is very familiar with the surroundings so that they can respond appropriately in an emergency, and the occupant has the ability to adapt the built environment to suit their own needs. Transient occupants are not in character with this assumption.

Accessory structures are taking on all new proportions, uses, and functions never intended by the model code. These “accessory structures” are used for storage of any number of things including furniture.

Accessory structures do not provide the safeguards necessary for occupant protection and life safety when people are asleep inside. The proposed eliminates categorization of an accessory structure from having a designated place where people will sleep.

2. Why is the proposed code change a reasonable solution?

Minnesota Rule 1305 specifically classifies transient use as Occupancy Classification R-1, which can by exception be reclassified to Group R-3 and provides those features and protections specific to transient use.

Accessory structures with sub-descriptions of garages (a place to store vehicles), storage sheds, and other similar structures was clearly not intended to mean another house with multiple occupiable spaces and spaces where people will sleep. Minnesota rule 1305 limits storage buildings for “domestic storage” to 2,500 square feet unless they are sprinkled. As a MR1309 building, setbacks from property lines are significantly less, but the hazard level is the same a MR 1305 building with the exact same use.

3. What other factors should the TAG consider?

When constructed with the intent of transient use, sprinkler provisions of Minnesota Rule 1305 with regards to R-3 structures has a threshold of 4,500 square feet and Group R-3 buildings have accessibility requirements.

MR 1305 requires storage buildings that can contain upholstered furniture or mattresses must be sprinkled when over 2,500 square feet and the exterior walls must be one-hour rated when located less than 10 feet from a property line. Since residential accessory buildings can be used to store just about anything, this is not an unreasonable threshold to establish. The application would be that an accessory building that does not meet the criteria of IRC-4 would be scoped to MR 1305. MR 1305 does allow these to be non-sprinkled if they are one story and every storage space has direct access to the exterior.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost change for what is normally deemed as a townhouse or an accessory structure. There may be some increased costs for those who “push the envelope” of current code allowances.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

For projects that “push the envelope” of current code allowances, the increased costs may be in the form of providing handicap accessibility for intended transient use, providing sprinkler systems when transient use is intended and the home is over 4,500 square feet, and providing sprinkler systems for residential accessory buildings that are over 2,500 square feet and not defined as “agricultural.”

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

Developers and property owners will bear the costs of these luxury facilities or investment properties.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No. No cost change and no additional enforcement costs.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?

Architects, engineers, developers, home designers, builders, residential contractors.

2. Can you think of other means or methods to achieve the purpose of the proposed code change?

What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

Create another category within MR 1300 for IRC scoped buildings intended for use as hotels, and another category within MR 1300 for private mixed use buildings.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Consequences of not adopting the change will result in continued mis-interpretation of code and mis-use of what was intended to be a simple allowance for small, inconsequential buildings.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.



## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/26/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Definition- Non-transient

Code or rule section to be changed: **1300.0070 Subp. 18a. Non-transient**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes    No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 18a. **Non-transient.** “Non-transient” means that a dwelling or sleeping unit that is occupied by the same party for more thirty consecutive calendar days.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

Buildings for transient use by the general public should be equitably available to the entire general public including the disabled public.

2. Why is the proposed code change a reasonable solution?

Transient living facilities are addressed in Minnesota Rule 1305 as an R-1 Occupancy classification. This is the ONLY classification for transient living facilities addressed in the model building codes. Non-transient building occupants have the ability to adapt their living environment to suit their individual needs, including needs for handicap accessibility. Non-transient building occupants are familiar with their surroundings and know where to go during an emergency. They are more likely to know where power panels are, where gas valves are, and where water main valves are located. Transient occupants should be afforded the additional accessibility accommodations and means of egress safeguards and other building safeguards provided by Minnesota Rule 1305.

3. What other factors should the TAG consider?

When constructed with the intent of transient use, sprinkler provisions of Minnesota Rule 1305 with regards to R-3 structures has a threshold of 4,500 square feet and Group R-3 buildings have accessibility requirements.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost change for what is normally scoped to Minnesota Rule 1309. There may be some increased costs for those who “push the envelope” of current code allowances.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

For projects that “push the envelope” of current code allowances, the increased costs may be in the form of providing handicap accessibility for intended transient use, providing fire protection from adjacent properties where buildings are constructed less than 10 feet from property lines, and providing sprinkler systems when transient use is intended and the home is over 4,500 square feet.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

Developers and property owners will bear the costs of these luxury facilities or investment properties.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No. No cost change and no additional enforcement costs.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

Create another category within MR 1300 for IRC scoped buildings intended for use as hotels, and another category within MR 1300 for private mixed use buildings.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Consequences of not adopting the change will result in continued mis-interpretation of code and mis-use of what was intended to be a simple allowance for small, inconsequential buildings.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can be considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/26/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Definition- Single family dwelling

Code or rule section to be changed: **1300.0070 Subp. 18a. Non-transient**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes    No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:
  - change language contained the model code book? If so, list section(s).
  - change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - delete language contained in the model code book? If so, list section(s).
  - delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - add new language that is not found in the model code book or in Minnesota Rule.
2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~strikethrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 22a. **Single family dwelling.** “Single family dwelling” means that a single freestanding detached structure with one family of non-transient occupants containing occupiable space including spaces for living, sleeping, eating, cooking, toileting and bathing. The structure may include an attached garage space for storage of private passenger vehicles. The structure shall not contain uses with occupancy classifications listed in Minnesota Rule 1305.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No.

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

Single family dwelling is currently undefined. With the pressure to expand uses of single family dwellings to many functions other than housing one family in a detached structure, this definition for direct deferral to Minnesota Rule 1309 is needed.

2. Why is the proposed code change a reasonable solution?

This definition will clarify the scoping requirements for direct deferral to Minnesota Rule 1309. Other uses will be first deferred to Minnesota Rule 1305 where other criteria may be applied specific to the use, AND allowances may be made for construction of the building itself to be per Minnesota Rule 1309 by exception when applicable.

3. What other factors should the TAG consider?
  - Fire separation requirements for buildings that end up ONLY being scoped to MR 1305.
  - Handicap accessibility requirements for buildings scoped to MR 1305.
  - Fire sprinkler system requirements for buildings scoped to MR 1305.
  - Transient use requirements as a function of initial construction and developer intent vs. private property owners using their own private property for other occasional purposes.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost change for what is normally scoped to Minnesota Rule 1309. There may be some increased costs for those who “push the envelope” of current code allowances.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

For projects that “push the envelope” of current code allowances, the increased costs may be in the form of providing handicap accessibility for intended transient use, providing fire protection from adjacent properties where buildings are constructed less than 10 feet from property lines, and providing sprinkler systems when transient use is intended and the home is over 4,500 square feet.

No anticipated cost increases for what is normally considered a single-family home.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
Developers and property owners will bear the costs of these luxury facilities or investment properties.
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No. No cost change and no additional enforcement costs.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

Create another category within MR 1300 for IRC scoped buildings intended for use as hotels, and another category within MR 1300 for private mixed-use buildings.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Consequences of not adopting the change will result in continued misinterpretation of code and mis-use of what was intended to be a simple allowance for small, inconsequential buildings.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can be considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

*Author/requestor:* Gregory Metz

*Date:* 3/26/2024

*Email address:* [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

*Model Code:* N/A

*Telephone number:* 651-284-5884

*Code or Rule Section:* MR 1300

*Firm/Association affiliation, if any:* DLI/CCLD

*Topic of proposal:* Definition- State Licensed facility

*Code or rule section to be changed:* **1300.0070 Subp. 25. State licensed facility**

*Intended for Technical Advisory Group ("TAG"):*

### General Information

Yes    No

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 25. State licensed facility. “State licensed facilities” ~~means, pursuant to~~ is defined by Minnesota Statutes, section 326B.103, subdivision 13, ~~a building and its grounds that are licensed by the state as a hospital, nursing home, supervised living facility, free standing outpatient surgical center, correctional facility, boarding care home, or residential hospice.~~

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

The current rule does not include newly added assisted living facilities and assisted living facilities with dementia care and must be changed so that the rule is not in conflict with state statute.

2. Why is the proposed code change a reasonable solution?

Because the definition already exists in its entirety in state statute, it is better to simply directly reference the statute such that if the statute would change again in the future, there would be no further need to change the definition in the rule to create identical language in two places.

3. What other factors should the TAG consider?  
None.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No cost change.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

N/A.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
N/A.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No. No cost change and no additional enforcement costs.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.



No.

**Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Consequences of not adopting the change will result in a conflict between rule and statutory language.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

*Author/requestor:* Gregory Metz

*Date:* 3/26/2024

*Email address:* [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

*Model Code:* N/A

*Telephone number:* 651-284-5884

*Code or Rule Section:* MR 1300

*Firm/Association affiliation, if any:* DLI/CCLD

*Topic of proposal:* Definition-Townhouse

*Code or rule section to be changed:* **1300.0070 Subp. 27. Townhouse**

*Intended for Technical Advisory Group ("TAG"):*

### General Information

**Yes   No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striethrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 27. **Townhouse.** See Minnesota rule Chapter 1309 for definition of Dwelling, Townhouse.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

MR 1300.0070, Subpart 12b references Townhouses for scoping but the rule chapter does not define what a townhouse is. Minnesota Rule 1309 and Minnesota Rule 1305 both have definitions for townhouses, but they are different from each other.

2. Why is the proposed code change a reasonable solution?

For the purposes of scoping to Minnesota Rule 1309, it is most appropriate to reference the definition found in Minnesota Rule 1309.

3. What other factors should the TAG consider?  
None.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No cost change.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

N/A.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

N/A.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No. No cost change and no additional enforcement costs.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

## **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Consequences of not adopting the change will result in continued mis-interpretation of code and mis-use of how townhouses are supposed to be constructed by blending requirements from both 1309 and 1305, especially regarding separation of utilities and division of buildings by property lines.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

*Author/requestor:* Gregory Metz

*Date:* 3/29/2024

*Email address:* [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

*Model Code:* N/A

*Telephone number:* 651-284-5884

*Code or Rule Section:* MR 1300

*Firm/Association affiliation, if any:* DLI/CCLD

*Topic of proposal:* Definition- Two family dwelling

*Code or rule section to be changed:* **1300.0070 Subp. 28. Two-family dwelling**

*Intended for Technical Advisory Group ("TAG"):*

### General Information

**Yes    No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 28. Two-family dwelling. “Two-family dwelling” means a single freestanding detached structure containing two separate dwelling units for two families of non-transient occupants each dwelling unit containing occupiable spaces for living, sleeping, eating, cooking, toileting and bathing. The structure may include attached garage space for storage of private passenger vehicles. The structure shall not contain uses within occupancy classifications listed in Minnesota Rule 1305

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

There is currently no definition for two-family dwellings. Since this is a primary scoping provision, a definition is needed to clarify what is and is not in scope.

2. Why is the proposed code change a reasonable solution?

It essentially takes the definition for single-family dwelling and expands it to two families.

3. What other factors should the TAG consider?  
None.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No cost change.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

N/A.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

N/A.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No. No cost change and no additional enforcement costs.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

**Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Consequences of not adopting the change will result in continued mis-interpretation of code and mis-use of how townhouses are supposed to be constructed by blending requirements from both 1309 and 1305, especially regarding separation of utilities and division of buildings by property lines.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

*Author/requestor:* Gregory Metz

*Date:* 3/29/2024

*Email address:* [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

*Model Code:* N/A

*Telephone number:* 651-284-5884

*Code or Rule Section:* MR 1300

*Firm/Association affiliation, if any:* DLI/CCLD

*Topic of proposal:* Definition- Code Record Documents

*Code or rule section to be changed:* **1300.0070 Subp. 8a. Code record documents**

*Intended for Technical Advisory Group ("TAG"):*

### General Information

**Yes    No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.



3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 8a. Code record documents. “Code record documents” means the following documents associated with a property: certificates of occupancy, diagrams indicating floor plans, locations of occupancy classifications, locations of fire walls, occupancy separations, occupant loads for assembly spaces, locations of chemical control areas, copies of code modifications and alternative design approvals, a site boundary survey or equivalent.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

There is currently no requirement for the most basic of code information to be maintained and retained by a local municipality in perpetuity for buildings within their jurisdiction. Buildings scoped to Minnesota Rule 1305 or Minnesota Rule 1311 are often complex and change over time, making code compliance efforts challenging for older buildings.

2. Why is the proposed code change a reasonable solution?

It provides a definition for critical code records that may be maintained in perpetuity so that code officials will have history of commercial buildings within their jurisdiction and can refer to them for future projects where only part of the building may be shown but all of the building must be understood to verify compliance.

3. What other factors should the TAG consider?  
None.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No cost change. Building officials are already collecting all of this information. It is a matter of retaining and storing it.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

N/A.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
N/A.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No. No cost change and no additional enforcement costs.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Municipal building officials and the state building official.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Misunderstanding of existing conditions and allowing construction to proceed with code violations because the “bigger picture” of the site development was not clearly understood.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.



## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/29/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300.0110

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Duties and Powers- General

Code or rule section to be changed: **1300.0110 Subp. 1. General**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

- The proposed code change is meant to:
  - change language contained the model code book? If so, list section(s).
  - change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - delete language contained in the model code book? If so, list section(s).
  - delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - add new language that is not found in the model code book or in Minnesota Rule.
- Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~strike through~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 1. **General.** The building official as an agent of the commissioner of labor and industry is authorized and directed to enforce the provisions of this code. The building official has the authority to render interpretations of the code and adopt policies and procedures in order to clarify the application of the provisions. The interpretations, policies, and procedures shall comply with the intent and purpose of the code. The policies and procedures shall not have the effect of waiving requirements specifically provided for in the code.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### Need and Reason

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

Some municipal building officials have expressed that they are essentially free agents to administer or not administer the state building code however they deem fit.

2. Why is the proposed code change a reasonable solution?

The additional language clarifies the application of Minnesota Statute 326B.121, subpart 3; Minnesota Statute 326B.127, Subpart 5, and Minnesota Statute 326B.133, Subd. 4 that municipal building officials work may be directed by the commissioner of labor and industry and are therefore agents of the commissioner.

3. What other factors should the TAG consider?  
The clarification is not a change and does not indicate a change in departmental policy that DLI/CCLD will become more active in municipal code compliance that the agency is now. The modification recommended to clarify that when DLI/CCLD makes official code interpretations, that they are in-fact binding on local municipal code officials.

### Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No cost change.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

N/A.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
N/A.

**Commented [MG(1):** Adding agency gives local building officials protections from local political pressures when the commissioner's state agents render interpretations consistent with the local building official which may be locally controversial.

Agency also develops and fosters a community of code enforcement locally, regionally, and statewide to foster uniformity of building code interpretations and application.

**Commented [MG(2):** Adding agency gives local building officials protections from local political pressures when the commissioner's state agents render interpretations consistent with the local building official which may be locally controversial.

Agency also develops and fosters a community of code enforcement locally, regionally, and statewide to foster uniformity of building code interpretations and application.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No. No cost change and no additional enforcement costs.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Consequences of not adopting the change will perpetuate less unified application of the state building codes where municipal code officials are providing compliance services.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can be considered by the TAG.



## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/29/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300.0110

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Duties and Powers- Notices and Orders

Code or rule section to be changed: **1300.0110 Subp. 4. Notices and Orders**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes**   **No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

- The proposed code change is meant to:
  - change language contained the model code book? If so, list section(s).
  - change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - delete language contained in the model code book? If so, list section(s).
  - delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - add new language that is not found in the model code book or in Minnesota Rule.
- Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~strike through~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 4. **Notices and orders.** The building official shall issue all necessary notices and orders to ensure compliance with the code. Notices and orders shall be in writing and provided to the applicant in hard copy or electronically unless waived by the permit applicant, contractor, owner, or owner's agent. Notices and orders shall be based on the edition of the code under which the permit has been issued.

**Commented [MG(1):** Allows for email or other electronic documentation of corrections notices etc, without a written waiver by the applicant.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

#### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

Technology has changed and electronic correspondence and electronic communication is more prevalent in the construction industry. The rules do not currently address or allow any type of official communication other than hard-copy.

2. Why is the proposed code change a reasonable solution?

The additional language clarifies that the information to be communicated must still be in writing, but may be in hard copy or electronic format.

3. What other factors should the TAG consider?

Maintenance and documentation of the compliance record. Required on-site documents.

#### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost increase. Potential for cost savings.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

N/A.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

N/A.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No. No cost change and no additional enforcement costs.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

#### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

None. It could be interpreted that written electronic communications currently complies with rule.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can be considered by the TAG.



## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

*Author/requestor:* Gregory Metz

*Date:* 3/29/2024

*Email address:* [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

*Model Code:* N/A

*Telephone number:* 651-284-5884

*Code or Rule Section:* MR 1300.0110

*Firm/Association affiliation, if any:* DLI/CCLD

*Topic of proposal:* Duties and Powers- Inspections

*Code or rule section to be changed:* **1300.0110 Subp. 5. Inspections**

*Intended for Technical Advisory Group ("TAG"):*

### General Information

**Yes   No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~strike through~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 5. **Inspections.** The building official shall make all of the required inspections or accept reports of inspection by approved agencies or individuals. Results of inspections shall be documented on the job site inspection card and in the official records of the municipality, including type of inspection, date of inspection, identification of the responsible individual making the inspection, and comments regarding approval or disapproval of the inspection. The building official is authorized to engage an expert opinion at the cost of the applicant as deemed necessary to report on any unusual technical issues that arise.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

Who pays for the cost of an expert opinion when the code official requires one is currently unclear and could be interpreted to be at the cost to the municipality as a condition of code compliance verification.

2. Why is the proposed code change a reasonable solution?

The applicant is responsible for code compliance and all related costs associated with the project.

3. What other factors should the TAG consider?

Maintenance and documentation of the compliance record. Required on-site documents.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost increase.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

N/A.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

N/A.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No. No cost change and no additional enforcement costs.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Continued debate between applicants and code officials on who pays for additional inspections or evaluations criteria not specifically listed in code, but required by the code official.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.



## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/29/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300.0110

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Duties and Powers- Department records

Code or rule section to be changed: **1300.0110 Subp. 8. Department records**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes**   **No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

- The proposed code change is meant to:
  - change language contained the model code book? If so, list section(s).
  - change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - delete language contained in the model code book? If so, list section(s).
  - delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - add new language that is not found in the model code book or in Minnesota Rule.
- Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~strike through~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 8. **Department records.** The building official shall be responsible for official records of the local Department of Building Safety for permit applications received, plans, specifications, surveys, plot plans, plan reviews, permits and certificates issued, reports of inspections, and notices and orders issued by the department. The records shall be kept according to the records management schedule of the municipality required by Minnesota Statutes, section 138.17. Code record documents shall be maintained on properties in perpetuity.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

#### Need and Reason

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

There is currently no requirement for even the most basic of code information for commercial and industrial buildings to be retained in perpetuity.

2. Why is the proposed code change a reasonable solution?

Code record documents are the most basic of documents that indicate the codes under which the building was constructed and modified, building size, construction type, occupancy classifications, and whether or not the building is sprinkled. This basic information is invaluable for future alterations and modifications to property to ensure compliance.

3. What other factors should the TAG consider?

None

#### Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost increase. The code record documents are already required to be collected. They must be separated and then retained.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

Most storage of information will be electronic and at very little cost for the benefit of always having access to information regarding the existing buildings construction and use.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

**Commented [MG(1):** Code record documents are the most basic of documents that indicate the codes under which the building was constructed and modified, building size, construction type, occupancy classifications, and whether or not the building is sprinkled. This basic information is invaluable for future alterations and modifications to property to ensure compliance.

Municipalities will bear the cost and can roll it into permit fees, so ultimately commercial developers and commercial building owners will bear the final costs.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.  
  
No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.  
  
No.
3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?  
  
Continued lack of complete information to make quick and decisive code decisions regarding compliance of proposed work in existing buildings.
4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.  
  
No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can be considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/29/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300.0110

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Duties and Powers- Performance based fire and life safety design

Code or rule section to be changed: **1300.0110 Subp. 14. Performance based fire and life safety design**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes    No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subp. 14. **Performance-based fire and life safety design.** The code official may approve performance-based fire and life safety designs if the code official finds that the proposed design has been conducted by an approved method. Approved performance-based designs are evidence of compliance with the intent of the code. Approvals under this subpart are subject to the approval of the building code official whenever the design involves matters regulated by the building code. Approvals under this subpart are subject to the approval of the fire code official whenever the design involves matters also regulated by the fire code.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

There is currently no requirement in the building code for coordination with the fire code when high levels of discretion are required for fire and life safety related matters. This has resulted in buildings being issued with a certificate of occupancy and upon completion, the department of public safety, state fire marshal's division issues correction notices on the newly constructed work because in their interpretation, the constructed work does not comply with their code.

2. Why is the proposed code change a reasonable solution?

Fire code officials are responsible for maintaining the fire safety of buildings throughout the state. It is reasonable that they are included on areas requiring a high level of discretion related to work scope included in both the building code and the fire code.

3. What other factors should the TAG consider?

None

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No cost increase. This is merely a coordination effort requirement.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

No cost increase.



3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
No cost increase.
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Continued lack of coordination between fire code officials and building officials, resulting in corrections requirements to brand new work because fire code officials do not interpret the fire and life safety requirements the same as the building official for performance compliance related work.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can be considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/29/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300.0120

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Permits- Work exempt from permit

Code or rule section to be changed: **1300.0120 Subp. 4. Work exempt from permit**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes    No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

- change language contained the model code book? If so, list section(s).
- change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- delete language contained in the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

MR 1300.0120, Subpart 4, Item A (4) shall be modified as follows:

(4) retaining walls that are not over four feet (1,219 mm) in height. The retaining wall height shall be measured from grade at the bottom of the footing-wall to the grade at the top of the wall, unless supporting a surcharge or impounding Class I, II, or III-A liquids;

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

There is confusion over how to measure retaining walls with regards to this exemption.

2. Why is the proposed code change a reasonable solution?

The critical measurement for retaining walls is to address the unbalanced lateral load on the wall. Where there is soil on both sides or there is no soil on either side, the lateral load contribution is zero and the hazard to public safety is minimal. The critical measurement is the actual change in grade, which is what this code change proposal addresses.

3. What other factors should the TAG consider?

None

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost increase. This is merely a coordination effort requirement.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

No cost increase.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

No cost increase.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Continued misunderstanding of exemption criteria for retaining walls, and more retaining walls requiring permit than would be required under correct interpretation.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.



## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/29/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300.0120

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Permits-  
Application for permit

Code or rule section to be changed: **1300.0120 Subp. 7. Application for permit**

Intended for Technical Advisory Group ("TAG"):

---

---

### General Information

**Yes**   **No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

- The proposed code change is meant to:
  - change language contained the model code book? If so, list section(s).
  - change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - delete language contained in the model code book? If so, list section(s).
  - delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - add new language that is not found in the model code book or in Minnesota Rule.
- Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~strike through~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

MR 1300.0120, Subpart 7 shall be modified as follows:

Subp. 7. **Application for permit.** To obtain a permit, the applicant shall file an application in writing on a form furnished by the Department of Building Safety for that purpose. The form may be in hard copy or electronic. The application shall:

- A. identify and describe the work to be covered by the permit for which application is made;
- B. describe the land on which the proposed work is to be done by legal description, street address, or similar description that will readily identify and definitely locate the proposed building or work. The land description shall be in the form of a boundary survey when the work proposed is located within thirty feet of a property line for a building scoped to Minnesota Rules Chapter 1305 or 1311. The land description shall be in the form of a boundary survey when the work proposed is located within five feet of a property line for a building scoped to Minnesota Rules Chapter 1309;
- C. indicate the use and occupancy for which the proposed work is intended;
- D. indicate the type of construction;
- E. be accompanied by construction documents and other information as required by the code;
- F. state the valuation of the proposed work;
- G. be signed by the applicant, or the applicant's authorized agent; and
- H. give other data and information required by the building official.
- I. be submitted by the person or coordinating entity responsible for execution and code compliance of the work.

**Commented [MG(1):** 30 feet is the limit where wall protection, window protection, and allowable area are no longer affected by proximity to property lines.

**Commented [MG(2):** This will give some clarity to when home owners are pulling permits that they are personally responsible for the work and code compliance, not their contractor.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### Need and Reason

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
  - a. The charging language of Subp. 7 is amended to clarify that electronic applications are acceptable in addition to hard copy. Electronic applications have been gaining popularity among jurisdictions as technology evolves.
  - b. Item B is modified to require a boundary survey where the proposed work is within a location where there may be fire resistance rated construction requirements or allowable area limitations due to proximity to property lines, that a survey is provided to indicate actual distances.
  - c. Item I is added to clarify that the permit applicant and no other party is directly responsible for code compliance no matter who is actually providing the construction work. A construction management firm coordinates the work of multiple prime contracts and would be the permit applicant for all contracted work under the building code as would a general contractor.
2. Why is the proposed code change a reasonable solution?

- a. Adding clarification that both hard copy and electronic applications are acceptable ensures that as technology advances, more streamlined approaches to providing services can be maintained.
- b. Item B: Building code requirements for fire resistance rating construction, and limitations on building allowable area become a factor when construction is located less than 30 feet from a property line for commercial buildings and within 5 feet of a property line for 1309 buildings. Requiring a boundary survey ensures that the actual separation distance from the property line is known and the application of building code compliance criteria can be accurately met.
- c. Item I: Construction management as a tool for coordinating multiple prime contractors has become increasingly popular. The construction manager may subdivide work amongst multiple prime contractors to execute the work. Code compliance verification under a construction manager requiring each prime contractor to obtain their own construction permits causes multiple logistical problems with code compliance verification and follow-up. Since the construction manager is responsible for coordinating the work of multiple prime contractors, it is reasonable that the construction manager is also responsible for obtaining consolidated permits for those coordinated contractors and also coordinate the code compliance follow up work. This new section also clarifies that building owners that are not actually executing their own work, should not be obtaining permits on behalf of a contractor or construction manager.

3. What other factors should the TAG consider?

None

**Cost/Benefit Analysis**

- 1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
The only cost increase would be related to requirements for a boundary survey when construction is located within 30 feet of a property line. The cost is reasonable and typically already required. The language is added for clarify rather than allowing the requirement to be implied.
- 2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.  
No cost increase.
- 3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
No cost increase.
- 4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No.
- 5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.  
No.

**Regulatory Analysis**

- 1. What parties or segments of industry are affected by this proposed code change?

Architects, engineers, developers, home designers, builders, residential contractors.

2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Without a boundary survey when fire separation distance is in question, buildings may be constructed without fire resistance that would be required by code if the property line is closer than anticipated without a survey. Ultimate consequences are greater risk of fire propagation across property lines.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.





## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 4/1/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300.0120

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Permits- Phased approval

Code or rule section to be changed: 1300.0120 Subp. 7. Application for permit

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes**   **No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

- The proposed code change is meant to:
  - change language contained the model code book? If so, list section(s).
  - change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - delete language contained in the model code book? If so, list section(s).
  - delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - add new language that is not found in the model code book or in Minnesota Rule.
- Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~strikethrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

MR 1300.0120, Subpart 8 shall be modified as follows:

Subp. 8. **Phased approval.** The building official may issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of the code. The holder of the permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted. Structural designs may not be deferred when requesting for footings and foundations permits. Mechanical, and Electrical systems designs may not be deferred when the building is required to comply with Minnesota Rules Chapters 1322 or 1323 Energy Codes.

**Commented [MG(1):** The superstructure and imposed loads from above must be known for a building foundation to be correctly designed.

**Commented [MG(2):** Energy codes are now integrated enough with other building design features and components that mechanical and electrical design/build is no longer viable to ensure compliance with the energy codes.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

#### Need and Reason

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
  - a. There is confusion regarding the issuance of a footings and foundations permit. Because all building structure is ultimately supported by foundations, and the foundations must also accommodate point loads from above and the entire structure must be designed in order to determine where loads will be placed on the foundations and what those loads will be.
  - b. Mechanical and electrical systems are now integrated into energy code compliance and necessary for determining compliance prior to issuance of a building permit.
2. Why is the proposed code change a reasonable solution?
  - a. Requiring all of the structural loading to be determined before issuing a footings and foundations permit is reasonable because the foundation must support all of the gravity and lateral loads imposed from above. Without all of the structure figured out, the foundations can not be properly designed.
  - b. Energy codes now integrate mechanical systems, hot water systems, and electrical systems into determining overall energy code compliance. These systems must be included into the overall building permit package in order to evaluate if the whole building complies with energy code.
3. What other factors should the TAG consider?

None

#### Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost change. Design and documentation must be done in all circumstances. It is more a matter of timing than cost.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

No cost increase.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

No cost increase.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

#### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Continued corrections for uncoordinated foundations resulting in repeated inspections and lost productivity in construction and code compliance verification.

Delays in issuing of building permits due to lack of energy code information, or unrecoverable energy code non-compliance due to mis-coordinated documents.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.



CODE CHANGE PROPOSAL FORM
(Must be submitted electronically)

Author/requestor: Gregory Metz Date: 4/1/2024
Email address: Greg.Metz@State.MN.US Model Code: N/A
Telephone number: 651-284-5884 Code or Rule Section: MR 1301.0200
Firm/Association affiliation, if any: DLI/CCLD Topic of proposal: Forms of Certification- Certified Building Official

Code or rule section to be changed: 1301.0200 Subp. 1. Certified Building Official

Intended for Technical Advisory Group ("TAG"):

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota? [X] [ ]
B. Is the proposed change required due to climatic conditions of Minnesota? [ ] [X]
C. Will the proposed change encourage more uniform enforcement? [X] [ ]
D. Will the proposed change remedy a problem? [X] [ ]
E. Does the proposal delete a current Minnesota Rule, chapter amendment? [ ] [X]
F. Would this proposed change be appropriate through the ICC code development process? [ ] [X]

Proposed Language

- 1. The proposed code change is meant to:
[ ] change language contained the model code book? If so, list section(s).
[ ] change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
[ ] delete language contained in the model code book? If so, list section(s).
[X] delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
1301.0200, Subpart 1
[X] add new language that is not found in the model code book or in Minnesota Rule.
2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~strike through~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

**1301.0200 FORMS OF CERTIFICATION.**

Subpart 1. **Certified building official.** ~~This classification is granted to a person who has met the "certified building official" prerequisites of Part 1301.300 and successfully passed the written examination prepared by the state.~~ This certification is identified as "certified building official " on the certification card. A person with this certification may serve as the building official for any municipality and may administer the Minnesota State Building Code established by Minnesota Rule 1300.0050 for all building and structure types except those assigned by statute to the Department of Labor and Industry. Certified building Officials may administer the Minnesota State Building Code for buildings assigned to the Department of Labor and Industry when performing duties under a delegation agreement issued by the Department. ~~that do not require a state delegation agreement.~~ This certification is granted to a person who has met the "certified building official" prerequisites of part 1301.0300 and successfully passed the written examination prepared by the state.

**Commented [SS(1)]:** 3/23 - Reference to a "certification card" is noted here, and for the AS, but not for the BO. Just for consistency, maybe we should add this statement for the BO, or remove it for BO-L and AS. I'm not sure it's important to note the verbatim language printed on the card within the Rule...?

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

**Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
  - a. .
2. Why is the proposed code change a reasonable solution?
  - a. Requiring all of the structural loading to be determined before issuing a footings and foundations permit is reasonable because the foundation must support all of the gravity and lateral loads imposed from above. Without all of the structure figured out, the foundations can not be properly designed.
  - b. Energy codes now integrate mechanical systems, hot water systems, and electrical systems into determining overall energy code compliance. These systems must be included into the overall building permit package in order to evaluate if the whole building complies with energy code.
3. What other factors should the TAG consider?
 

None

**Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost change. Design and documentation must be done in all circumstances. It is more a matter of timing than cost.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

No cost increase.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

No cost increase.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

#### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Continued corrections for uncoordinated foundations resulting in repeated inspections and lost productivity in construction and code compliance verification.

Delays in issuing of building permits due to lack of energy code information, or unrecoverable energy code non-compliance due to mis-coordinated documents.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 3/29/2024

Email address: [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

Model Code: N/A

Telephone number: 651-284-5884

Code or Rule Section: MR 1300.0120

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Permits-  
Application for permit

Code or rule section to be changed: **1300.0120 Subp. 7. Application for permit**

Intended for Technical Advisory Group ("TAG"):

### General Information

**Yes    No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

change language contained the model code book? If so, list section(s).

change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).  
1300.0120, Subd. 7

delete language contained in the model code book? If so, list section(s).

delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striethrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Subpart 7, **Application for permit.** To obtain a permit, the applicant shall file an application in writing either electronically or in hard copy on a form furnished by the Department of Building Safety for that purpose. The application shall:

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

There is confusion over how to measure retaining walls with regards to this exemption.

2. Why is the proposed code change a reasonable solution?

The critical measurement for retaining walls is to address the unbalanced lateral load on the wall. Where there is soil on both sides or there is no soil on either side, the lateral load contribution is zero and the hazard to public safety is minimal. The critical measurement is the actual change in grade, which is what this code change proposal addresses.

3. What other factors should the TAG consider?

None

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost increase. This is merely a coordination effort requirement.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

No cost increase.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

No cost increase.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is



any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Continued misunderstanding of exemption criteria for retaining walls, and more retaining walls requiring permit than would be required under correct interpretation.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

*Author/requestor:* Gregory Metz

*Date:* 3/29/2024

*Email address:* [Greg.Metz@State.MN.US](mailto:Greg.Metz@State.MN.US)

*Model Code:* N/A

*Telephone number:* 651-284-5884

*Code or Rule Section:* MR 1300.0120

*Firm/Association affiliation, if any:* DLI/CCLD

*Topic of proposal:* Permits- Work exempt from permit

**Code or rule section to be changed: 1300.0120 Subp. 4.A (4) Work exempt from permit- Retaining walls**

*Intended for Technical Advisory Group ("TAG"):*

### General Information

**Yes    No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:
  - change language contained the model code book? If so, list section(s).
  - change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - delete language contained in the model code book? If so, list section(s).
  - delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - add new language that is not found in the model code book or in Minnesota Rule.
2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

MR 1300.0120, Subpart 4, Item A (4) shall be modified as follows:

(4) retaining walls that are not over four feet (1,219 mm) in height. The retaining wall height shall be measured from grade at the bottom of the footing-wall to the grade at the top of the wall, unless supporting a surcharge or impounding Class I, II, or III-A liquids;

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts. No, N/A

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

There is confusion over how to measure retaining walls with regards to this exemption.

2. Why is the proposed code change a reasonable solution?

The critical measurement for retaining walls is to address the unbalanced lateral load on the wall. Where there is soil on both sides or there is no soil on either side, the lateral load contribution is zero and the hazard to public safety is minimal. The critical measurement is the actual change in grade, which is what this code change proposal addresses.

3. What other factors should the TAG consider?

None

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

No cost increase. This is merely a coordination effort requirement.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

No cost increase.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

No cost increase.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, developers, home designers, builders, residential contractors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Continued misunderstanding of exemption criteria for retaining walls, and more retaining walls requiring permit than would be required under correct interpretation.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.