CCLD REVIEW

Construction Codes and Licensing Division • Minnesota Department of Labor and Industry • Winter 2023

New Minnesota Commercial Energy Code takes effect Jan. 5, 2024

Minnesota's new Commercial Energy Code takes effect Jan. 5, 2024. It uses the 2019 ASHRAE 90.1 Standard as the model energy code, adopts addenda from that standard and overlays state amendments onto the model standard to form our state code. The Minnesota Rule language is available at dli.mn.gov/sites/default/files/pdf/1323-010524.pdf.

The International Code Council will publish a 2024 Minnesota Commercial Energy Code book. Pacific Northwest National Laboratory has created a Minnesota version of COMcheck that can now be used to verify compliance using the Assembly U-factor, C-factor or F-factor based method for code compliance.

Projects submitted for plan review or permitting prior to Jan. 5, 2024, are allowed to proceed under the 2020 Minnesota Commercial Energy Code. Projects submitted for plan review or permitting on or after Jan. 5, 2024, must comply with the 2024 Minnesota Commercial Energy Code.

Individual municipal jurisdictions may adopt policies to allow projects documented with them prior to Jan. 5, 2024, to proceed under the 2020 Minnesota Commercial Energy Code. DLI's Construction Codes and Licensing Division will allow projects to proceed under the 2020 Minnesota Energy Code if they have had a preliminary plan review meeting with staff prior to Jan. 5, 2024, to document that they are under design, and also provided that building permits are issued by June 1, 2024.

The Minnesota Commercial Energy Code is the culmination of work that started with public Technical Advisory Group meetings in January through March, 2021. A dual notice was published Sept. 19, 2022, and the notice of adoption was published in the State Register on April 10, 2023.

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Review of window cleaning safety, adult changing stations and EV charging

The Construction Codes Advisory Council (CCAC) met Nov. 8, 2023, to review a Technical Advisory Group (TAG) report recommending requirements for window cleaning safety, adult changing stations and electric vehicle (EV) charging infrastructure to be included in the Minnesota State Building Code.

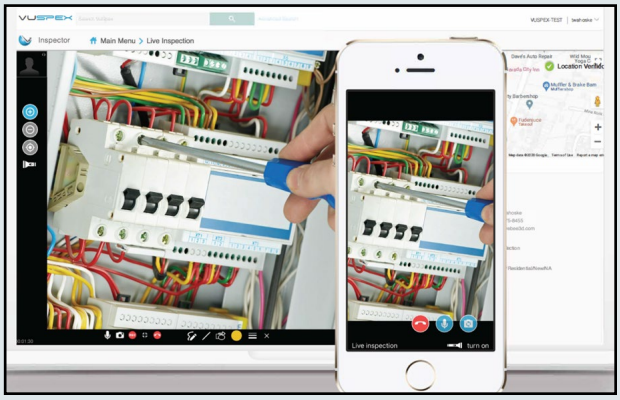
The CCAC had appointed TAG members to develop requirements for these topics in response to legislation passed during the 2023 session.

The CCAC recommended that the department move forward with expedited rulemaking to adopt window cleaning safety and adult changing station requirements. The CCAC recommended that requirements for EV charging infrastructure be included when the Minnesota Commercial Energy Code is updated to adopt ANSI/ASHRAE/IES Standard 90.1-2022.

The TAG report and CCAC recommendations are available at dli.mn.gov/about-department/boards-and-councils/construction-codes-advisory-council.

CCLD enhancing virtual electrical, elevator inspection process

Beginning in early 2024, CCLD will roll-out a new software product, VuSpex, to enhance the virtual inspection process for contractors and state inspectors. Virtual inspections will be available for specific inspection types with limited scope.



An interactive inspection session with VuSpex. (Image source: VuSpex.com)

VuSpex will integrate with the department's permitting and inspection tool, iMS. VuSpex is an established product specializing in virtual inspections and provides a streamlined, interactive interface that allows a state inspector and contractor to share a video session to conduct an inspection. During the session, the state inspector can view important project elements and incorporate photos and comments into our current inspection template. Microsoft Teams will no longer be used for conducting virtual inspections.

Virtual inspections can be conducted as soon as the work is completed. For some inspection types, such as residential elevator stair chair installations, an offline tool will be used by a contractor to submit photos, video and commentary to the department for an inspector to review later. The offline tool lets the contractor submit inspection data outside of normal business hours and on weekends.

Currently there are three limited areas where virtual inspections will be offered. Those will be expanded as the program matures:

- Residential and some non-dwelling electrical permits for existing structures where three or fewer circuits are involved in areas inspected by state inspectors;
- Electrical load management devices or saver switches; and
- Elevator residential stair chair installations will be inspected virtually using the offline tool.

View more information about virtual inspections at dli.mn.gov/ERVI.

Schedule of board and council meetings

Below is a schedule of meetings for boards and council supported by CCLD.

Visit dli.mn.gov/about-department/boards-and-councils to view meeting minutes, agendas, rulemaking documents and schedules for these meetings and additional boards and councils.

Board of Electricity
- Jan. 9, 2024
- April 9, 2024
- July 9, 2024
- Oct. 8, 2024

Construction Codes Advisory Council
- Feb. 29, 2024

Board of High Pressure Piping
- Jan. 11, 2024
- July 11, 2024

Plumbing Board
- Jan. 16, 2024
- April 16, 2024
- July 16, 2024
- Oct. 15, 2024

Interested in serving on a board or council?
Minnesotans are encouraged to apply for positions on state councils, boards, task forces and commissions through the Secretary of State's Open Commissions and Appointments process.

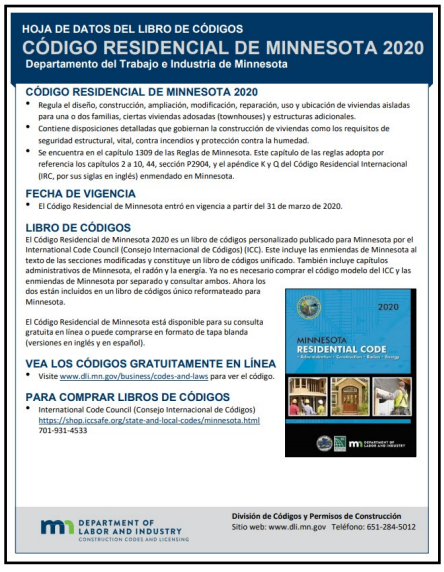
Visit dli.mn.gov/about-department/boards-and-councils for more information about how to apply.

Translated documents, Language Line available

A selection of documents and web pages related to building codes, workers' compensation, workplace safety, apprenticeship and more have been translated into various languages.

Additionally, DLI has access to Language Line, a free language translation service for limited-English speakers.

View the translated documents and instructions to access Language Line at www.dli.mn.gov/about-department/about-dli/translated-materials.


HOJA DE DATOS DEL LIBRO DE CÓDIGOS

CÓDIGO RESIDENCIAL DE MINNESOTA 2020

Departamento del Trabajo e Industria de Minnesota

CÓDIGO RESIDENCIAL DE MINNESOTA 2020

- Regula el diseño, construcción, ampliación, modificación, reparación, uso y ubicación de viviendas aisladas para una o dos familias, ciertas viviendas adosadas (townhouses) y estructuras adicionales.
- Contiene disposiciones detalladas que gobiernan la construcción de viviendas como los requisitos de seguridad estructural, vital, contra incendios y protección contra la humedad.
- Se encuentra en el capítulo 1309 de las Reglas de Minnesota. Este capítulo de las reglas adopta por referencia los capítulos 2 a 10, 44, sección P2904, y el apéndice K y Q del Código Residencial Internacional (IRC, por sus siglas en inglés) enmendado en Minnesota.

FECHA DE VIGENCIA

- El Código Residencial de Minnesota entró en vigencia a partir del 31 de marzo de 2020.

LIBRO DE CÓDIGOS

El Código Residencial de Minnesota 2020 es un libro de códigos personalizado publicado para Minnesota por el International Code Council (Consejo Internacional de Códigos) (ICC). Este incluye las enmiendas de Minnesota al texto de las secciones modificadas y constituye un libro de códigos unificado. También incluye capítulos administrativos de Minnesota, el radón y la energía. Ya no es necesario comprar el código modelo del ICC y las enmiendas de Minnesota por separado y consultar ambos. Ahora los dos están incluidos en un libro de códigos único reformateado para Minnesota.

El Código Residencial de Minnesota está disponible para su consulta gratuita en línea o puede comprarse en formato de tapa blanda (versiones en inglés y en español).

VEA LOS CÓDIGOS GRATUITAMENTE EN LÍNEA

- Visite www.dli.mn.gov/business/codes-and-laws para ver el código.

PARA COMPRAR LIBROS DE CÓDIGOS

- International Code Council (Consejo Internacional de Códigos) https://shop.iccsafe.org/state-and-local-codes/minnesota.html 701-931-4533

DEPARTMENT OF LABOR AND INDUSTRY
CONSTRUCTION CODES AND LICENSING

División de Códigos y Permisos de Construcción
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DLI.Code@state.mn.us

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DLI.Contractor@state.mn.us

Contractor registration
Phone: 651-284-5074
DLI.register@state.mn.us

Q&A: Minnesota Plumbing Code

Question: *From where should the measurement for the critical level of a urinal flushometer atmospheric vacuum breaker be taken?*

Answer: The measurement is taken from the critical level marked on the vacuum breaker tube of the urinal's flushometer, or the bottom of the vacuum breaker to the top of the urinal. During flushing, the water enters the top of urinal chamber. It then flows into the fixture through openings in the top rim and spreads across the back of the urinal, rinsing, then flowing out through the trap.

As shown in the image at right, the vacuum breaker tube is too short and must be corrected so that the critical level is 6 inches above the top of the urinal.

In this image, the vacuum breaker tube is too short and must be corrected.

The critical level (C-L or C/L) marking on a backflow prevention device or vacuum breaker is a point conforming to approved standards and established by the testing laboratory (usually stamped on the device by the manufacturer) that determines the minimum elevation above the floodlevel rim of the fixture or receptor served at which the device may be installed. Where a backflow prevention device does not bear a critical level marking, the bottom of the vacuum breaker, combination valve, or the bottom of such approved device constitutes the critical level.

Water closet and urinal flushometer valves must be protected against backflow by an approved backflow prevention assembly, device or method. Where the valves are equipped with an atmospheric vacuum breaker, the vacuum breaker must be installed on the discharge side of the flushometer valve with the critical level not less than 6 inches, or the distance according to its listing, above the overflow rim of a water closet bowl or the highest part of a urinal (see 603.5.1 Atmospheric Vacuum Breaker).

Minnesota inspectors attend electrical code training

Minnesota's electrical inspectors attended the Western Section meeting of the International Association of Electrical Inspectors (IAEI) in West Virginia in September 2023.

The conference addressed many topics such as electric vehicle charging, Class 4 Systems, and cannabis oil extraction. The Western Section is the largest of six IAEI sections and includes 17 states across the center United States. Minnesota's electrical division has supported IAEI for decades and is actively engaged in the 2026 National Electrical Code-making process.

Electrical inspectors Vern Dose, Luke Nemeth, Scott Higgins, Mark Hunter and Dean Hunter.

Unlicensed contractor fined $24,500

Enforcement actions

- An unlicensed contractor operating out of Browerville and Long Prairie, Minnesota, was found to have engaged in residential remodeling work without a license. The contractor was ordered to cease and desist from the unlicensed activities and fined $24,500.
- An Arkansas contractor was found to have engaged in unlicensed electrical work. The contractor was ordered to cease and desist from the unlicensed activity and fined $7,500.
- An unlicensed Shakopee, Minnesota, contractor was found to have engaged in plumbing and electrical work without having the appropriate contractor licenses. The contractor was ordered to cease and desist from the unlicensed activity and fined $4,000, which was stayed contingent on future compliance.
- A licensed Golden Valley, Minnesota, residential building contractor was found to have breached contracts with multiple homeowners, demonstrating financial irresponsibility. DLI revoked the contractor's business license and assessed a $10,000 fine.
- A licensed Woodbury, Minnesota, residential building contractor was found to have breached contracts with multiple homeowners by failing to complete projects after receiving payments. DLI revoked the contractor's license and assessed a $30,000 fine, which was stayed contingent on full future compliance and full cooperation with homeowners seeking to apply for potential reimbursement to the Contractor Recovery Fund.

More information

View summaries of enforcement actions at dli.mn.gov/workers/homeowners/file-complaint-and-view-enforcement-actions. Contact us at 651-284-5069 or dli.contractor@state.mn.us.

Statewide electrical inspector meeting

On Oct. 27, 2023, the CCLD Electrical Division hosted a statewide electrical inspector meeting in St. Michael, Minnesota, for over 80 electrical inspectors. Inspectors from municipal areas representing Duluth, Rochester, Burnsville, Woodbury, the University of Minnesota and St. Paul also attended. Topics included 2023 National Electrical Code changes, solar and carnival electrical inspections, licensing and building separation. Thank you to the Minneapolis JATC for allowing the use of their facility for the event.

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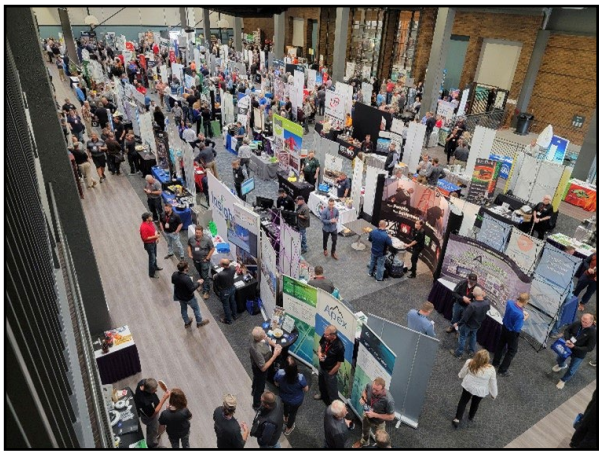
Electrical representatives participate in MASMS annual conference

For approximately 10 years, DLI Electrical Representatives Sheldon Monson and Steven Dudley have participated in the annual Minnesota Educational Facilities Management Professionals Association (MASMS) Conference in St. Cloud, Minnesota, conducted in October.

DLI attends this conference to assist schools that are planning to, or are currently, performing electrical work within their facilities to help them comply with licensing requirements.

MASMS is a group of more than 700 individuals who work in the areas of facilities, grounds, health and safety operations for Minnesota schools and higher education.



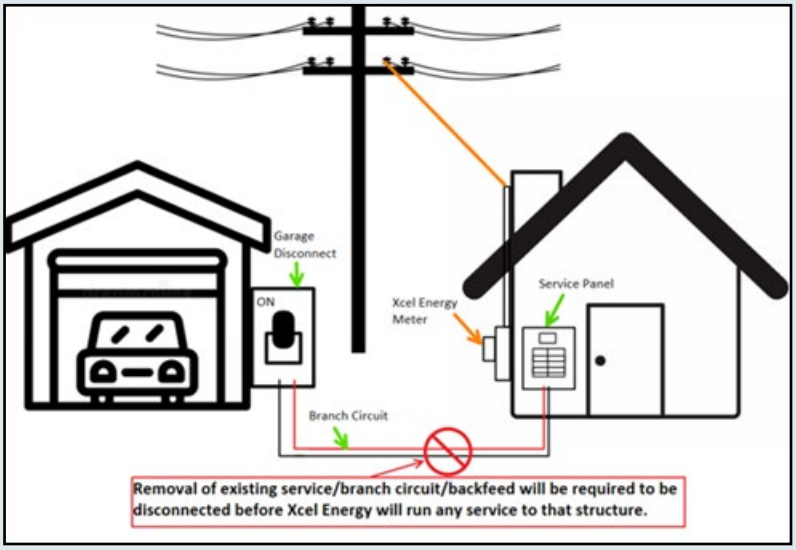
The tradeshow floor of the annual Minnesota Educational Facilities Management Professionals Association Conference.

This conference helps DLI provide outreach to the schools about the licensing requirements for electrical work. DLI achieves this through presentations, staffing a booth at the tradeshow and meeting with attendees individually. This has been a great resource that allows DLI to network with school representatives.

Read more about electrical safety in Minnesota schools at dli.mn.gov/sites/default/files/pdf/eli_bulletin_school.pdf.

Xcel Energy revises Time of Day Meter Program

Xcel Energy recently revised their Electric Vehicle (EV) Time of Day Meter Program requirements. The revision clarifies a long-standing practice that Xcel Energy will not allow additional sources of electricity to a detached garage or structure when an EV service is constructed on the building.



At the time of installation of the new EV service, Xcel's customers who wish to take part in the program will need to have the electrical contractor remove any additional branch circuits or feeders to the detached garage or structure before service will be provided.

Xcel Energy notes that from an electrical inspection standpoint, this installation would be compliant with the National Electrical Code (NEC) in accordance with section 230.2(D). Xcel states that the removal of the additional source(s) is for worker safety reasons. As a utility, Xcel Energy has the authority to determine what conditions are necessary for a customer to be provided with electric service. This requirement is similar to a utility requiring a by-pass meter enclosure or dictating how load control wiring is completed, so a customer can take part in their off-peak programs.

DLI is aware that other utilities may allow additional branch circuits or feeders, along the EV service, to be connected at the same structure which complies with the NEC.