

Proposed Rules

The agency's authority to adopt the proposed rules is contained in *Minnesota Statutes*, Section 16B.61.

Adoption of these rules will not result in additional spending by local bodies in excess of \$100,000 per year for the first two years following adoption under the requirements of *Minnesota Statutes*, Section 14.11.

It is felt by the Building Codes and Standards Division that the proposed rules will not have an impact on small business as defined in *Minnesota Statutes*, Section 14.115, Division 1, and pursuant to *Minnesota Statutes*, Section 14.115 Subd. 2, methods were considered to reduce the potential impact of the proposed rules on small business.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to:

Margaret White
Building Codes and Standards Division
408 Metro Square Building
7th and Robert Streets
St. Paul, Minnesota 55101

Additional copies will be available at the hearing. If you have any questions on the content of the rule you may contact Margaret White, Elroy Berdahl, or Alvin Kleinbeck at (612) 296-4639.

NOTICE: Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. If you desire to be notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the secretary of state. The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rules with the secretary of state.

NOTICE IS HEREBY GIVEN that a Statement of Need and Reasonableness is now available for review at the agency and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the agency or the Office of Administrative Hearings and may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Minnesota Statutes, Chapter 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in *Minnesota Statutes*, section 10A.01, subdivision 11 as any individual:

(a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250.00, not including travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communication or urging others to communicate with public officials;

(b) who spends more than \$250.00, not including his own traveling expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101, telephone (612) 296-5148.

Dated: 14 December 1989

Sandra J. Hale, Commissioner
Department of Administration

Statement of Need and Reasonableness

The above-captioned proposed rules are amendments to the existing *Minnesota State Building Code*.

Pursuant to *Minnesota Statutes*, Section 16B.61, the Commissioner of the Department of Administration is charged with the responsibility of promulgating the *Minnesota State Building Code*. It is the duty of the commissioner to amend the *Minnesota State Building Code* to maintain the most modern code standards regarding minimum safeguards to life, limb, health, property, and public welfare together with regulating the controlling and design, construction, quality of materials, use and maintenance of buildings and structures.

The *Minnesota State Building Code* Rules, 1987 printing, effective February 9, 1987, *Minnesota Rules* 1300.0100 to 1300.2000,

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1305.0100 to 1305.7100, 1310.0100 to 1310.9300, 1315.0200, 1320.0100 to 1320.2400, 1325.1000 to 1325.9500, 1330.0100 to 1330.2100, 1335.0200 to 1335.3000, 1340.0200 to 1340.9900, 1345.0100 to 1345.3300, 1350.0100 to 1350.9200, 1355.0100, 1360.0100 to 1360.3600, 1365.0200 to 1365.0800, 4215.0100 to 4215.6100 and 4715.0100 to 4715.6000, adopted the 1985 Edition of the *Uniform Building Code* by reference with certain amendments as a portion of the *Minnesota State Building Code*. The amendments to the 1987 publication of the rules update the *Minnesota State Building Code* to incorporate the adoption of the 1988 Edition of the *Uniform Building Code* as promulgated by the International Conference of Building Officials, Whittier, California.

The proposed rules contain certain amendments to the *Minnesota State Building Code*, including Chapter 1300, new Chapters 1301 and 1302, Chapter 1305 which adopts and includes amendments to the 1988 Edition of the *Uniform Building Code*; Chapter 1335, Floodproofing Regulations; Chapter 1355, the Minnesota Plumbing Code; and Chapter 1360, Prefabricated Structures Code.

The proposed rules conform as far as practicable to model building codes. They reflect amendments for regional utilization in keeping with the legislative intent of *Minnesota Statutes* Section 16B.61. The amendments provide for a reorganization of certain sections to place them within respective subject matter, change wording to clarify the intent where there has been confusion in application of certain sections, adopt and update to current national model code standards, and language changes requested by the Office of the Minnesota Revisor of Statutes designed to eliminate redundant wording and use of archaic language.

Any business entity which constructs, expands or remodels buildings is required to comply with the *Minnesota State Building Code*. When adopted, these proposed rules become part of the *Minnesota State Building Code* and will be applicable to all future construction. The rules are not applicable to existing structures unless they are declared unsafe (hazardous and substandard buildings, *Minnesota Statutes* Section 463.15 to 463.26) or as otherwise modified by Section 104 of the *Minnesota State Building Code, 1988 Edition*.

The Building Codes and Standards Division has evaluated the effect of the proposed rules on small businesses and has considered each of the methods prescribed by *Minnesota Statutes* Section 14.115, subd. 2, or reducing the impact of the rules on small businesses. The proposed rules do not require businesses to make reports so the requirements for reporting identified in items (a), (b), and (c) are not applicable.

Compliance requirements of items (a), (b), (c), and (e) are not appropriate because the purpose of all public, private, commercial, industrial, or residential structures within the State of Minnesota to protect life, limb, health, property, and public welfare of the residents of the state at the least possible cost consistent with recognized standards. *Minnesota Statutes* Section 16B.59 (1984). To exempt small businesses from any or all requirements of the rules would be contrary to the statutory objectives that are the basis of the proposed rulemaking, *Minnesota Statutes* Section 16B.59, 16B.61, and 16B.64. The legislature has specifically mandated that the uniformity of building standards is in the public interest. *Minnesota Statutes* Section 16B.85 states in part:

“... The code must conform insofar as practicable to model building codes generally accepted and in use throughout the United States...”

Minnesota Statutes Section 14.115, subd. 2(d) calls for the establishment of performance standards for small businesses as one method of reducing the adverse impact of rules upon them. The code and its amendments are based on the application of scientific principles, approved tests and professional judgement; and to the extent practicable, are in terms or results rather than requiring specific methods or materials. The Building Code uses performance standards wherever possible. Since the performance standards apply across the board to all entities subject to the Building Code, the methods of reducing the impact of the rules provided by Subdivision 2(d) has been utilized. No special changes are necessary for small businesses.

The Building Codes and Standards Division has evaluated the effects of *Minnesota Statutes* 3.981 to 3.983 and 14.131 and believe that the promulgation of these proposed rules will not result in the expenditure of additional monies by local public bodies nor have an impact on agricultural land and meets the test of the exceptions to fiscal notes as provided by *Minnesota Statutes* 3.983.

Elroy Berdahl, Supervisor, and Alvin Kleinbeck, Code Administrator, of the Building Codes and Standards Division will appear on behalf of the proposed rules at the hearing, if a hearing is required. They will testify regarding the need for and reasonableness of the proposed rules. The substance of the testimony is set forth herein.

General

Chapter 1300.0100 to 1300.2000 is hereby repealed and the chapter has been rewritten and divided into three chapters to separate out distinct subject matter involved and to create new chapters to address the separate subjects. Chapter 1300.2100 to 1300.3100 will address the purpose, application, and scope of the *Minnesota State Building Code*, which is composed of a variety of codes both national in scope and some proprietary in nature.

This chapter identifies certain definitions, rules for an appeal, state surcharge fee structure, required and optional administration of sections of the code, among other items described by the code.

New chapter 1301 is created to address the requirements for building official certification and the rules for the maintenance of the certification in the section identified as “Continuing Education”.

Chapter 1305 adopts the 1988 edition of the *Uniform Building Code* with certain amendments applicable

to Minnesota climactic conditions and construction practices. Chapter 1310 Building Security, 1315 Electrical Code, 1320 Elevators and Related Devices, 1330 Fallout Shelters, 1340 Facilities for the Handicapped, 1365 Appendix on Snow Loads, remain unchanged.

Portions of Chapter 1335 will be amended to reflect language changes requested by the Federal Emergency Management Agency on floodproofing regulations. Chapter 1355 which adopts the Minnesota Department of Health rules identified as Chapter 4715 will contain some amendments proposed by that department.

Chapter 1360.0900 and 1360.3600 will contain proposed amendments to update those specific requirements.

1300.2100
Purpose and
Application

This section identifies the responsibilities of the adoption and enforcement of the *Minnesota State Building Code* including the adoption of the code by reference. It indicates that the code is based upon the provisions of minimum standards to safeguard life or limb, health, property, and general welfare of the public by regulating and controlling design, construction, quality of materials, use and occupancy, location and maintenance of structures within a jurisdiction. It addresses the responsibility of the application of the code to a municipality.

1300.2300
Scope

This section further delineates the use and application of the building codes for buildings and structures built in a community. It identifies that where codes differ between a general requirements and a specific requirement, the specific requirements applies. This section also identifies the application of the appendices items.

1300.2400
Definitions

This section identifies certain words or items used in the codes and provides for the definitions used application of the code.

1300.2500
Application
for Appeal

This section is the same as section 1300.0400 of the *1987 Edition of the Minnesota State Building Code* and is not amended.

1300.2600
Application
for Appeal

This section is similar to section 1300.0500 of the *1987 Edition of the Minnesota State Building Code*. The changes involved in this section reflect the changes in statute 16B.67. The changes extend the time frame in which an appeal can be filed from 30 days to 180 days. The fee involved in filing an appeal has been raised from \$20 to \$70. The review "de novo" has been eliminated and a statement included that "An appeal must be heard as a contested case under Chapter 14" of the statutes. The law has also been changed to indicate that the party that does not prevail pays for the costs involved with the hearing except for the costs of the state attorney's fees.

1300.2700
State Surcharge
Fees

The language of this section is unchanged from section 1300.0600 of the *1987 Edition of the Minnesota State Building Code*.

1300.2800
Minnesota State
Building Code
Information and
Assistance

The language of this section is unchanged from section 1300.0700 of the *1987 Edition of the Minnesota State Building Code*.

1300.2900
Requirements and
Optional
Administration

The language of this section is unchanged from section 1300.1900 of the *1987 Edition of the Minnesota State Building Code*.

1300.3000
Disclaimer Clause

The language of this section is unchanged from section 1300.1800 of the *1987 Edition of the Minnesota State Building Code*.

1300.3100
Severability

The language of this section is unchanged from section 1300.0100 of the *1987 Edition of the Minnesota State Building Code*.

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CHAPTER 1301 BUILDING OFFICIAL CERTIFICATION

General	As addressed earlier, a new chapter 1301 is created which pertains to the rules of certification and continuing education of building officials. Much of the language contained in Section 1300.0800 to 1300.1000 of the <i>Minnesota State Building Code</i> is incorporated in this section together with new proposed rules and identifies the various certification classifications used to identify the requirements for certification and maintenance of the certification.
1301.0100 Purpose	The purpose of this section is to establish the guidelines for certification and maintenance of certification as a building official.
1301.0200 Forms of Certification	This section describes the various forms of certification presently applicable for use in the state.
Subp. 1	The "Grandfathered" class is issued to those who were administering the code for a community on May 27, 1971 and have continued to serve that community since the inception of the state building code. This classification requires certification maintenance as a Class II certified individual.
Subp. 2	The "State Certified" class is issued to those who acquired their certification by passing a written test and passed an oral interview. This classification also requires certification maintenance as a "Class II" individual.
Subp. 3	The "Class I Certification" is granted to individuals with a minimal amount of education and training and was successful in passing a written examination. This class has the inspection responsibility limited to one- and two-family dwellings and their accessory structures. This class will require certification maintenance as outlined in 1301.0700 to 1301.1100 of this chapter. This classification will no longer be issued after July 1, 1990.
Subp. 4	The "Class II Certification" is granted to those possessing a predetermined qualification and successfully passing a written examination. Those possessing this classification is responsible for all building code administration for a municipality. The certification maintenance for a person in this class is outlined in 1301.0700 to 1301.1100 of this chapter.
1301.0300 Certification Prerequisites	On July 1, 1990, the requirements for certification will be modified to provide a more specific and less variable prerequisite to become a certified building official. Tests are offered on a national level that are acceptable to the state building inspector in meeting the requirements of education and training suitable to performing the administrative function of building inspection and administration.
1301.0400 Application for Certification	Any person possessing the required prerequisites may submit an application and fee for taking an examination based upon the legal and administrative procedures intrinsic to the State of Minnesota.
1301.0500 Examination	This section outlines the process by which the State Department of Employee Relations will have the responsibility of giving the examination for certification and the process which is necessary if one fails the exam or fails to appear on the appointed date.
1301.0600 Education and Training	This section is a repeat of the existing statement found in SBC Section 1300.0800 which indicates the responsibility of the state building inspector to sponsor training programs for various governmental entities as well as design and construction professionals as well as the general public.

CONTINUING EDUCATION

General	This part is a repeat of <i>Minnesota Rules</i> 1300.0940 to 1300.0948 established in 1987 to provide guidelines for the maintenance of building official certification through continuing education. For the detailed statement of need and reasonableness of this issue please refer to the <i>State Register</i> , Volume II, Number 43, pages 1977 to 1981, April 27, 1981 (11 SR 1977). The major change of this section is the renumbering of the rules as follows: 1300.0940 to 1301.0700 1300.0942 to 1301.0800 1300.0944 to 1301.0900 1300.0946 to 1301.1000 1300.0948 to 1301.1100
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1301.1200
Removal from Office
Revocation of
Certification

This section is a relocation of SBC 1300.1000 to this location in section 1301.1200 to follow an appropriate sequence of information.

CHAPTER 1302 BUILDING CONSTRUCTION APPROVALS AND STATE AGENCY APPROVAL RULES

General

This new chapter is developed to outline the rules and procedures of the Minnesota State Building Codes and Standards Division as it deals with state owned public buildings and buildings which require approval by another state agency. A recent change in the Statutes has added to the definition of municipality meeting the requirements of *Minnesota Statutes* 368.01 the following: "... or the State of Minnesota for public buildings." Some of the rules of this section are a transfer of existing rule found in the 1987 Edition of Chapter 1300 (1300.1100 Plan Review Function, definitions found in 1300.0300 and 1300.1400, and 1300.1700 State Plan Review Fees). Because of the mixture of information listed it is felt that it is most appropriate to establish a new section and new specific language rather than revising existing sections. The statement of need for and reasonableness of these rules will be addressed individually in the following items.

1302.0100
Title

This simple statement identifies the application of the rule to certain buildings construction and state agency buildings approval.

1302.0200
Purpose

These rules will establish the procedure for the review approval of construction drawings and specifications as well as establishing fees for the plan review and inspection of the approved building construction by the Minnesota State Building Codes and Standards Division when applicable.

1302.0300
Scope

These rules will provide administrative direction to state and local government agencies, school boards and administrators, members of the design professionals, construction industry, inspectional services and the state building inspector to achieve compliance with certain public buildings.

1302.0400
Definitions

This section defines terms used in this chapter, identifying such as: municipality, certification of plans, public buildings, etc.

1302.0500
Plan Review
Function

This section identifies that the state building inspector is responsible for the review of all building plans, specifications with related documents, provide for inspection of certain buildings and grounds which are the direct responsibility of the state, a state agency or others required to be administered by the commissioner of administration. This section identifies what information and the quantity of materials, which must be submitted for reviewal and/or approval.

1302.0600
Fees

The fee schedule to be adopted is the same fee schedule found in the *Uniform Building Code*, Table 3-A as modified by the proposed rules and includes the statement that the surcharge as identified in *Minnesota Statutes* 16B.70 is required for public buildings.

1302.0700
Review Comments
and Approvals

This section establishes the requirements for written comments of code violations in the design of plans or information submitted for review and the responsibility of the designer to respond to the comments outlining methods of correcting the errors or omissions identified prior to the authorization of construction.

1302.0800
Code
Administration
for Certain
Buildings

This section indicates that the state building inspector shall provide for the issuance of permits, inspections, and enforcement of the code for certain buildings within the state. The state building inspector may contract with qualified individuals, other state agencies, or enter into any other legal agreement to provide the service.

1302.0900
Contracting
for Services

This section identifies the opportunity of the state building inspector to enter into a contractual agreement with qualified individuals, agencies, municipalities, etc., to conduct plan review services, inspections, and follow-up for all or part of the services required for public buildings.

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CHAPTER 1305 UNIFORM BUILDING CODE REQUIREMENTS

- 1305.0100
Adoption of the
1988 UBC
- This item is changed to reflect the Edition date of the code being adopted and the excepted parts of the code as qualified by 1300.0900 and amended by parts 1305.0150 to 1356.6902. (See the General Statement at the beginning of the evidence and argument for support of the need for and reasonableness of the proposed rules.)
- 1305.0150
Required and
Optional
Provisions
- This section identifies which appendices provisions of the *1988 Uniform Building Code* are declared mandatory and which are optional for the local government to adopt and administer.
- 1305.0300
Section 104(a)
- This section is proposed to be repealed because the requirements referred to in Section 1210 is found in the *1988 Edition of the UBC* and the R-4 Occupancy is to be considered to be amended to be included in the R-3 Occupancy classification. Unsafe conditions are already addressed in Section 203 of the UBC and *Minnesota Statutes* 463.15 to 463.261.
- Section 104(f)
- Section 104(f) item 4, is a requirement that is virtually impossible to achieve because of the unknowns of existing structures and the general inability to find complete plans and specifications for the existing building. The manner in which historic buildings can be repaired, altered, restored, rehabilitated, etc., is found in *Minnesota Statutes* 13B.60 therefore the current language of the state code should be deleted.
- 1305.0800
Section 304(a)
- (a) This section in the SBC is repealed because the *1988 Edition of the UBC* satisfies the intent. Item (b) remains unchanged from previous Minnesota rules.
- 1305.1000
Section 307(a)
- The intent of this change is not to repeal any previous action but to organize the section in keeping with the UBC format. Sections (b), (c), (d), (e), and (f) are unchanged.
- 1305.1100
Section 405
Definition
- A new definition for "deck" is added to the definition section of the code to clarify the intent of terminology commonly used by the construction industry.
- 1305.1370
Section 419
- The definitions for recyclable materials and recycling have been added to the definitions section to include the language identifying the requirements established by *Minnesota Statutes* 16B.61, Subdivision 3a.
- 1305.1775
Section 515
- This item identifies the requirements for recycling space to be provided at new or significantly remodeled structures when an area of 1000 square feet or more is provided. Certain structures are exempt from this requirement.
- Section 509(e)
Maximum Length
- The language of the intent in this section has been relocated to keep within the structure of the UBC format. No new additional changes have been proposed.
- Section 509(i)
- The word "walk" is added to "ways" to make to terminology consistent with the language of this section. The word will now read "walkways".
- 1305.1750
Section 514
Roof Access
- This section is being repealed because rooftop access should appropriately be addressed in the Mechanical Code. The proposed adoption of the Uniform Mechanical Code will contain methods of providing access to the roof for such rooftop equipment.
- 1305.1790
UBC Chapter 5
Table 5-B
- The required separations of buildings of mixed occupancies that this amendment addressed is now found in the body of the code and is no longer required as an amendment.
- 1305.1795
UBC Chapter 5
Table 5-E
- This is the sanitation requirements for occupancies outlined in the code and is amended by the removal of footnote (6) from the "Group E" occupancies and relocates the footnote at the end of the title because it is most appropriate to have the requirement applicable to all occupancies and not just the one.
- 1305.2050
Section 801
Group E
Occupancies
- Division 3 occupancies of this section is amended to reflect the rule adopted on August 24, 1987 which changed the number from "6" to "10" as the threshold for this group. (For further information see *State Register*, 12 S.R. 325.)
- 1305.2100
Section 802
Special Provisions
- This item is repealed in favor of the existing language found in Section 802(b) of the 1988 UBC.

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- 1305.2400
Section 905
Group H
Occupancies
This item is being repealed to be consistent with the national model code language of the *1988 Edition of the UBC* and in formulation of the *Minnesota State Building Code* and *Minnesota Statutes* 16B.59 Subd. 1 in the adoption of model code language as applicable.
- 1305.2600
Section 1002
Special Provisions
This section is being amended to allow for the use of an "Exception" which is a part of the original code language but will restrict the application to certain types of construction for these "Group 3 Occupancies".
- 1305.3000
Section 1201
Group R Division 4
Occupancies
This amendment is being repealed because of the adoption of Appendix 12 Division 1 as modified by this code to be an option for the construction of one and two family dwellings when adopted by the local government in their adoptive procedures.
- 1305.3100
O & TFCD
Section R-202
This item is being relocated to Appendix 12 Division 1.
- 1305.3200
O & TFDC
Section R-204
This item is being relocated to Appendix 12 Division 1.
- 1305.3300
P & TFDC
Section R-211
This item is being relocated to Appendix 12 Division 1.
- 1305.3600
Section 1205
Light,
Ventilation and
Sanitation
This amendment was introduced into the code at the time of the energy crunch and was included to provide for reduced energy loss through the exterior envelope of a residential structure. Experience shows that this is rarely adhered to in the design of dwellings and the practice is to increase the size of the glazed openings in the structures. The preponderance of states using the UBC or other model codes have not reduced these requirements and the Minnesota State Building Codes and Standards Division in keeping with the intent of *Minnesota Statutes* 16B.59 is returning to the published UBC standard. Therefore this item is repealed.
- 1305.3700
Section 1210
Fire Warning and
Sprinkler Systems
This section is being repealed to accept the current language in the 1988 UBC. This section is rewritten and includes language contained in the current state amendment.
- 1305.3820
Section 1214
Access to
Buildings and
Facilities
This section of the 1988 UBC is being repealed because the requirements for "Facilities for the Handicapped" is contained in the SBC Chapter 1340 and UBC Section 511 items (c) and (d).
- 1305.3860
Section 1215
Sound Transmission
This section is added to this section to alert designers, contractors, and inspectors that the Appendix Chapter 35 is a mandatory section of the code for Group R Division Occupancies.
- 1305.3900
Section 1216
Deadbolt Locks
This section is only renumbered to maintain a proper code number sequence. This changes current Section 1214 to Section 1216.
- 1305.3950
Section 1217
Double Cylinder
Deadbolt Locks
This is a new section which has been added to comply with the statutory requirements found in *Minnesota Statutes* 16B.61 item (h).

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- 1305.4100
Section 1711
Guardrails
The changes in this section add the word "deck" in the list of items where guardrails are required and relocates an existing paragraph to the end of the section because the "Exceptions" which follow the statement area applicable to the first paragraph and not to the second paragraph.
- 1305.4200
Section 1712
Foam Plastic
Insulation
This item being repealed because the intent of the section that was previously amended is now found in Section 1712 of the 1988 UBC.
- 1305.4500
Section 1807
(h) and (m)
Special
Provisions for
Group B, Div. 2
Bldgs. and
Group R, Div. 1
This section deals with the "hi-rise" applications of the code and have been amended on a national level necessitating an amendment to bring the state code into compliance with the national standards. (h) Elevators, of the 1988 UBC contains acceptable language that makes the state amendment no longer necessary. (m) Automatic sprinkler system alternatives has been deleted from the *1988 Edition of the 1988 UBC* and is no longer applicable because of the restructuring of Section 1807 of the UBC. Therefore this section is repealed.
- 1305.4850
Section 2311
Importance Factor
This section has been re-lettered in the *1988 Edition of the UBC*. The lettering is changed from (h) to (i).
- 1305.4900
Section 2312
Earthquake
Regulations
This state amendment is repealed because the *1988 Edition of the UBC* has been revised to again place Minnesota in a "0" Earthquake Zone and the state amendment is no longer necessary.
- 1305.4950
Table 23-A
Line item number four is amended adding the word "deck" to the items listed. This identifies the load design requirements for deck construction.
- 1305.5300
Section 2510
Metal Plate
Connectors
This item is repealed from the state rules because it is now a part of the *Uniform Building Code*.
- 1305.5310
Section 2516
Sec. 2516(c)11
Weather Exposure
This amendment in the *Minnesota State Building Code* is being repealed in favor of the language already in the body of the UBC.
- 1305.5340
Section 2607(h)5
This section is amended to identify that corrosive environments require special attention in the application of reinforcing steel and specific concrete cover in their placement.
- 1305.5360
Section 2618(o)
Items 3, 4, 5, 6, 7 and 8 are added to this section provide for added protection in corrosive environments. It describes how repair to tendon sheathing is to be repaired. It also describes the properties required of the corrosive preventative materials to be used to provide the protection.
- 1305.5380
Section 2618(t)
Item 5 is added to this section to address the requirement for "watertight" protection of the encapsulation of tendons to anchors as well as the wedge cavity. Watertight is also defined as it applies to this section.
- 1305.5385
Table 26-A-8
This table prescribes the performance requirements to test for corrosive preventative coating of posttensioned tendons.
- 1305.5400
Section 2907(a)2
Soil Under Slab-
on-Grade Const.
for Buildings
This section is further amended to reflect the capability of slab-on-grade construction can be designed to support various loads as applied. The revised language clarifies this limitation.
- 1305.5500
Section 3203
Shake, Shingle
and Tile Roofs
This section of the 1988 UBC has been revised and certain requirements are found in the tables at the end of the chapter. These tables also include requirements for "Severe Climate" applications which will be used to replace the amendment to this section indicating the "entire state of Minnesota would be deemed as an area subject to roof ice buildup". The *1988 Edition of the UBC* is sufficient to satisfy this intent. The tables will be amended to reflect such a statement. Therefore this section is repealed.

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1305.5710 Table No. 32-B-1 1305.5720 Table No. 32-B-2 1305.5730 Table No. 32-D-1 1305.5740 Table No. 32-D-2 Shingle and Shingle or Shake Tile Roof Covering	A footnote with the appropriate number will be added to the end of each table. In Table No. 32-B-1 and Table 32-B-2 following the section in the left hand column identified as "Severe Climate"; in Tables No. 32-D-1 and 32-D-2 following the section in the left hand column identified as "Underlayment". The footnote will read as follows: "The entire State of Minnesota is subject to wind-driven snow or roof-ice buildup."
1305.5800 Section 3304 Doors	This section of the <i>Minnesota State Building Code</i> is repealed in favor of the language in the 1988 UBC which the Minnesota State Building Code Division believes covers the intent of the amendment which has been in the state code.
1305.5900 Section 3305(h)1 Corridors and Exterior Exit Balconies Exception 3 Exception 4	This section is further amended to limit the application to "existing" buildings and not to be used for all structures new or existing. The code has included these requirements for "mall" construction and the pedestrian walkways associated with such development since this section was originally introduced into the code. There are still areas where it is applicable to existing buildings and should not be used for new buildings since the code addresses the construction of such uses for new buildings with limited amendments. The language of this amendment is revised to reflect terminology used in Chapter 38 of this code. It is needed to provide consistency in the code.
1305.6300 Section 3802(i) Spec. Automatic Fire Ext. Systems	The only change to take place in this section is the identifying letter. This change is changing the item from "(h)" to "(i)".
1305.6430 Table 38-A	Footnote number 8 is added to identify the requirements of the table as amended to return to the four story criteria when the sprinkler system is required by UBC Section 3802(h). This is consistent with footnote number 7 but utilized through a different application.
1305.6550 Section 4305 Wiring in Plenums	This item is being returned to the body of the code to identify that there are regulations identified in the Mechanical and Electrical Codes. The item is needed to be used as reference to the codes where the requirements are found. Therefore the state rule is repealed.
1305.6900 Section 6001 Chapter 25, 25-17	This item is repealed from the <i>Minnesota State Building Code</i> because the items referenced in the amendment are a part of the 1988 UBC.
1305.6902 O & TFDC Appendix 12 Division 1 Division II	The One- and Two-Family Dwelling Code is one of the appendices which is listed as an optional code which may be adopted by a local unit of government and enforced as published with certain amendments. The exception to the general statement indicates that the requirements for energy conservation, plumbing installations, electrical installations and mechanical installations must be in keeping with the appropriate codes. Other basic requirements for frost footing depth, snow loads, roof severe weather construction will be the same as the requirements of the UBC as amended by the SBC. This section is repealed because it is a section that deals with a new Group R Division 4 Occupancy of the UBC which addresses the requirements for group care facilities. The SBC has specific requirements for such occupancies and this section is not appropriate to be included and is therefore repealed.

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

Proposed Rules

1335.0600	The changes in this section are changes required by the Federal Emergency Management Agency to bring our flood proofing regulations up to date with the federal criteria. It places a more stringent criteria for construction on buildings that require floodproofing and limits the application of dikes, levees, or floodwalls that have been permitted in the previous code. The Department of Natural Resources has changed their land use ordinance recommendations to communities to be consistent with the FEMA rules.
1335.1000	
1335.1100	
1335.1950	
1335.2150	
1335.3100	
1360.0900	This amendment expands the responsibility of dealers and owners of prefabricated buildings to notify the state building inspector when buildings have been damaged after receiving a certificate so that direction can be given to bring the building into compliance.
Inspection Subp. 4	
1360.3600	The fee requirements of this section is being amended to be consistent with the fee structure established by Section 1302.0600 of these rules.
Fees	

Dated: 14 December 1989

Sandra J. Hale, Commissioner
Department of Administration

Rules as Proposed (all new material)

1300.2100 PURPOSE AND APPLICATION.

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

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

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

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

1300.2300 SCOPE.

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

If different sections of the code specify different materials, methods of construction, or other requirements, the most restrictive section 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 the appendix, the provisions in the appendix do not apply unless a local authority has specifically adopted them.

1300.2400 DEFINITIONS.

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

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

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

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

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

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

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

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