

Memorandum

Modular Structures Bulletin # 41

Date: June 1, 2009

To: All Industrialized Modular Building Manufactures

From: Manufactured Structures Section, Construction Codes and Licensing Division.

Subject: *Minnesota Rule Chapter 1322*, Minnesota Residential Energy Code for structures regulated by Chapter 11 of the International Residential Code
Minnesota Rule Chapter 1323, Commercial Energy Code applies to all other buildings regulated by the Minnesota State Building Code.

Dear IBC Manufactures,

There is apparently still some confusion about the effective dates for the new Minnesota Energy Codes as they apply to IBC Manufactures.

By now all IBC Manufactures producing structures required to comply the 2007 Minnesota State Building Code should be in the process of updating their present approved systems documents to be prepared to comply with the new energy code rules. Refer to IBC MMR-UAP Part IV section 2. A(6) for compliance information.

The Manufactured Structures Section of the Construction Codes and licensing Division State of Minnesota has communicated to the majority of the manufactures the rule changes and effective dates via our seminars, direct emails and telephone communications. So, these rule adoptions have been available and publicized for some time.

In order to bring clarity to the rule adoption dates and give official notification to all manufactures as defined in MRR-UAP Part IV Section 2 (A), please be advised and notified that the newly adopted Energy Code Rules with the effective date published in Minnesota Statute MS 326B.02, 326B.101, 326B.106, 326B.13 shall apply to all structures with the initial construction commencing on or after June 1, 2009. This means all building starts placed into production on or after the effective date are required to comply with new rule and statute.

Now, this is where the confusion seems to come in. In the IBC-UAP Administrative Procedures Part IV section 2.A(6) states:

“The participating state shall notify all manufactures *with approved building systems and evaluation agencies* of record of all such changes.”

“Each manufacturer shall have 180 calendar days following the sending of such *notification*, or such additional time *as the participating state* shall deem reasonable, to submit appropriate design changes to the *evaluation agency* in order to implement the code changes in its ready *approved building system(s)*”.

The notice of adoption of the new rules was posted on March 12, 2009. It is the official date of notice to all affected entities of the proposed code adoption section 1322.0020. This is the date of notification to all manufactures as required in IBC Part IV Section 2.A (6). IBC manufactures are required to comply with the design changes as stated not to exceed the 180 calendar days from the posted date.

All manufactures must have their design changes completed and submitted to their evaluation agency by September 8, 2009. All buildings commencing construction certified by the Industrialized Building Commission after that date must be in compliance with the new rules. All data plates shall reference compliance with 2007 Minnesota State building Code with Amendments. If you are listing the individual code references on the buildings data plate, list the rule Minnesota Chapter 1322 or 1323 that applies to that structure. The Building Certificate must be completed and posted near the data plate for compliance with Minnesota Chapter 1322, N1101.8

Please feel free to contact CCLD at 651-284-5092 if you have any questions.

