

Minnesota Department of Labor and Industry 1311 Code Adoption Minutes.

Meeting: 1/05/12

Time: 8:30 am – 10:30 am

Location: MDLI. Minnesota Room.

Attendance:

Present:

David Krings	DLI
Christopher Meier	DLI
Paul Nahurski	BOMA
John Kerwin	Developer
Tim Manz	AMBO
Greg Karow	AMBO
Todd Liljenquist	MHA
Mary Ann Heidemann	MHS
Dave Macdonald	MN SEA
Dave Leighly	AIA
Dave Phillips	AIA Minnesota
Leanna Shaff	FMAM
Gerhard Guth	CCAC

Alternates:

Present:

Jon Nisja	MSFMD
Gene Abbott	AMBO
Greg Johnson	(Representing): J. Kerwin

Interested Parties:

Gary Thaden	MMCA
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Meeting called to order:

Chair: Dave Krings.

Introductions.

1) Review Minutes:

a. Comments:

i. Greg Johnson requested to correct representation from AMBO to John Kerwin.

1. Note correction.

- ii. Gene Abbot requested to correct representation from the City of Lakeville to AMBO.
 - 1. After reviewing previous meeting sign in sheet, signature and representation was stated as interested party: Lakeville B.O.
 - a. No change.
 - b. Consensus to approve 12/26/2011 minutes.
 - i. **Approved.**
- 2) Brief review of committee function and code change proposal form.
- a. Dave K. Discussed importance of time line for code proposal submittals.
 - i. All proposed rule changes shall be submitted at least **5 days** prior to the scheduled meeting.
 - 1. Within the handout from Colleen Chirhart.
 - a. Construction Codes and Licensing Division Technical Advisory Committee Process and Rule Change Policy.
 - b. Chris M. displayed DLI web page to access rule making information.
 - i. Access.
 - 1. www.dli.mn.gov/main.asp
 - 2. Click on **construction trades and licensing** drop down. In between about dli and OSHA.
 - 3. A blue box will appear.
 - a. Click on **construction trades and licensing** right below the initial construction trades and licensing.
 - b. Scroll down left side of page to statutes, rulemaking & boards.
 - i. Click on **Rulemaking.**
 - c. You will be able to access.
 - i. Policies.
 - ii. Rulemaking information.
 - iii. CCLD Advisory committees. Note. 1311 is where all minutes, notes and other pertinent information will be for this committee.
 - 4. If you have any questions, call:
 - a. Chris Meier.
 - i. 651-284-5865
 - b. Dave Krings.
 - i. 651-284-5749
- 3) Review draft of 1311 amendments – Chapter 1 through 4.
- a. Chapter 1.
 - i. Discussion:

1. Within the discussion Dave handed out excerpts from MN 1300 that are going to affect 1311. He discussed sections **1300.0040 Scope** and **1300.0220 Certificate of Occupancy**.
 - a. **1300.0040 Scope**. (see attached) outlined the access to 1311 through the exception. The two key changes for 1311 were:
 - i. Changing **shall** from the previous code to **may**. He discussed that this gave latitude to using either 1305 or 1311.
 - ii. The other change was within #1, adding **addition** and **moved** to be more uniform.

4) Discussion:

- a. There was discussion amongst the members on the terminology and utilizing **may** instead of **shall**.
 - i. Dave stated; this discussion should be addressed with the 1300 committee, and any proposal would have to be submitted to there committee for review.
 1. Greg Johnson had asked if he were to submit a proposal regarding 1300, would the 1311 committee endorse the proposal.
 - a. Dave stated that if the committee wanted to; they could, and he would give it to the pertinent party. i.e. 1300 committee chair (Mike Godfey) for submittal.

5) Discussion:

- a. Dave macdonald was concerned about the conflict within duties and powers of the Building Official within 1300 and 1311.
 - i. Dave K. stated that there would not be a conflict.

6) Discussion:

- a. Gene Abbot commented about maintenance of the buildings, and by eliminating chapter 34 within the 2012 IBC, the Building Official would not have tools to address maintenance on existing buildings.
 - i. Dave stated that presently we do not adopt any property maintenance code, but this is within 1300.0180 unsafe buildings or structures and;
 - ii. Dave also referenced the 2012 IEBC which discusses maintenance, unsafe and dangerous conditions. Please review the following sections:
 1. The 2012 IEBC Chatper 4, Prescriptive Compliance Method, Section 401.2 discusses maintenance, unsafe and dangerous conditions.
 2. The 2012 IEBC Chapter 5, Classification of Work, section 502 references maintenance.
 3. The 2012 IEBC Chapter 6 Repairs, section 602 gives latitude to the Building Official for unsafe or dangerous as defined within chapter 2.
 4. The 2012 IEBC Chapter 7, 701.1 references alterations to historic buldings and that they shall comply with Chapter 12 for historic buildings. Chapter 12 Section 1202 discusses repairs and unsafe conditions.

5. The 2012 IEBC Chapter 7 Alterations Level 1, references conformance and not making the building less safe.
6. The 2012 IEBC Chapter 8 Alterations Level 2, 801.2 Alteration Level 1 compliance discusses that all work shall also comply with the requirements of Chapter 7.
7. The 2012 IEBC Chapter 9 Alterations Level 3, 901.2 discusses that all work shall also comply with the requirements of Chapter 7 & 8.
8. The 2012 IEBC Chapter 10 Change of Occupancy, 1001.2.1 Repair and alteration with no change of occupancy classification discusses the change shall comply with chapter 4 and sections 1002 through 1011.
 - a. Exception: As modified in Section 1205 for historic buildings.
 - i. Reference section 1202: Unsafe conditions.
9. The 2012 IEBC Chapter 11 Additions; typically referencing new construction with criteria within section 1101 for nonconformity or other work.
10. The 2012 IEBC Chapter 12 Historic Buildings, Section 1202 Repairs references 1202.2 Unsafe Conditions.
11. The 2012 IEBC Chapter 13 Relocated or moved buildings, Section 1301.2 repair, alteration, or change of occupancy shall comply with the requirements of this code applicable to the work being performed.
 - a. Could maintenance be considered an issue from other areas of the code? Yes.

7) Chapter II Definitions:

- a. Code Proposals.
- b. **David Leighly: AIA.**
 - i. 1311.0202 Change of Occupancy.
 1. Discussion:
 - a. **Consensus not necessary.**
- c. **Mary Ann Heideman: MHS.**
 - i. 1311.0202 Historic Building.
 1. Discussion:
 - a. Mary stated that the definition for historic building within the IEBC was in coherence with the Minnesota Historical Society and in fact was better versed than the definitions that are presently within GREB.
 - b. Comments were made regarding necessity to change a few words within the definition.
 - c. Mary stated that MHS does not just look at buildings for historical significant. We may be looking at windmills, walls, etc. thus giving the definition of Historical Buildings' continuity

for all components of a historical site. Consensus was to remove (**or survey**) and to leave the other language unchanged.

- d. Definition: Historical Building.
 - i. Historical Building. Any building or structure that is listed in the National Register of Historic Places; designated as a historic property under local or state designation law **or survey**; certified as a contributing resource within a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on ~~in~~ the National or a State Register of Historic Places either individually or as a contributing building to ~~resource within~~ a historic district by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places.
 - ii. Consensus.
 - 1. **Approved.**

8) **Chapter III Compliance Methods**

- a. Code proposal.
- b. **John Nisja MSFMD**
- c. **1311.0301.1 Prescriptive compliance method.**
 - i. John proposed language that would affect Chapter 4 Prescriptive Compliance Method.
 - ii. Dave Krings, CCLD had submitted changes to 301.1, but rescinded his proposal.
 - iii. Discussion:
 - 1. The key points of discussion pertained to who is acceptable for submitting an evaluation for the building that complies with Chapter 11 of the Minnesota State Fire Code and; the language of the owner shall provide a written evaluation.
 - 2. After a prolonged discussion, the proposal was tabled with the committee giving direction to Gene Abbot and John Nisja to address the language for the next committee meeting. Note: **The 2012 IEBC section 1201.2 Report, references the report being completed by a registered design professional for Historical Buildings.**
 - 3. Consensus.
 - a. **Tabled.**

9) **Chapter IV**

- a. Code proposals.
- b. **David Leighly AIA**

- i. 1311.0401.1.1 Compliance with other methods.
- ii. Discussion.
 - 1. Consensus not necessary.

c. David Leighly AIA

- i. 1311.0407.1 Conformance.
 - 1. Tabled to next meeting.

10) Schedule next meeting

- a. Friday January 27th, 2012
 - i. Time: 8:30 am – 10:30 am.
 - ii. Location: Washington room.

11) Meeting adjourned.