

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 4/8/2024

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 1302.0500

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Responsibilities

Code or rule section to be changed: **1300.0500 Responsibilities**

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).  
1300.0500 Responsibilities

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.

### **1302.0500 RESPONSIBILITIES.**

Subpart 1. **General.** In order to determine compliance with the code, the state building official shall:

- A. provide for the review of building plans, specifications, and related documents for public buildings, places of public accommodation, and state licensed facilities;
  - B. Provide for the inspection of public buildings, places of public accommodation and state licensed facilities; and
  - C. Provide for the administration and enforcement of the code in municipalities for which the state building official undertakes administration of the code as authorized by the commissioner in Minnesota Statutes, section 326B.121, subdivision 2.
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.)

Places of public accommodation are statutorily the responsibility of the State Building Official.

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

MS 326B.108 changed and this language needs to be updated to coordinate with statute.

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 be considered by the TAG.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 4/9/2024

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 1302.0700

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: *Plan Review-  
Information to be included*

Code or rule section to be changed: **1300.0700, Subp. 2. Information to be included.**

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).  
1300.0700, Subp. 2. **Plan review.** Information to be included.

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.

### 1302.0700 PLAN REVIEW.

Subpart 2. **Information to be included.** A person ow must submit plans and specifications under this part shall include:

- A. ~~Two complete sets of drawings, specification books, Construction drawings, specifications, code record documents~~, and other relevant documents necessary to evidence code compliance, with appropriate certification on each ~~sheet of the drawings drawing page~~ and ~~the title page of the specifications book~~ a certifications page within the specifications identifying the scope of specifications identified by each certification included therein. Documents may be submitted electronically or in hard copy. When submitting in hard copy, three complete and identical sets of documentation must be submitted;
  - B. a completed plan review and construction authorization application ~~form provided made available~~ by the state building official. This may be an electronic application or a hard-copy form;
  - C. the appropriate fee established by ~~part 1302.0600~~ Minnesota Statute 326B.153; and
  - D. a reference to any optional chapters of the code as identified in part ~~1300.2900~~ 1300.0060 adopted by the municipality and any optional appendix chapters of the ~~Uniform Minnesota State~~ Building Code as identified in part ~~1305.0020~~ 1305.0011 adopted by the municipality.
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.)

Modifications necessary to update references and allow for electronic applications and submission of electronic construction documents and related support documents.

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

Statutory references and rules references have changed. Technology has advanced such that electronic applications and documentation is commonplace.

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?  
  
Confusion regarding incorrect references to statutes and rules sections. Confusion as to the legality of electronic applications and construction documents for review.
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: 4/9/2024

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 1302.0700,  
Subpart 3

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Plan Review- State  
Bldg Official duties

Code or rule section to be changed: **1300.0700, Subp. 3. State building official's duties**

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).  
1300.0700, Subp.3. **State building official's duties.**

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.

### **1302.0700 PLAN REVIEW.**

Subpart 3. **State building official's duties.** The state building official or the official's agent shall review submittals and prepare written comments defining items not in compliance with the code. The written comments must be mailed conveyed to the submitting designer with copies to the municipal building official, when applicable, and the owner, and a copy must be kept on file by the state building official. The submitting designer shall respond to the review comments of the state building official within 14-30 days, describing the methods of correcting the errors or omissions in compliance with the comments of the state building official or the official's agent. Additional plan review fees may be charged per Minnesota Statute 326B.153 if the designer fails to submit corrected documents within 30 days receipt of corrections notification.

Authorization for construction must be granted when compliance with the requirements of the code is documented, permit applications are completed and permit fees are paid in full.

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.)
  - Modifications necessary allow for electronic submittals.
  - 14 days response time is insufficient for complex projects such as hospitals, prisons, nursing homes and the like.
  - More than a month from the primary plan review and the plan reviewer has reviewed enough other projects that the project in question is no longer fresh, and some re-review is necessary to refamiliarize with the work.
  - Clarification is necessary that payment of fees is part of a complete application.
2. Why is the proposed code change a reasonable solution?
  - Technology has advanced such that electronic correspondence and documentation is commonplace.
  - 14 days is frequently not enough time for a designer to respond with a complete and correct design modification. Allowing for up to 45 days provides more tolerance in rule for designer response times.
  - Beyond 45 days, additional time is necessary to refamiliarize with plan review work. This takes time and merits compensation for that time as an additional service.
  - Without requiring payment of fees as a condition of authorization to proceed, the state will be required to provide services without fair and reasonable compensation.
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?  
  
Confusion regarding incorrect references to statutes and rules sections. Confusion as to the legality of electronic applications and construction documents for review.
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: 4/9/2024

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 1302.0850

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Code  
administration by commissioner

Code or rule section to be changed: **1300.0850 Code administration by commissioner**

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).  
**1300.0850. Code administration by commissioner.**

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.

### **1302.0850 CODE ADMINISTRATION BY COMMISSIONER.**

The commissioner shall administer and enforce the code as a municipality with respect to public buildings, places of public accommodation, and state licensed facilities as authorized in Minnesota Statutes, section 326B.106, subdivision 1a. This includes the issuance of building permits and performing plan review and inspection.

The state building official shall contract with a municipality for code administration and enforcement services for public buildings and state licensed facilities if the state building official determines that the contracting municipality has adequately trained and qualified personnel to provide services for the construction project.

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.)

Places of public accommodation have been added to the statutory responsibilities of the commissioner.

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

Additional language acknowledges the statutory change by including it in rule.

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?

Confusion regarding the commissioner's authority to administer code enforcement for places of public accommodation.

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: 4/8/2024

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 1302.0400

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Definitions

Code or rule section to be changed: **1300.0400 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

- 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 Definitions
  - 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.

**1302.0400 DEFINITIONS.**

**Commented [MG(1):** Updating definition references to current definitions locations and eliminating redundancy.

Subpart 1. **Scope.** The definitions in this part apply to this chapter.

Subp. 2. **Certification.** "Certification" means the certification and signature of the designing professional who has prepared the plans, specifications, and other documents in accordance with part 1800.4200.

Subp. 3. **Code.** "Code" has the meaning given in Minnesota Statute 326B.103, Subd. 5. ~~Part 1300.2400, subpart 6.~~

Subp. 4. **Municipality.** "Municipality" has the meaning given in Minnesota Statute 326B.103, Subd. 9. ~~in part 1300.2400, subpart 10.~~

Subp. 4a **Place of public accommodation.** "Place of public accommodation" has the meaning given in Minnesota Statute 326B.108.

Subp. 5. **Public building.** "Public building" has the meaning given in Minnesota Statute 326B.103, Subd. 11. ~~Means:~~

- ~~A. A building and its grounds, the cost of which is paid for by the state or a state agency, regardless of its cost; and~~
- ~~B. A school district building project the cost of which is \$10,000 or more.~~

Subp. 6. **State building official.** "State building official" has the meaning given in part 1300.0070, Subp. 24. ~~1300.2400, subpart 11.~~

Subp. 7. **State licensed facility.** "State licensed facility" has the meaning given in Minnesota Statute 326B.103, Subd. 13. ~~Means a building and its grounds that are licensed by the state as a hospital, nursing home, supervised living facility, free-standing outpatient surgical center, or correctional facility.~~

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: 4/9/2024

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 1303.1300

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Space for Commuter Vans

Code or rule section to be changed: **1303.1300 Space for Commuter Vans**

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).  
**1303.1300. Space for commuter vans**
  
- 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.

**1303.1300-~~SPACE FOR COMMUTER VANS.~~ Repeal.**

~~Every parking ramp or other parking facility must include spaces for the parking of motor vehicles having a capacity of seven to 16 persons. The number of required spaces must be determined by two percent of the gross designed parking area with a minimum of two spaces. The minimum vertical clearance to and within required spaces is 98 inches.~~

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.)

The rule is largely not enforced. Sustainable transportation has changed and no longer supports regular use of commuter vans.

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

It frees limited parking spaces for other parking functions. Small parking facilities are unnecessarily burdened with providing a minimum of two commuter van parking spaces.

3. What other factors should the TAG consider?

The advent of Uber, Lyft, and other rideshare apps. The advent of electric vehicles which provide efficient transportation with zero emissions. The purpose of the rule was to increase the energy efficiency of transportation and reduce air pollution.

**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 disregard for this rule, and potential that other rules would be equally disregarded.

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: 4/9/2024

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 1303.1500

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Recycling Space

Code or rule section to be changed: **1303.1500 Recycling space**

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 checked="" type="checkbox"/> | <input 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).  
1300.1500. **Recycling Space**
  
- 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.

**1303.1500 RECYCLING SPACE.**

Subpart 1. **Requirement.** Space must be provided for the collection, separation, and temporary storage of recyclable materials within or adjacent to all new or significantly remodeled buildings or structures that contain 1,000 square feet or more.

Exception: Residential structures with fewer than four dwelling units.

Subp. 2. **Location.** Space designated for recycling shall be located so it is at least as convenient as the location where other solid waste is collected. If feasible, recycling space should be adjacent to other solid waste collection space. Recycling space must be located and designed in accordance with the provisions of this code and ordinances of the jurisdiction. Where solid waste is collected by chutes, a separate chute shall be provided for recycling waste.

Subp. 3. **Identification on plans.** Space designated for recycling must be identified on plans submitted for a building permit.

~~Subp. 4. **Minimum space.** Space designated for recycling must be sufficient to contain all the recyclable materials generated from the building. The minimum amount of recycling space required must be the number of square feet determined by multiplying the gross square feet of floor areas assigned to each use within a building as set forth in subpart 5, Table 1-A, times the corresponding factor.~~

~~Subp. 5. TABLE 1-A MINIMUM RECYCLING SPACE REQUIREMENTS.~~

<del>USE<sup>1</sup></del>	<del>FACTOR</del>
<del>1. Aircraft hangers (no repair)</del>	<del>.001</del>
<del>2. Auction rooms</del>	<del>.0025</del>
<del>3<sup>2</sup>. Auditoriums, reviewing stands, stadiums, gymnasiums, public swimming pools, skating rinks</del>	<del>.001</del>
<del>4. Lodge rooms, conference rooms, lounges, stages, exhibit rooms</del>	<del>.0025</del>
<del>5. Dance floors, churches<sup>3</sup> and chapels, lobby</del>	<del>.001</del>
<del>6. Dining rooms</del>	<del>.003</del>
<del>7<sup>3</sup>. Drinking establishments</del>	<del>.004</del>
<del>8<sup>3</sup>. Bowling alleys (excluding lanes)</del>	<del>.0025</del>
<del>9<sup>3</sup>. Children's homes and homes for the aged</del>	<del>.0025</del>
<del>10. Classrooms</del>	<del>.002</del>
<del>11. Courtrooms</del>	<del>.001</del>
<del>12. Dormitories</del>	<del>.0025</del>
<del>13. Exercise rooms</del>	<del>.001</del>
<del>14. Garages, parking</del>	<del>.001</del>
<del>15<sup>3</sup>. Hospitals and sanitariums, nursing homes</del>	<del>.0025</del>
<del>16<sup>3</sup>. Hotels</del>	<del>.002</del>

<del>17. Apartments</del>	<del>.0025</del>
<del>18. Kitchens—commercial</del>	<del>.003</del>
<del>19<sup>3</sup>. Libraries</del>	<del>.002</del>
<del>20. Locker rooms</del>	<del>.001</del>
<del>21. Malls</del>	<del>.0025</del>
<del>22. Manufacturing areas</del>	<del>.0025</del>
<del>23. Mechanical equipment rooms</del>	<del>.001</del>
<del>24<sup>3</sup>. Nurseries for children (day care)</del>	<del>.002</del>
<del>25. Offices</del>	<del>.0025</del>
<del>26. School shops and vocational rooms</del>	<del>.0025</del>
<del>27. Storage and stock rooms</del>	<del>.0025</del>
<del>28. Warehouses</del>	<del>.001</del>
<del>29. All others</del>	<del>.0025</del>

Footnotes:

~~<sup>1</sup>The area of a use must include all areas serving or accessory to a use (corridors, accessory use areas, etc.).~~

~~<sup>2</sup>Exclude playing areas, courts, fields, and like areas.~~

~~<sup>3</sup>The factors for these uses are intended to include all incidental uses typical of these types of facilities.~~

~~If the provisions of Table 1-A are excessive due to a specific use, space for recycling may be considered individually by the administrative 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. 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.)

Recycling programs are commonplace throughout the state and space is included in building program requirements for waste management as part of normal building operations. Businesses know best what their recycling space needs are and should be allowed to program the requirements as necessary rather than have minimum size requirements prescribed in rule.

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

Businesses and building operations are well aware of their own recycling needs and include accommodations for recycling storage as part of their building program. Now that the culture has changed and recycling is a normal part of life, prescriptive criteria that can't address the specific needs of individual uses is not effective.

3. What other factors should the TAG consider?

## **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 disregard for this rule, and potential that other rules would be equally disregarded.
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: 4/12/2024
Email address: Greg.Metz@State.MN.US Model Code: N/A
Telephone number: 651-284-5884 Code or Rule Section: MR 1303.1600, Subp. 2
Firm/Association affiliation, if any: DLI/CCLD Topic of proposal: Soil under slab on grade

Code or rule section to be changed: 1303.1600, Subpart 2 Soil under slab on grade

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).
[X] change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s). 1303.1600, Subp. 2 Soil under slab on grade construction
[ ] 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.

### 1303.1600 FOOTING DEPTH FOR FROST PROTECTION.

Subp. 2. **Soil under slab on grade construction for buildings.** When ~~soil, natural or fill natural soil~~, is sand or ~~pit-run sand and~~ gravel, and of depth in accordance with minimum footing depth requirements for each zone, slab on grade construction which is structurally designed to support all applied loads is permitted. Fill sand or pit-run sand and gravel fill shall be of depth in accordance with the minimum footing depth per subpart 1 and shall include a drainage system prevent water accumulation in the filled area. Sand must contain less than 70 percent material that will pass through a U.S. Standard No. 40 sieve and less than five percent material that will pass through a No. 200 sieve (five percent fines), or be approved by an engineer competent in soil mechanics.

Formatted: Indent: First line: 0.33"

**Exception:** Slab on grade construction may be placed on any soil except peat or muck for detached one-story private garage, carport, and shed buildings not containing occupiable space and not larger than 1,000 square feet.

Footings for interior bearing walls or columns may be constructed to be integral with the slab on grade for any height building. Footings for exterior bearing walls or columns may be similarly constructed for any height building when supporting soil is as described in this subpart. Footing design must reflect eccentric loading conditions at slab edges, soil bearing capacity, and the requirements of International Building Code, chapter 19.

Formatted: Indent: Left: 0.5"

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.)

Current language does not create a distinction between naturally free-draining soils and fill soils. The depth requirements for fill soils is not specified and needs to be. Filled soils can not provide frost protection if surrounding soils do not provide for adequate liquid water mitigation and some form of drainage system to remove liquid water from the frost protected area is necessary to ensure prevention of ice formation.

The intent of the exception is for storage type facilities ONLY because non-occupied space has less critical requirements for minor building shifting. Minor building shifts may result in minor breaches of the building envelope which could result in indoor air quality concerns if space was occupied for long periods of time. Mixed-use types of accessory structures are becoming popular making the clarification necessary.

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

The proposed clarification is consistent with the intent of the original exception.

3. What other factors should the TAG consider?

### **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?  
  
Slab on grade buildings not having adequate frost protection resulting in building damage, loss of building durability, and decline in building habitability.
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: 4/9/2024

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 1303.1200

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Restroom facilities  
in public accommodations

Code or rule section to be changed: **1303.1200 Restroom Facilities in Public Accommodations**

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 checked="" type="checkbox"/> | <input 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).  
1303.1200. **Restroom Facilities in Public Accommodations**
  
- 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.

### ~~1303.1200 RESTROOM FACILITIES IN PUBLIC ACCOMMODATIONS.~~

~~Subpart 1. **Ratio.** In a place of public accommodation subject to this part, the ratio of water closets for women to the total of water closets and urinals provided for men must be at least three to two, unless there are two or fewer fixtures for men.~~

~~Subp. 2. **Application.** This part applies only to the construction of buildings or structures of public accommodation or where the cost of alterations to an existing place of public accommodation exceeds 50 percent of the estimated replacement value of the existing facility.~~

~~Subp. 3. **Definition.** For purposes of this part, "place of public accommodation" means a publicly or privately owned sports or entertainment arena, stadium, theater, community or convention hall, special event center, amusement facility, or special event center in a public park, that is designed for occupancy by 200 or more people. Repeal~~

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.)

Chapter 29 of the Minnesota Building code requires higher ratios of toileting facilities for women to men than the 3:2 ratio in the rule.

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

The national model codes now address the disparity originally identified as a concern in this rule and exceeds the rule requirements.

3. What other factors should the TAG consider?

The definition of Places of Public Accommodation has changed.

### 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?

Confusion regarding specific ratios identified in rule that are less restrictive than those indicated in the general code criteria.

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)

Revised: 4/11/2024

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 ~~striethrough~~ 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~~

Subp. 28. **Two-family dwelling.** “Two-family dwelling” means a freestanding detached structure containing two dwelling units and may include garages. 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. 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: 3/26/2024  
Revised 4/4/24  
Revised 4/11/2024  
Model Code: N/A

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

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. 22a. Single 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 ~~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.~~

Subp. 22a. **Single family dwelling.** “Single family dwelling” means a freestanding detached structure containing one dwelling unit and may include a garage. 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 considered by the TAG.