

326.03 LICENSE OR CERTIFICATE REQUIRED.

Subdivision 1. **Plans; documents.** No person, except an architect, engineer, land surveyor, landscape architect, geoscientist, or certified interior designer, licensed or certified as provided for in sections 326.02 to 326.15 shall practice architecture, professional engineering, land surveying, landscape architecture, or professional geoscience, or use the title certified interior designer, respectively, in the preparation of plans, specifications, reports, plats or other architectural, engineering, land surveying, landscape architectural, geoscientific, or interior design documents, or in the observation of architectural, engineering, land surveying, landscape architectural, geoscientific, or interior design projects. In preparation of such documents, reasonable care shall be given to compliance with applicable laws, ordinances, and building codes relating to design.

Subd. 2. Exceptions. Nothing contained in sections 326.02 to 326.15 shall prevent persons from advertising and performing services such as consultation, investigation, or evaluation in connection with, or from making plans and specifications for, or from supervising, the erection, enlargement, or alteration of any of the following buildings:

- (1) dwellings for single families, and outbuildings in connection therewith, such as barns and private garages;
- (2) two family dwellings;
- (3) any farm building or accessory thereto; or
- (4) temporary buildings or sheds used exclusively for construction purposes, not exceeding two stories in height, and not used for living quarters.

Subd. 3. **Recording.** No plat, map, or drawing of any survey or subdivision of lands required by law to be filed or recorded with the county recorder or registered with the registrar of titles of any county, shall be filed, recorded, or registered therein unless there shall be endorsed thereon a certification by a licensed land surveyor.

Subd. 4. **Exception for persons elected in office.** The provisions hereof shall not apply to any person holding an elective office when in discharging the duties thereof such person is required to do work or perform service of the character of work or service usually done or performed by an architect, engineer, land surveyor, landscape architect, or geoscientist.

Subd. 5. **Insurance companies; rating bureaus.** The provisions of sections 326.02 to 326.15 shall not apply to inspection and service work done by employees of insurance companies, their agents, or insurance rating bureaus.

History: (5697-2) 1921 c 523 s 2; 1933 c 404 s 1; 1945 c 380 s 2; Ex1967 c 28 s 2; 1975 c 83 s 1; 1975 c 329 s 4,5; 1976 c 181 s 2; 1976 c 222 s 138; 1978 c 577 s 1,2; 1Sp1981 c 4 art 1 s 30; 1987 c 8 s 1; 1987 c 384 art 1 s 30; 1989 c 329 art 5 s 15; 1990 c 562 art 5 s 11; 1992 c 507 s 6; 1995 c 206 s 8,9; 1998 c 324 s 9

1800.5200 GENERAL REQUIREMENT AND EXCEPTIONS.

Subpart 1. **Requirement.** Plans and specifications for the erection, enlargement, alteration, or remodeling or renovation of any building, structure, or other work shall be prepared and certified by an architect or engineer licensed and practicing pursuant to Minnesota Statutes, sections 326.02 to 326.15, except as set forth in subparts 2 to 4.

Subp. 2. **Statutory exception.** Building components or classes of buildings enumerated in Minnesota Statutes, sections 326.02, subdivision 5, and 326.03, subdivision 2, clauses (1) to (4).

Subp. 3. Remodeling or renovation exception.

A. Any remodeling or renovation to part or all of an existing building, structure, or work which does not:

(1) change the load on its mechanical or electrical systems or change the live or dead load on its structural systems, in either case, in such a manner that a violation of the MSBC might occur;

(2) change the building's access or exit pattern in such a manner that a violation of the MSBC might occur; or

(3) change the MSBC occupancy classification of the building.

B. Any remodeling or renovation, of any kind, in a building in the MSBC occupancy classes and consistent with the size, dwelling unit, and number of stories and basement thresholds specified in part 1800.5900.

Subp. 4. **Classes of buildings exceptions.** Any new construction of or new addition to a building in the specified MSBC occupancy classes and consistent with the size, dwelling unit, and number of stories and basement thresholds specified in part 1800.5900, provided that an exemption under this subpart shall not apply:

A. For a second new building to be constructed by the same person on the same parcel or a contiguous parcel to a new building previously exempted hereunder or for a second addition to the same building where a prior addition was exempt hereunder, in either case, within 24 calendar months after the date of building permit issuance. "Same person" means the same owner or same general contractor, or ownership or general contractor entity having one or more participants in common with the owner or general contractor of the first building. The person seeking a building permit shall certify that the same person has not utilized this exemption within the prior 24 month period. "Parcel" means a nonsubdivided tract of land.

B. For an addition to an existing building where the existing building exceeds the exemption size thresholds under this subpart if the addition results in either of the effects

set forth in part 1800.5200, subpart 3, item A, subitem (1) or (2), regardless of the size of the new addition proposed.

C. For new construction within a larger building (e.g., individual shops within a shopping center) where the larger building exceeds the exemption size thresholds under this subpart if the new construction results in either of the effects set forth in part 1800.5200, subpart 3, item A, subitem (1) or (2), regardless of the size of the new construction proposed.

Statutory Authority: *MS s 197.4552; 326.06*

History: *21 SR 1427; 40 SR 431*

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1800.5900 CLASSES OF BUILDINGS.

In accordance with Minnesota Statutes, sections 326.02, subdivision 5, and 326.03, subdivision 2, the following classes of buildings are exempt subject to the limitations of the elements listed below:

Classifications	Elements that must be met to be exempt*
Assembly (as defined by the MSBC under occupancy group A2 : Dining and drinking less than 50 persons)	Not greater than one story with no basement; and Seating for not more than 20 persons; and Not greater than 1,000 gross square footage (GSF)
Business (as defined by the MSBC under occupancy group B)	Not greater than two story with a basement; and Not greater than 2,250 GSF
Factory (as defined by the MSBC under occupancy group F2)	Not greater than one story with no basement; and Not greater than 3,000 GSF
Mercantile (as defined by the MSBC under occupancy group M)	Not greater than two story with a basement; and Not greater than 1,500 GSF
Residential (as defined by the MSBC under occupancy group R)	Apartment houses/condominiums (three units or less), dwellings, lodging houses, attached single-family dwellings/townhomes, and congregate residences (each accommodating ten persons or less)
Storage (as defined by the MSBC under occupancy group S1 : Aircraft hangars and helistops)	Not greater than one story with no basement; and Not greater than 3,000 GSF
Storage (as defined by the MSBC under occupancy group S2 except for parking garages, open or enclosed)	Not greater than one story with no basement; and Not greater than 5,000 GSF
Utility (as defined by the MSBC under occupancy group U except for fences higher than 8', tanks and towers, and retaining walls with over 4' of vertical exposed face)	Not greater than one story with no basement; and Not greater than 1,000 GSF

*All terms used in this table are defined in the Minnesota State Building Code (MSBC).

Statutory Authority: *MS s 326.06*

History: *32 SR 367*

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