

Revised at Committee meeting on 12/4/2024

Plumbing Board
c/o Department of Labor and Industry
443 Lafayette Road North
St. Paul, MN 55155-4344
www.dli.mn.gov

Plumbing Board Request for Action

PRINT IN INK or TYPE

NAME OF SUBMITTER	PURPOSE OF REQUEST (check all that apply): <input type="checkbox"/> New Code <input type="checkbox"/> Code Amendment <input type="checkbox"/> Repeal of an existing Rule
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The Minnesota Plumbing Code (MN Rules, Chapter 4714) is available at <https://epubs.iapmo.org/2020/MPC/>

Specify the purpose of the proposal: If recommendation for code change for appurtenance or method (check all that apply)

- ☐ Appurtenance (e.g., water conditioning equipment) ☐ Test Method
☐ Other (describe) _____

Does your submission contain a Trade Secret? ☐ Yes ☐ No

If Yes, mark “**TRADE SECRET**” prominently on each page of your submission that you believe contains trade secret information. Minnesota Statutes, section 13.37, subdivision 1(b), defines “trade secret” as follows:

“Trade secret information” means government data, including a formula, pattern, compilation, program, device, method, technique or process (1) that was supplied by the affected individual or organization, (2) that is the subject of efforts by the individual or organization that are reasonable under the circumstances to maintain its secrecy, and (3) that derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.

Note that, although “trade secret” information is generally not public, the Board and its committees may disclose “trade secret” information at a public meeting of the Board or committee if reasonably necessary for the Board or committee to conduct the business or agenda item before it (such as your request.) The record of the meeting will be public.

Describe the proposed change. The Minnesota Plumbing Code (Minnesota Rules Chapter 4714) is available here: <https://epubs.iapmo.org/2020/MPC/>

NOTE:

- Please review the Minnesota Plumbing Code and include all parts of the Code that require revision to accomplish your purpose.
- The proposed change, including suggested rule language, should be *specific*. If modifying existing rule language, underline new words and ~~strike through deleted words~~. Please list all areas of the Minnesota Plumbing Code that would be affected.

Office Use Only

RFA File No. PB0165	Date Received by DLI 2/5/2024	Dated Received by Committee 2/7/2024	Date of Forwarded to Board
Title of RFA PB0165.RFA.Lewis Anderson Section 311.1.Rec'd 2.5.2024	By: Lewis Anderson		
Committee Recommendation to the Board: <input type="checkbox"/> Accept <input type="checkbox"/> Reject <input type="checkbox"/> Abstain			
Board approved as submitted: <input type="checkbox"/> Yes <input type="checkbox"/> No		Board approved as modified: <input type="checkbox"/> Yes <input type="checkbox"/> No	

Need and Reasons For the Change. Thoroughly explain the need and why you believe it is reasonable to make this change. During a rulemaking process, the need and reasonableness of all proposed rule changes must be justified; therefore, a detailed explanation is necessary to ensure the Board thoroughly considers all aspects of the proposal.

If your product/method standard(s) is not currently listed in a national code, your Request For Action will not be considered by the Board or its committees, however, you are welcome to present at any Board meeting during the Open Forum section of the Agenda.

The proposal must be accompanied by copies of any published standards, the results of testing, and copies of any product listings, as documentation of the health, sanitation and safety performance of any materials, methods, fixtures, and/or appurtenances. If none are available, please explain:

Please attach electronic scanned copies of any literature, standards and product approvals or listings. Printed or copyrighted materials, ***along with written permission from the publisher to distribute the materials at meetings***, and email to DLI.cclboards@state.mn.us

Primary reason for change: (check only one)

- | | |
|---|--|
| <input type="checkbox"/> Protect public, health, safety, welfare, or security | <input type="checkbox"/> Mandated by legislature |
| <input type="checkbox"/> Lower construction costs | <input type="checkbox"/> Provide uniform application |
| <input type="checkbox"/> Encourage new methods and materials | <input type="checkbox"/> Clarify provisions |
| <input type="checkbox"/> Change made at national level | <input type="checkbox"/> Situation unique to Minnesota |
| <input type="checkbox"/> Other (describe) _____ | |

Anticipated benefits: (check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Save lives/reduce injuries | <input type="checkbox"/> Provide more affordable construction |
| <input type="checkbox"/> Improve uniform application | <input type="checkbox"/> Provide building property |
| <input type="checkbox"/> Improve health of indoor environment | <input type="checkbox"/> Drinking water quality protection |
| <input type="checkbox"/> Provide more construction alternatives | <input type="checkbox"/> Decrease cost of enforcement |
| <input type="checkbox"/> Reduce regulation | <input type="checkbox"/> Other (describe) _____ |

The Following Information is Optional. This Information can Assist in Evaluating a Request for Action and in Rulemaking and Should be Provided if Known.

Economic impact: (explain all answers marked "yes")

1. Does the proposed change increase or decrease the cost of enforcement? ☐ Yes ☐ No If yes, explain

2. Does the proposed change increase or decrease the cost of compliance? ☐ Yes ☐ No If yes, explain
Include the estimated cost increase or decrease, and who will bear the cost increase or experience the cost decrease:

3. Are there less costly or intrusive methods to achieve the proposed change? ☐ Yes ☐ No If yes, explain

4. Were alternative methods considered? ☐ Yes ☐ No If no, why not? If yes, explain what alternative methods were considered and why they were rejected.

5. If there is a fiscal impact, try to explain any benefit that will offset the cost of the change. If there is no impact, mark "N/A."

6. Provide a description of the classes of persons affected by a proposed change, who will bear the cost, and who will benefit.

7. Does the proposed rule affect farming operations? (Agricultural buildings are exempt from the Minnesota Building Code under Minnesota Statutes, Section 326B.121.) ☐ Yes ☐ No If yes, explain

Are there any existing Federal Standards? ☐ Yes ☐ No If yes, list:

Are there any differences between the proposed change and existing federal regulations? ☐ Yes ☐ No
☐ Not applicable ☐ Unknown If yes, describe each difference & explain why each difference is needed & reasonable.

Minnesota Statutes, section 14.127, requires the Board to determine if the cost of complying with proposed rule changes in the first year after the changes take effect will exceed \$25,000 for any small business or small city. A small business is defined as a business (either for profit or nonprofit) with less than 50 full-time employees and a small city is defined as a city with less than ten full-time employees.

During the first year after the proposed changes go into effect, will it cost more than \$25,000 for any small business or small city of comply with the change? ☐ Yes ☐ No If yes, identify by name the small business(es or small city(ies).

Will this proposed plumbing code amendment require any local government to adopt or amend an ordinance or other regulation in order to comply with the proposed plumbing code amendment? ☐ Yes ☐ No, If yes, identify by name the government(s) and ordinances(s) that will need to be amended in order to comply with the proposed plumbing code amendment.

Additional supporting documentation may also be attached to this form. Are there any additional comments you feel the Committee/Board may need to consider? If so, please state them here:

Information regarding submitting this form:

- Submissions are received and heard by the Committee on an "as received" basis. **Any missing documentation will delay the process, and your proposal will be listed as the date it was received "Complete."**
- **Submit any supporting documentation to be considered**, such as manufacturer's literature, approvals by other states, and engineering data electronically to DLI.CCLDBOARDS@state.mn.us. Once your Request For Action form has been received, it will be assigned a file number. Please reference this file number on any correspondence and supplemental submissions.
- For copyrighted materials that must be purchased from publishers, such as published standards, product approvals or testing data, listings by agencies (IAPMO, ASSE, ASTM, etc.,) you may send (or email) two copies, *along with written permission from the publisher to distribute the materials at meetings*, via U.S. Mail to: Plumbing Board, c/o Department of Labor and Industry, 443 Lafayette Road No., St. Paul, MN 55155-4344.
- For materials that must be submitted by U.S. Mail, please include a copy of your "Request For Action" form originally submitted and reference your assigned RFA file number.

Information for presentation to the Committee and/or Board:

- Limit presentations to 5 minutes or less.
- Be prepared to answer questions regarding the proposal and any documentation.

Information regarding Committee and/or Board function:

- The Plumbing Board or designated Committee.

I understand that any action is a recommendation to the Plumbing Board and is not to be considered final action.

NAME AND E-MAIL ADDRESS	FIRM NAME
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NAME, PHONE NUMBER AND E-MAIL ADDRESS OF PRESENTER TO THE COMMITTEE (if different):

ADDRESS	CITY	STATE	ZIP CODE
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PHONE	SIGNATURE (original or electronic)	DATE
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For Assistance or questions on completing this form, contact Mike Westemeier, Department of Labor and Industry at michael.westemeier@state.mn.us or by phone 651-284-5898.

For Office/Committee Use Only			
Proposal received completed? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Date Proposer notified of gaps:	Mode of notification (e.g., e-mail)	Date returned to Proposer:	Date materials re-received:

Suggested Code Wording Changes for Section 311.1

1. For section 311.1, revise second paragraph to read (**revised at Dec. 4, 2024 Committee meeting**):

Every building shall have its own independent water and sewer connection except that a group of buildings may be connected to one or more sewer manholes on the premises that are constructed to standards set by the Authority Having Jurisdiction. Water and sewer piping shall not be routed below or through one townhouse to serve another townhouse, as defined in the Minnesota Residential Code as a single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from the foundation to the roof and having open space on at least two sides of each unit. Each single-family dwelling unit shall be considered to be a separate building. Separate building service utilities shall be provided to each single-family dwelling unit when required by other chapters of the State Building Code.

TWO-FAMILY DWELLING, TWO-UNIT TOWNHOUSE and TOWNHOUSE BUILDINGS and the 2020 MINNESOTA RESIDENTIAL CODE

Minnesota Department of Labor and Industry

DEFINITIONS

A **two-family dwelling (IRC-2 occupancy)** is:

- A building containing two separate dwelling units.
- The separation between units is either horizontal or vertical.
- Both units are on one lot.
- Sometimes referred to as “duplexes.”

A **townhouse (IRC-3 occupancy)** is:

- A single-family dwelling unit constructed in a group of two or more attached dwelling units.
- Each unit is a separate building and extends from the foundation to the roof with open space on at least two sides of each unit.
- Each unit is provided with separate building service utilities required by other chapters of the State Building Code.
- A two-unit townhouse is sometimes referred to as a “twin-home.”

DISTINCTION

The primary differences between a two-family dwelling and a two-unit townhouse or twin-home:

- **Property** – A two-unit townhouse or twin-home is typically located on two separate individual lots with a property line running between them whereas both units of a two-family dwelling, or “duplex,” are located on the same single lot.
- **Separation** – A two-unit townhouse must be separated from the foundation to the roof by a double wall (two one-hour walls, see exceptions below). The separation between units in a two-family dwelling can be provided by single one-hour fire-resistance-rated assembly that is horizontal or vertical.
- **Services** – Since each townhouse unit is a separate building, each townhouse unit must be supplied with separate utilities. Units classified as townhouses must be supplied by separate electrical services. Townhouses also have similar requirements for separate water and sewer services .

FIRE SPRINKLERS

- Two-family dwellings and two-unit townhouses do not require the installation of an automatic fire sprinkler system.
- Buildings having three or more attached townhouse dwelling units are required to be equipped with automatic fire sprinkler systems.
- One-and two-family dwellings and two-unit townhouses may require automatic fire sprinkler systems when containing a facility required to be licensed or registered by the state of Minnesota.

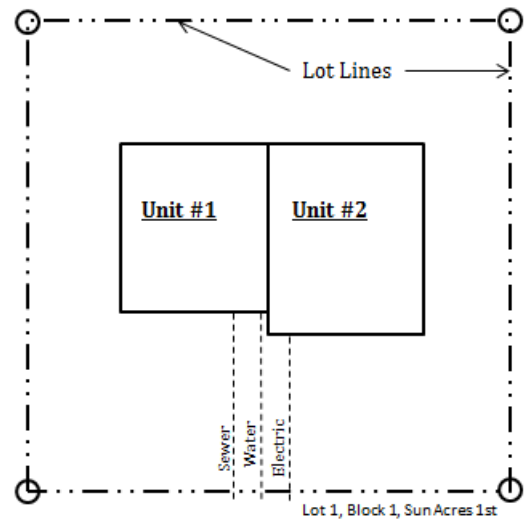
GENERAL BUILDING CODE REQUIREMENTS

- The Minnesota State Building Code is the standard of construction for Minnesota (Minnesota Statute 326B.121). The 2020 Minnesota Residential Code adopts the 2018 International Residential Code (2018 IRC). View the 2020 Minnesota Residential Code at <https://codes.iccsafe.org/content/document/1581>.

TWO-FAMILY DWELLING



Separation – The separation between units in a two-family dwelling can be constructed as a single one-hour fire-resistance-rated assembly, either horizontal or vertical.



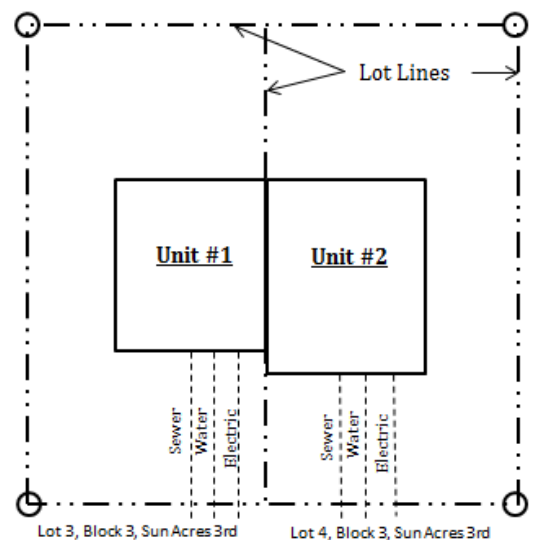
TWO-UNIT TOWNHOUSE



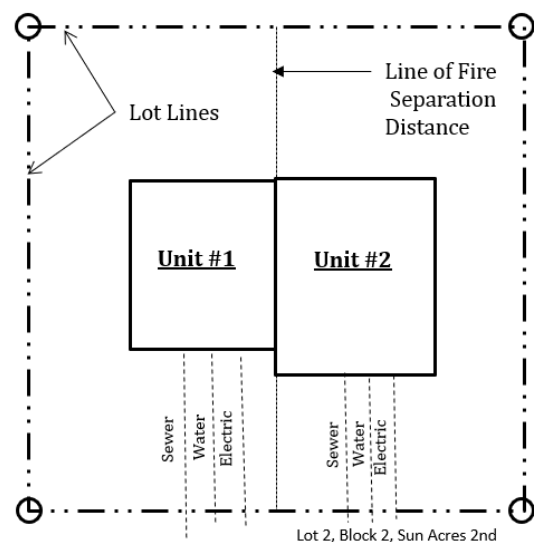
Separation – A two-unit townhouse building can be constructed with an individual lot for each dwelling unit or several two-unit townhouse buildings can be placed on a single lot depending if the townhouse is intended for individual ownership or as rental dwellings.

The separation between the townhouses is the same whether there is a lot line or a line of fire separation distance. Fire-separation between townhouses requires a double wall (two one-hours walls) or a common two-hour wall. A common one-hour separation wall is only permitted in a two-unit attached townhouse building equipped with an automatic fire sprinkler system. Common one-hour or two-hour separation walls must be constructed without plumbing, mechanical equipment, ducts or vents in the cavity of the common wall.

Two-unit townhouse - individual lots



Two-unit townhouse – single lot



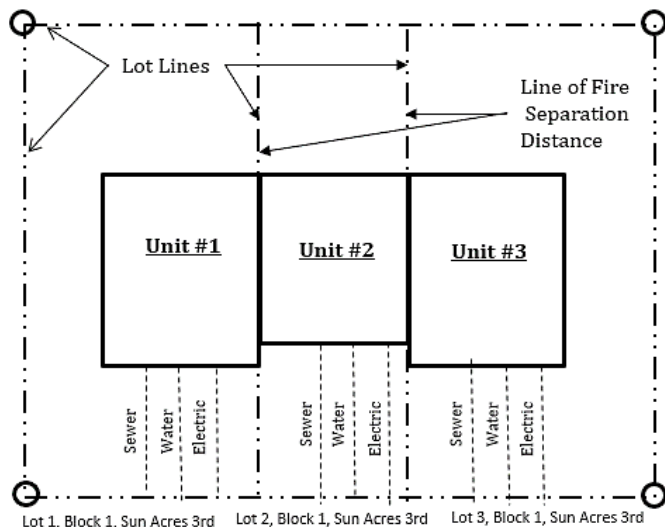
THREE-UNIT TOWNHOUSE BUILDINGS



Separation – A three-unit or more townhouse building can be constructed with an individual lot for each dwelling unit or several townhouse buildings placed on one lot depending if the townhouse is intended for individual ownership or as rental dwellings.

The separation construction between the townhouses remains the same whether using a lot line or a line of fire separation distance. Fire-separation between townhouses requires a double wall (two one-hour walls); a common two-hour wall; or a common one-hour wall. A common one-hour separation wall is permitted since three or more attached townhouses must be equipped with automatic fire sprinkler systems. Common one-hour or two-hour separation walls must be constructed without plumbing, mechanical equipment, ducts or vents in the cavity of the common wall.

Three-unit townhouse - individual lots



Three-unit townhouse - single lot

