

# Office of the Revisor of Statutes

## Administrative Rules



**TITLE:** Adopted Permanent Rules Adopting Changes to Minnesota Rules, Chapter 1300,  
Administration of the State Building Code

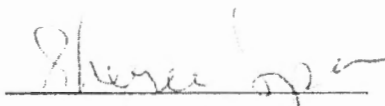
**AGENCY:** Department of Labor and Industry

**REVISOR ID:** R-4508

**MINNESOTA RULES:** Chapter 1300



The attached rules are approved for  
filing with the Secretary of State

  
Sheree Speer  
Assistant Deputy Revisor

201461

1.1 **Department of Labor and Industry**

1.2 **Adopted Permanent Rules Adopting Changes to Minnesota Rules, Chapter 1300,**  
1.3 **Administration of the State Building Code**

1.4 **1300.0070 DEFINITIONS.**

1.5 *[For text of subparts 1 to 11, see Minnesota Rules]*

1.6 Subp. 11a. **Electric substation.** "Electric substation" means an enclosed assemblage  
1.7 of equipment, including switches, circuit breakers, buses, and transformers that are accessible  
1.8 only to employees of an electric utility or persons acting under the electric utility's control  
1.9 or direction, through which electric energy is passed for the purpose of switching or  
1.10 modifying the electric energy's characteristics to increase or decrease voltage or control  
1.11 frequency.

1.12 *[For text of subparts 12 to 19, see Minnesota Rules]*

1.13 Subp. 19a. **Public building.** "Public building" means a building and its grounds the  
1.14 cost of which is paid for by the state or a state agency regardless of its cost, and a building  
1.15 project for a school district or charter school the cost of which is \$100,000 or more.

1.16 *[For text of subparts 20 to 26, see Minnesota Rules]*

1.17 **1300.0110 DUTIES AND POWERS OF BUILDING OFFICIAL.**

1.18 *[For text of subparts 1 to 12, see Minnesota Rules]*

1.19 Subp. 13. **Alternative materials, design, and methods of construction and**  
1.20 **equipment.** The code is not intended to prevent the installation of any material or to prohibit  
1.21 any design or method of construction not specifically prescribed by the code, provided that  
1.22 any alternative has been approved. An alternative material, design, or method of construction  
1.23 shall be approved where the building official finds that the proposed design is satisfactory  
1.24 and complies with the intent of the code, and that the material, method, or work offered is,  
1.25 for the purpose intended, at least the equivalent of that prescribed in the code in quality,

strength, effectiveness, fire resistance, durability, and safety. The details of any action granting or denying approval of an alternate shall be recorded and entered in the files of the Department of Building Safety. The permit applicant may request written documentation of the denial, including the reasons for the denial.

*[For text of subparts 14 and 15, see Minnesota Rules]*

#### **1300.0120 PERMITS.**

*[For text of subparts 1 to 3, see Minnesota Rules]*

**Subp. 4. Work exempt from permit.** Exemptions from permit requirements of the code do not authorize work to be done in any manner in violation of the code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

**A. Building:**

(1) one-story detached accessory structures, used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 200 square feet (18.58 m<sup>2</sup>);

*[For text of subitems (2) to (11), see Minnesota Rules]*

(12) movable cases, counters, and partitions not over five feet, nine inches (1,753 mm) in height;

(13) swings and other playground equipment; and

(14) electric substation facilities, including:

(a) foundations that support electrical equipment;

(b) foundations and enclosures affixed with an Interstate Industrialized Buildings Commission (IIBC) label that contain electrical equipment only; and

(c) fencing that encloses the substation facilities or any part thereof.

3.1 Unless otherwise exempted, plumbing, electrical, and mechanical permits are required  
3.2 for subitems (1) to (14).

3.3 B. Gas:

3.4 *[For text of subitems (1) and (2), see Minnesota Rules]*

3.5 (3) portable fuel cell appliances that are not connected to a fixed piping system  
3.6 and are not interconnected to a power grid.

3.7 *[For text of items C and D, see Minnesota Rules]*

3.8 *[For text of subparts 5 to 14, see Minnesota Rules]*

3.9 **1300.0160 FEES.**

3.10 *[For text of subparts 1 and 2, see Minnesota Rules]*

3.11 Subp. 3. **Building permit valuations.** The applicant for a permit shall provide an  
3.12 estimated permit value at time of application. Permit valuations shall include total value of  
3.13 all construction work, including materials and labor, for which the permit is being issued,  
3.14 such as electrical, gas, mechanical, plumbing equipment, and permanent systems. Building  
3.15 permit valuation shall be set by the building official.

3.16 **Exceptions:** Building permit valuations for the following structures shall be based on  
3.17 the valuation of on-site work only:

3.18 A. manufactured homes containing a Housing and Urban Development (HUD)  
3.19 certification label;

3.20 B. prefabricated buildings with a Department of Labor and Industry prefabrication  
3.21 label; and

3.22 C. industrialized/modular buildings with an Interstate Industrialized Buildings  
3.23 Commission (IIBC) label.

4.1 *[For text of subparts 4 to 7, see Minnesota Rules]*

4.2 Subp. 8. **Work commencing before permit issuance.** If work for which a permit is  
4.3 required by the code has been commenced without first obtaining a permit, a special  
4.4 investigation shall be made before a permit may be issued for the work. An investigation  
4.5 fee established by the municipality shall be collected whether or not a permit is issued and  
4.6 is in addition to the required permit fees, but it may not exceed the permit fee. The  
4.7 investigation fee must comply with requirements for fees in subpart 2.

4.8 *[For text of subparts 9 and 10, see Minnesota Rules]*

4.9 **EFFECTIVE DATE.** This rule is effective March 31, 2020, or five business days after  
4.10 publication of the notice of adoption in the State Register, whichever is later.



OFFICE OF  
ADMINISTRATIVE  
HEARINGS

PO Box 64620

Saint Paul, MN 55164-0620

[mn.gov/oah](http://mn.gov/oah)

PH (651) 361-7900

TTY (651) 361-7878

FAX (651) 539-0310

October 7, 2019

**VIA EMAIL ONLY**

Nancy Breems  
Secretary of State, Elections Division  
180 State Office Building  
100 Rev Dr Martin Luther King Jr Blvd  
St. Paul, Minnesota 55155-1299  
[official.documents@state.mn.us](mailto:official.documents@state.mn.us)

**Re: *In the Matter of the Proposed Rule Relating to Chapter 1300 -  
Administration***  
**OAH 71-9001-35638; R-04508**

Dear Ms. Breems:

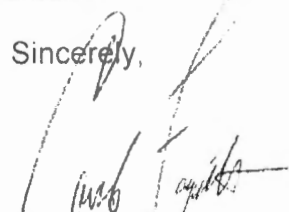
Enclosed for filing is an electronic copy of the above-entitled adopted rules.

Please send the agency copy of the rules to:

Jeffrey F. Lebowski  
General Counsel  
Minnesota Department of Labor and Industry  
443 Lafayette Rd N  
Saint Paul, MN 55155  
[jeffrey.f.lebowski@state.mn.us](mailto:jeffrey.f.lebowski@state.mn.us)

If you have any questions regarding this matter, please contact Sheena Denny at (651) 361-7881, [sheena.denny@state.mn.us](mailto:sheena.denny@state.mn.us) or via facsimile at (651) 539-0310.

Sincerely,



Caran Faggett  
Legal Assistant

Enclosures

cc: Jeffrey F. Lebowski (via email)