

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

MINNESOTA STATE REGULATIONS

Notice of filing by the Commissioner of Administration

We have received on this date, stamped and filed 2 copies of Rules and Regulations pertaining to the State Bldg. Code
(Agency or Board)

Regulation No. SBC 110

Subject: Appendices

Department of Administration
Publication, Central Services Division
Documents Section
140 Centennial Office Building
St. Paul, Minnesota 55155
Telephone: (612) 296-2874

FILED
RICHARD L. BRUBACHER
Commissioner of Administration
SEP 9 1975
BY Eda Staudenmaier
AUTH. SIGNATURE
4:31 pm R.S.

Stamped and filed with the Secretary of State Sept 9, 1975 - 4:20 pm

Rev. 9-72

March 4, 1975 Public Hearing

THE FOLLOWING RULES ARE ADOPTED:

SBC 110 Appendices

(a) All appendices, annexes and supplemental material listed in the Code shall be mandatory in all cases, except for the material listed below, which may be adopted without change at the discretion of any municipality.

1. SBC Appendices A, D, E and F.
2. 1973 UBC Appendix, Chapters 13, 15, 38, 48, 49, 51, 57 and 70.
3. Minnesota Plumbing Code Appendices A, C, D, E and F.
4. Flood Proofing Regulations, Sections 201.2 through 208.2

(b) Chapters 2 and 3 of the 1973 UBC, which are placed in the SBC Appendix pursuant to SBC 201, may be adopted with any changes a municipality deems appropriate.

APPROVED AS TO FORM AND LEGALITY
SEP -9 1975 19
WARREN SPANNAUS, ATTORNEY GENERAL
BY /s/ Michael B. Miller
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP 9 - 1975 - 4:21 pm
Joan Anderson Growe
Secretary of State

FILED
RICHARD L. BRUBACHER
Commissioner of Administration
SEP 9 1975 4:31
BY Eda Staudenmeier
AUTH. SIGNATURE
R-8

SET #2

March 4, 1975 Public Hearing

State of Minnesota

Building Code Division

STATEMENT OF COMPLIANCE WITH

MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General J. Michael Miles, do hereby declare that I have examined the proposed rules and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule Making Procedures has been followed. Any exceptions are noted below.

J. Michael Miles
~~SPECIAL~~ ASSISTANT ATTORNEY GENERAL

Date: 8/19/75

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE

COMMISSIONER OF ADMINISTRATION

In the matter of the Proposed Adoption of Amendments to the State Building Code

ORDER FOR HEARING

To effectively implement Minn. Stat. 1971, Section 16.86, the Commissioner of Administration deems it necessary to consider adoption of certain amendments to the State Building Code pursuant to the authority vested in the Commissioner by the Statute cited above.

NOW, THEREFORE, IT IS ORDERED this 17th day of January, 1975, that a public hearing on the proposed amendments be held in the Conference Room of the Building Code Division, 408 Metro Square Building, 7th and Robert Streets, St. Paul, Minnesota, on March 4, 1975, commencing at 1:30 p.m., and continuing until all local governmental units, representatives of associations, and other interested groups or persons have had an opportunity to be heard.

IT IS FURTHER ORDERED, that notice of said hearing be given pursuant to the provisions of Minn. Stat. 1971, Section 15.0412, Subdivision 4, and to all representatives of associations or other interested groups or persons who have registered their names with the Secretary of State for that purpose and all persons who are presently members of the Minnesota Legislature.

Richard L. Brubacher

Richard L. Brubacher
Commissioner of Administration

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE

COMMISSIONER OF ADMINISTRATION

In the matter of the Proposed Adoption of Amendments to the State Building Code

STATEMENT OF NEED

The above-captioned proposed rules are amendments to the existing State Building Code.

Pursuant to Minn. Stat. 1971, Sections 16.83 through 16.866, the Commissioner of Administration is charged with the responsibility of applying the State Building Code to all local governmental units having building codes, with limited exceptions, and with the duty of amending the State Building Code from time to time to maintain the most modern code standards regarding the construction, addition to or alteration of buildings.

Further, the Commissioner of Administration may hold public hearings at such times as interested parties petition for amendments to the State Building Code. A majority of the above-captioned amendments are proposed by local units of government, associations and other interested parties and are deemed of sufficient import to warrant consideration through the process of public hearing.

Richard L. Brubacher
Commissioner of Administration

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE

COMMISSIONER OF ADMINISTRATION

In the matter of the Proposed Adoption of Amendments to the State Building Code

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to Minn. Stat. 1971, Section 16.86, and Minn. Stat. 1971, Section 15.0412, Subdivision 4, regarding the above-entitled matter, in the Conference Room of the Building Code Division, 408 Metro Square Building, 7th and Robert Streets, St. Paul, Minnesota, 55101, commencing at 1:30 p.m., March 4, 1975, and continuing until all local governmental units, all representatives of associations and other interested groups or persons have had an opportunity to be heard concerning the adoption of the proposed rules captioned above by submitting either oral or written data, statements or arguments. Statements or briefs may be submitted with out appearing at the hearing.

The proposed amendment to the State Building Code is included in this Notice of Hearing. The amendment materials will also be available at the door on the date of the hearing. Telephone inquiries regarding the amendment should be directed to 612-296-4639.

A copy of the procedural rules for the hearing is attached. Testimony or other evidence to be submitted for consideration should be pertinent to the matter at hand and may be presented either orally or in writing at the public hearing or by mailing a statement to Herbert W. Meyer, State Building Inspector, at the above-mentioned address within 20 days following the conclusion of the subject hearing. If the person submitting a statement cannot be present to read his statement at the time of the hearing, the statement will be entered into the record. For those wishing to submit written statement or exhibits, it is requested that at least three (3) copies of such statement, exhibit, or summary be furnished at the hearing. It is suggested that to save time and avoid duplication, those organizations having a common viewpoint or interest in these proceedings join together where possible and present a single statement in behalf of such interests.

The amendment to be heard is as follows:

SBC 110 Appendices.

(a) All appendices, annexes and supplemental material listed in the Code shall be mandatory in all cases, except for the material listed below, which may be adopted without change at the discretion of any municipality.

1. SBC Appendix A, D, E and F.
2. 1973 UBC Appendix - Chapters 13, 15, 38, 48, 49, 51, 57 and 70.
3. Minnesota Plumbing Code Appendices A, C, D, E and F.
4. Flood Proofing Regulations, Section 201.2 through 208.2.

(b) Chapters 2 and 3 of the 1973 UBC, which are placed in the SBC Appendix pursuant to SBC 201, may be adopted with any changes a municipality deems appropriate.

MINNESOTA DEPARTMENT OF ADMINISTRATION

Dated: 1-17-75

Richard L Brubacher

Richard L. Brubacher
Commissioner of Administration

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Exhibit D

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Adoption of Amendments to the State Building Code

AFFIDAVIT

Herbert W. Meyer, being duly sworn, on oath deposes and says:

1. That he is an employee of the Department of Administration of the State of Minnesota.
2. That on the 27th day of January , 1975, he requested from the Secretary of State's office for the State of Minnesota current list of all representatives of associations and other interested groups or persons who had registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of regulations pursuant to Minn. Stat. 15.0412.
3. That on the 27th day of January , 1975, in response to the above request, the Secretary of State provided him with such a list, a copy of which is attached hereto and incorporated by reference.

Further affiant sayeth not.

MORENE M. CARR
Notary Public, Ramsey Co. Mn.
MY COMMISSION EXPIRES
February 22, 1981

Herbert W. Meyer

Herbert W. Meyer
State Building Inspector
Minnesota Department of Administration

EXHIBIT E

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Adoption of Amendments to the State Building Code

CERTIFICATE

I hereby certify that the attached 404 labels and 2 sheets constitute the complete list of persons, associations, and other interested groups who as of 8:45 o'clock a.m., this 27th day of January, 1975, have requested pursuant to Minn. Stat. 1971, Section 15.0421, that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on proposed rules on the subject captioned above.

Joan Anderson Growe

SECRETARY OF STATE

By: Gail Dion

Exhibit

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Adoption of Amendments to the State Building Code

AFFIDAVIT OF MAILING

Herbert W. Meyer, being first duly sworn, deposes and says:

That on the 28thday of January , 1975, at the City of St. Paul, County of Ramsey, State of Minnesota, he served the attached Notice of Hearing by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, properly enveloped, with postage prepaid, to all local governmental units, all persons and associations at the addresses listed on the attached Certificate regarding the Secretary of State, members of the Minnesota legislature, and other interested individuals.

Herbert W. Meyer

Herbert W. Meyer
State Building Inspector
Minnesota Department of Administration

NORENE M. CARR
Notary Public, Ramsey Co., Minn.
MY COMMISSION EXPIRES

Subscribed and sworn to before me
this 3rd day of March, 1975.

Norene M Carr

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE

COMMISSIONER OF ADMINISTRATION

In the matter of the Proposed Adoption of Amendments to the State Building Code

APPOINTMENT

Herbert W. Meyer is hereby appointed to serve as hearing officer on behalf of the Commissioner of Administration in the above-captioned matter, said hearing to be held on March 4, 1975, and continue until all representatives of associations or other interested groups or persons have had an opportunity to be heard.

This appointment is made pursuant to Minnesota Statutes 1971, Section 16.86, Subdivision 4.

Dated: 1-17-75

Richard L. Brubacher
Commissioner of Administration

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE

COMMISSIONER OF ADMINISTRATION

In the matter of the Proposed Adoption of Amendments to the State Building Code

FINDINGS OF FACT

The above-entitled matter came on for hearing before the Commissioner of Administration of the State of Minnesota on the 4th day of March, 1975, at 1:30 p.m., in the Conference Room of the Building Code Division, 408 Metro Square Building, 7th and Robert Streets, St. Paul, Minnesota, 55101, after proper notice required by Minn. Stat. 1974, Section 15.0412, Subdivision 4 was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, I find the following regarding the proposed amendments:

SBC 110 Appendices.

(a) All appendices, annexes and supplemental material listed in the Code shall be mandatory in all cases, except for the material listed below, which may be adopted without change at the discretion of any municipality.

1. SBC Appendices A, D, E and F.
2. 1973 UBC Appendix, Chapters 13, 15, 38, 48, 49, 51, 57 and 70.
3. Minnesota Plumbing Code Appendices A, C, D, E and F.
4. Flood Proofing Regulations, Sections 201.2 through 208.2.

(b) Chapters 2 and 3 of the 1973 UBC, which are placed in the SBC Appendix pursuant to SBC 201, may be adopted with any changes a municipality deems appropriate.

The inclusion of Chapters 2 and 3 of the 1973 Uniform Building Code in this portion of the State Building Code is necessary to halt the confusion of the local Building Official as to what parts of the administrative portion and appendices of the Code would be mandatory and which could be adopted on a voluntary basis by any municipality.

No adverse testimony was presented in writing or at the public hearing relating to this matter. Representatives of the inspection departments of the cities of Minneapolis, St. Paul and Edina, the Vice President of the North Star Chapter of the International Conference of Building Officials, and Mr. Mentor Addicks, representing the League of Minnesota Municipalities as their Legislative Counsel, all spoke in favor of this change in the language of the Code. Each indicated that it should be a right of a municipality to adopt and amend some portions of the Code that are administrative in nature and not be compelled to enforce provisions that would be unrealistic for their individual municipality.

Therefore, I find that this amendment has merit and should be adopted.

Date: AUG - 4 1975

RB Vraciu for

Richard L. Brubacher
COMMISSIONER OF ADMINISTRATION

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE

COMMISSIONER OF ADMINISTRATION

In the matter of the Proposed Adoption of Amendments to the State Building Code

ORDER ADOPTING RULES

The above-entitled matter came on for hearing before the Commissioner of Administration of the State of Minnesota on the 4th day of March, 1975, at 1:30 p.m., in the Conference Room of the Building Code Division, 408 Metro Square Building, 7th and Robert Streets, St. Paul, Minnesota, 55101, after proper notice required by Minn. Stat. 1974, Section 15.0412, Subdivision 4 was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, I find the following regarding the proposed amendments:

NOW, THEREFORE, IT IS ORDERED that these Rules identified as amendments to the State Building Code, SBC 110, Appendices, are adopted this 4th day of August, 1975, pursuant to authority vested in me by Minn. Stat. 1974, Section 16.86.

SBC 110 Appendices

(a) All appendices, annexes and supplemental material listed in the Code shall be mandatory in all cases, except for the material listed below, which may be adopted without change at the discretion of any municipality.

1. SBC Appendices A, D, E and F.
2. 1973 UBC Appendix, Chapters 13, 15, 38, 48, 49, 51, 57 and 70.
3. Minnesota Plumbing Code Appendices A, C, D, E and F.
4. Flood Proofing Regulations, Sections 201.2 through 208.2.

(b) Chapters 2 and 3 of the 1973 UBC, which are placed in the SBC Appendix pursuant to SBC 201, may be adopted with any changes a municipality deems appropriate.

Date: AUG [illegible]

RB Vraciu for

Richard L. Brubacher
COMMISSIONER OF ADMINISTRATION