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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **3453**

March 8, 2010

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The bill was read for the first time and referred to the Committee on Commerce and Labor

1.1 A bill for an act
1.2 relating to building code requirements; modifying electrical requirements for
1.3 agricultural buildings; amending Minnesota Statutes 2008, section 326B.106,
1.4 subdivision 4.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2008, section 326B.106, subdivision 4, is amended to
1.7 read:

1.8 Subd. 4. **Special requirements.** (a) **Space for commuter vans.** The code must
1.9 require that any parking ramp or other parking facility constructed in accordance with the
1.10 code include an appropriate number of spaces suitable for the parking of motor vehicles
1.11 having a capacity of seven to 16 persons and which are principally used to provide
1.12 prearranged commuter transportation of employees to or from their place of employment
1.13 or to or from a transit stop authorized by a local transit authority.

1.14 (b) **Smoke detection devices.** The code must require that all dwellings, lodging
1.15 houses, apartment houses, and hotels as defined in section 299F.362 comply with the
1.16 provisions of section 299F.362.

1.17 (c) **Doors in nursing homes and hospitals.** The State Building Code may not
1.18 require that each door entering a sleeping or patient's room from a corridor in a nursing
1.19 home or hospital with an approved complete standard automatic fire extinguishing system
1.20 be constructed or maintained as self-closing or automatically closing.

1.21 (d) **Child care facilities in churches; ground level exit.** A licensed day care center
1.22 serving fewer than 30 preschool age persons and which is located in a belowground space
1.23 in a church building is exempt from the State Building Code requirement for a ground
1.24 level exit when the center has more than two stairways to the ground level and its exit.

2.1 (e) **Family and group family day care.** Until the legislature enacts legislation
2.2 specifying appropriate standards, the definition of dwellings constructed in accordance
2.3 with the International Residential Code as adopted as part of the State Building Code
2.4 applies to family and group family day care homes licensed by the Department of Human
2.5 Services under Minnesota Rules, chapter 9502.

2.6 (f) **Enclosed stairways.** No provision of the code or any appendix chapter of the
2.7 code may require stairways of existing multiple dwelling buildings of two stories or
2.8 less to be enclosed.

2.9 (g) **Double cylinder dead bolt locks.** No provision of the code or appendix chapter
2.10 of the code may prohibit double cylinder dead bolt locks in existing single-family homes,
2.11 townhouses, and first floor duplexes used exclusively as a residential dwelling. Any
2.12 recommendation or promotion of double cylinder dead bolt locks must include a warning
2.13 about their potential fire danger and procedures to minimize the danger.

2.14 (h) **Relocated residential buildings.** A residential building relocated within or
2.15 into a political subdivision of the state need not comply with the State Energy Code or
2.16 section 326B.439 provided that, where available, an energy audit is conducted on the
2.17 relocated building.

2.18 (i) **Automatic garage door opening systems.** The code must require all residential
2.19 buildings as defined in section 325F.82 to comply with the provisions of sections 325F.82
2.20 and 325F.83.

2.21 (j) **Exit sign illumination.** For a new building on which construction is begun
2.22 on or after October 1, 1993, or an existing building on which remodeling affecting 50
2.23 percent or more of the enclosed space is begun on or after October 1, 1993, the code must
2.24 prohibit the use of internally illuminated exit signs whose electrical consumption during
2.25 nonemergency operation exceeds 20 watts of resistive power. All other requirements in
2.26 the code for exit signs must be complied with.

2.27 (k) **Exterior wood decks, patios, and balconies.** The code must permit the decking
2.28 surface and upper portions of exterior wood decks, patios, and balconies to be constructed
2.29 of (1) heartwood from species of wood having natural resistance to decay or termites,
2.30 including redwood and cedars, (2) grades of lumber which contain sapwood from species
2.31 of wood having natural resistance to decay or termites, including redwood and cedars, or
2.32 (3) treated wood. The species and grades of wood products used to construct the decking
2.33 surface and upper portions of exterior decks, patios, and balconies must be made available
2.34 to the building official on request before final construction approval.

2.35 (l) **Bioprocess piping and equipment.** No permit fee for bioprocess piping may
2.36 be imposed by municipalities under the State Building Code, except as required under

3.1 section 326B.92 subdivision 1. Permits for bioprocess piping shall be according to section
3.2 326B.92 administered by the Department of Labor and Industry. All data regarding the
3.3 material production processes, including the bioprocess system's structural design and
3.4 layout, are nonpublic data as provided by section 13.7911.

3.5 (m) **Use of ungraded lumber.** The code must allow the use of ungraded lumber in
3.6 geographic areas of the state where the code did not generally apply as of April 1, 2008, to
3.7 the same extent that ungraded lumber could be used in that area before April 1, 2008.

3.8 (n) **Electrical code and agricultural buildings.** Equipotential plane requirements
3.9 under Article 547 of the National Electrical Code shall be required only when there is a
3.10 demonstrated risk resulting from the presence of excessive accumulation of dust, dust with
3.11 water where a corrosive atmosphere exists, or in animal confinement buildings sensitive to
3.12 small voltage gradients.

3.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.