

When are Permits Required?

In general, alterations to the building environment require a permit. Exceptions to the rule are storage sheds less than 200 square feet, fences not over seven feet in height (*a zoning permit for fencing is required, check with the Planning Department*), decks, sidewalks and driveways that are not part of an accessible route, decks and platforms less than 30 inches above grade that are not attached to another structure, paint, floor coverings, cabinets and countertops. See the full code section specifying other exceptions listed below and on back of this page:

Minnesota State Building Code Section 1300.0120 Subpart 1. "An owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any gas, mechanical, electrical, plumbing system, or other equipment, the installation of which is regulated by the code; or cause any such work to be done, shall first make application to the building official and obtain the required permit.

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 (60 960 mm²); (2) fences not over seven feet (2134 mm) high (*a zoning permit for fencing is required, check with the Planning Department*); (3) oil derricks; (4) retaining walls that are not over four feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or III-A liquids; (5) water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1; (6) sidewalks and driveways that are not part of an accessible route; (7) decks and platforms not more than 30 inches (762 mm) above adjacent grade and not attached to a structure with frost footings and which is not part of an accessible route; (8) painting, papering, tiling, carpeting, cabinets, countertops, and similar finish work; (9) temporary motion picture, television, and theater stage sets and scenery; (10) prefabricated swimming pools installed entirely above ground accessory to dwelling units constructed to the provisions of the International Residential Code or R-3 occupancies constructed to the provisions of the International Building Code, which do not exceed both 5,000 gallons in capacity (18 925 L) and a 24 inch (610 mm) depth; (11) window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support, when constructed under the International Residential Code or Group R 3 and Group U occupancies constructed to the provisions of the International Building Code; (12) movable cases, counters, and partitions not over five feet, nine inches (1753 mm) in height; (13) swings and other playground equipment. Unless otherwise exempted, plumbing, electrical, and mechanical permits are required for sub items (1) to (13).

- B. Gas:** (1) portable heating, cooking, or clothes drying appliances; (2) replacement of any minor part that does not alter approval of equipment or make the equipment unsafe; and (3) portable fuel cell appliances that are not connected to a fixed piping system and are interconnected to a power grid.

- C. Mechanical:** (1) portable heating appliances; (2) portable ventilation appliances and equipment; (3) portable cooling units; (4) steam, hot, or chilled water piping within any heating or cooling equipment regulated by this code; (5) replacement of any part that does not alter approval of equipment or make the equipment unsafe; (6) portable evaporative coolers; (7) self contained refrigeration systems containing ten pounds (4.5 kg) or less of refrigerant or that are actuated by motors of one horsepower (0.75 kW) or less; and (8) portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

- D. Electrical:** a municipality must not require an electrical permit if the work falls under the jurisdiction of the commissioner or if the work is exempt from inspection under Minnesota Statutes, Section 326B.36, subdivision 7. This exemption does not exempt the work from other state building code requirement relating to electrical equipment.

- E. Subp. 5. Emergency repairs.** If equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted to the building official within the next working business day. **Subp. 6. Repairs.** Application or notice to the building official is not required for ordinary repairs to structures. The repairs shall not include the opening or removal of any wall, partition, or portion of a wall or partition, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement, or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring, or mechanical or other work affecting public health or general safety.

To simplify your search of the building codes and if you are contemplating the purchase of code books, be informed that ICC has printed the 2015 Minnesota State Building Codes (MSBC).

Visit: <http://shop.iccsafe.org/codes/state-and-local-codes/minnesota.html>