

CHAPTER 1360
DEPARTMENT OF ADMINISTRATION
STATE BUILDING CODE
PREFABRICATED STRUCTURES AND
MANUFACTURED BUILDINGS

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1360.0100 TITLE AND SCOPE.

Subpart 1. **Identification and title.** Parts 1360.0100 to 1360.3700 shall be known as the "Minnesota Prefabricated Structures and Manufactured Buildings Code." Unless otherwise specified, subsequent reference in this chapter to "the code" shall mean the Minnesota Prefabricated Structures and Manufactured Buildings Code.

Subp. 2. **Purpose.** The purpose of this chapter is to govern the construction of, and provide certification for, prefabricated structures and manufactured buildings and components.

Statutory Authority: *MS s 16.85*

1360.0200 DEFINITIONS.

Subpart 1. **Scope.** Unless otherwise expressly stated, the following terms shall, for the purpose of this code, have the meaning indicated in this part. The definitions promulgated by the Model Code Standardization Council shall apply to terms included within this code but which are not herein defined.

Subp. 2. **Approved.** "Approved" means approved by the state building inspector.

Subp. 3. **Building component.** "Building component" means any subsystem, subassembly, or other system designed for use in, or as a part of, a structure, including but not limited to structural, electrical, mechanical, fire protection, and plumbing systems, and other systems affecting health and safety.

Subp. 4. **Building system.** "Building system" means plans, specifications, and documentation for a system of manufactured building or for a type or a system of building components, including but not limited to structural, electrical, mechanical, fire protection and plumbing systems, and including such variations thereof as are specifically permitted by regulation, and which variations are submitted as part of the building system or amendment thereof.

Subp. 5. **Closed construction.** "Closed construction" means any building component, assembly, or system manufactured in such a manner that all portions cannot be readily inspected at the installation site without disassembly, damage to, or destruction thereof.

Subp. 6. **Code.** "Code" means the Minnesota State Building Code.

Subp. 7. **Code compliance certificate.** "Code compliance certificate" means the certificate provided by the manufacturer to the state building inspector which warrants that the manufactured building or building component complies with the code.

Subp. 8. **Commissioner.** "Commissioner" means the commissioner of administration.

Subp. 9. **Evaluation agency.** "Evaluation agency" means an approved person or organization, private or public, determined by the state building inspector to be qualified by reason of facilities, personnel, experience, and demonstrated reliability and independence of judgment, to investigate, evaluate, and approve manufactured buildings or building components, building systems, or compliance assurance programs.

Subp. 10. **Independence of judgment.** "Independence of judgment" means not being affiliated with, or influenced, or controlled by building manufacturers or producers, suppliers, or vendors of products or equipment used in manufactured buildings and building components in any manner which is likely to affect their capacity to render reports and findings objectively and without bias.

Subp. 11. **Inspection agency.** "Inspection agency" means an approved person or organization, private or public, determined by the state building inspector to be qualified by reason of facilities, personnel, experience, and demonstrated reliability and independence of judgment, to conduct or supervise compliance assurance programs relating to the manufacture, handling, storage, and transportation of manufactured buildings or building components, and attach labels evidencing compliance with the code.

Subp. 12. **Installation.** "Installation" means the process of affixing, or assembling and affixing, manufactured buildings or building components on the building site, or to an existing building.

Subp. 13. **Label.** "Label" means an approved device affixed to a manufactured building or building component, by an approved agency, evidencing code compliance.

Subp. 14. **Local enforcement agency.** "Local enforcement agency" means an agency of a municipality which enforces the code.

Subp. 15. **Manufactured building.** "Manufactured building" means any building which is of closed construction and which is made or assembled in manufacturing facilities, on or off the building site, for installation, or assembly and installation, on the building site. "Manufactured building" may also mean, at the option of the manufacturer, any building of open construction, made or assembled in manufacturing facilities away from the building site, for installation, or assembly and installation, on the building site.

Subp. 16. **Open construction.** "Open construction" means any building, component, assembly, or system manufactured in such a manner that all portions can be readily inspected at the installation site without disassembly, damage to, or destruction thereof.

Subp. 17. **Quality control program.** "Quality control program" as used herein shall be synonymous with compliance assurance program.

Subp. 18. **Compliance assurance program.** "Compliance assurance program" means the system documentation and methods of assuring that

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manufactured buildings and building components, including their manufacture, storage, transportation, assembly, handling, and installation, conform with these parts.

Subp. 19. **Seal.** "Seal" means a device or insignia issued to the manufacturer by the state building inspector evidencing compliance with the code.

Statutory Authority: *MS s 16.85*

1360.0300 APPROVAL.

The state building inspector reserves to himself the responsibility for approving manufactured buildings, building systems, and components for compliance with the code. Such responsibility may be delegated by him to approved evaluation agencies.

Manufacturers shall submit plans biannually for reevaluation and approval.

Approvals shall expire when there are revisions to the code under which the approval was granted. At such time the manufacturer shall submit entire new documentation for evaluation and approval; or submit evidence that the plans as approved are in compliance with the code as revised.

Statutory Authority: *MS s 16.85*

1360.0400 INSPECTION.

The state building inspector reserves to himself the responsibility for inspecting manufactured buildings and building components for compliance with the code. Such responsibility may be delegated by him to approved inspection agencies or approved local enforcement agencies.

Statutory Authority: *MS s 16.85*

1360.0500 CERTIFICATION.

Manufactured buildings and building components which are sold, offered for sale, or installed in the state shall bear a seal evidencing the state building inspector's certification of code compliance. Such certification shall be conclusive on all agencies, instrumentalities, and municipalities of the state.

Statutory Authority: *MS s 16.85*

1360.0600 RECIPROCITY.

Upon a showing that another state provides for certification of manufactured buildings and components upon compliance with standards that are at least equal to those provided in the code, the commissioner may provide that such certification granted by such state have the same force and effect as certification by the state building inspector. The commissioner may make such reciprocity contingent upon such other state granting reciprocal effect to certification by the state building inspector.

Pursuant to the provisions of this part the commissioner has established reciprocity with the following states which have granted reciprocity to the state of Minnesota: state of Indiana.

Statutory Authority: *MS s 16.85*

1360.0700 MODIFICATION.

Manufactured buildings or components bearing a state seal shall not in any way be modified unless a written request is made and written approval obtained from the state building inspector or municipal building official.

Statutory Authority: *MS s 16.85*

1360.0800 TESTING.

The state building inspector or the evaluation agency may require that specific components, systems, etc. be tested. Tests shall be performed by an approved testing agency. Such tests and procedures shall be reviewed by the evaluation agency or the state building inspector.

Statutory Authority: *MS s 16.85*

1360.0900 INSPECTION.

Subpart 1. General. The state building inspector shall make, or cause to be made, such inspections of the entire process of manufacturing, certifying, handling, storing, and transporting of manufactured buildings and building components produced pursuant to approved building systems as he deems necessary.

Subp. 2. Manufacturing facilities. As part of the approval process of evaluating building systems and compliance assurance programs, the state building inspector or an evaluation agency shall inspect the manufacturing facilities in which the buildings or building components are to be manufactured.

Subp. 3. Production process. The state building inspector or an inspection agency shall make such inspections as may be required by an approved compliance assurance program, or as may be deemed necessary by the state building inspector.

Subp. 4. Damaged buildings or components. Prior to the issuance of a building permit, the state building inspector or an inspection agency shall inspect, or cause to be inspected, certified manufactured buildings or building components which it determines to have been sufficiently damaged after certification to warrant such inspection and take such action with regard to such buildings or building components as is authorized under part 1360.1800, or as is otherwise necessary to eliminate dangerous conditions.

The state building inspector shall require manufactured buildings or building components which are so damaged as no longer to comply with the act and these parts to be brought into compliance promptly. If such buildings or building components are not brought into compliance with the act and these parts within a reasonable time, or if they are so damaged that they cannot be brought into compliance, the state building inspector shall order that the labels be removed from such buildings or building components. Irreparably damaged buildings or building components shall be disposed of in accordance with applicable law.

Subp. 5. Inspection agency review. The state building inspector shall have the right to examine each approved inspection agency, at any reasonable time, and without prior announcement, in order to monitor the reliability of each agency and of its monitoring of each compliance assurance program. Each such examination shall investigate the adequacy of all procedures used by the agency in monitoring compliance assurance programs including inspection, tests, production methods, process controls, operator performance, materials receipt, storage and handling, workmanship standards, records, and all other activities which implement the compliance assurance program in the manufacturing facility, during transport, on site, and at critical subcontractors' facilities. The results of such examinations shall be kept on file at the offices of the state building inspector. Copies of such reports shall be sent to the inspection agency. Inspection agencies shall be specifically notified of any deficiencies and of the manner in and time by which such deficiencies must be eliminated. If deemed necessary by the state building inspector, an agency's approval may be suspended or revoked as provided in part 1360.3500. Such inspections shall take place at the manufacturing facility, and may also take place at the inspection agencies office, or at the site of installation.

Subp. 6. **Evaluation agency review.** The state building inspector shall have the right to examine each approved evaluation agency, at any reasonable time, and without prior announcement, in order to monitor the reliability of each agency. Each such examination shall investigate the adequacy of all evaluative procedures including engineering evaluation of plans, specifications and test results, testing, and analysis of compliance assurance programs. The results of such examination shall be kept on file at the offices of the state building inspector. Copies of such reports shall be sent to the evaluation agency. Agencies shall be specifically notified of any deficiencies and of the manner and time by which such deficiencies must be eliminated. If deemed necessary by the state building inspector, approval of an evaluation agency may be suspended or revoked as provided in part 1360.3500.

Statutory Authority: *MS s 16.85*

1360.1000 ON-SITE INSPECTION BY LOCAL ENFORCEMENT AGENCY.

Local enforcement agencies are authorized to inspect the installation of manufactured buildings, components, and systems, and are responsible for determining that such installation is completed in accordance with its certification. The local enforcement agency may inspect, to the maximum extent possible without causing undue delay, manufactured buildings, components, or systems at the installation site for compliance with the code. Such inspection shall not require the removal of permanent parts of the structure. Evidence of noncompliance with the certification shall be reported to the state building inspector.

Statutory Authority: *MS s 16.85*

1360.1100 LOCAL ZONING.

Local land use zone requirements, building setback, side and rear yard requirements, site development and property line requirements are specifically and entirely reserved to local municipalities.

Statutory Authority: *MS s 16.85*

1360.1200 STANDARDS AND REQUIREMENTS.

The standards and requirements for manufacture and installation of manufactured buildings, systems, and components shall be the current State Building Code.

Statutory Authority: *MS s 16.85*

1360.1300 BUILDING PERMITS.

Subpart 1. **Application for permit.** An application for a building permit to a local building official for the installation of manufactured buildings or systems pursuant to this code shall, in addition to any other requirements, contain:

A. a statement that such application is made for permission to install manufactured buildings or systems in accordance with the provisions of the code signed by the applicant or his agent with the appropriate address;

B. a copy of the site and building plans and specifications and evidence of plan approval by the state building inspector or evaluation agency; and

C. the information required on the data plate (part 1360.2400).

Subp. 2. **Issuance.** The local building official shall issue a permit, license, certificate, authorization, or other required document as the case may be for the installation of the manufactured building or system if the application is compiled in accordance with this code. The manufacturer shall submit evidence to assure that the design loads are in accordance with the appropriate provisions of the

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code. Foundation plans, all utility installations and connections, and all provisions of part 1360.1100 are subject to local approval.

Statutory Authority: *MS s 16.85*

1360.1400 CERTIFICATE OF OCCUPANCY.

Upon completion of the installation of any manufactured building or system the owner, manufacturer, builder, architect, lessee, tenant of their agent, or other interested person shall be entitled, upon showing of compliance with the code, to demand and obtain, upon proper payment being made thereof in appropriate cases, any permit, license, certificate, authorization, or other required document the issuance of which is authorized pursuant to any state or local building regulation.

Statutory Authority: *MS s 16.85*

1360.1500 CHANGES TO APPROVED PLANS.

Where the manufacturer proposes or is required to change the approval plans or installation instructions such request shall be in writing and work shall not commence until such written approval is received. Such changes shall be incorporated in the inspection procedures manual.

Statutory Authority: *MS s 16.85*

1360.1600 CHANGE OF OWNERSHIP, NAME, OR ADDRESS.

In the event of a change in the ownership, name, or office address of any manufacturer, the manufacturer shall notify the state building inspector, the evaluation agency, or the local enforcement agency in writing within ten days. If the manufacturer changes or adds to the location of the manufacturing facility, he shall so notify the state building inspector, the evaluation agency, or the local enforcement agency at least 30 days prior to the start of manufacture at such new location.

Statutory Authority: *MS s 16.85*

1360.1700 CHANGE IN THE CODE.

The state building inspector shall notify the manufacturer, the evaluation agency, or the local enforcement agency of amendments to the code, and shall allow the manufacturer a reasonable time in which to submit a request for change in plan approval, if required to conform.

Statutory Authority: *MS s 16.85*

1360.1800 NONCOMPLIANCE.

Noncompliance with the provisions of the code or unauthorized deviation from the approved plans or production shall be cause for revocation of the plan approval and seals.

Statutory Authority: *MS s 16.85*

1360.1900 SEALS.

Subpart 1. R-3 and R-4 Occupancies. For R-3 and R-4 occupancies, each manufactured building manufactured pursuant to the code shall have permanently attached thereto, in a location shown on the approved plans; a state seal evidencing the state building inspector's approval of such building. When a manufactured building consists of one or more sections that may be transported or stored individually, each section must be marked or labeled to indicate that the section is a part of a manufactured structure and shall bear the number of the state of Minnesota seal assigned to the building.

The marking or label shall also indicate the name of the manufacturer, the address of the manufacturing facility, and the manufacturer's serial number or other designator assigned to the building. All labels shall be visible from the

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exterior, shall be legible, and shall remain on the structure until the building is complete.

Subp. 2. **All other occupancies.** For all other occupancies, one seal is required per transportable unit.

Statutory Authority: *MS s 16.85*

1360.2000 ISSUANCE.

A seal shall be issued by the state building inspector to the manufacturer upon application and after plan approval has been issued, and shall be issued in accordance with the following:

A. If the state building inspector delegates the issuance of seals to an evaluation or inspection agency, the agency shall be required to obtain approval from the state building inspector for the manner in which they are handled.

B. Seals must be serially numbered.

C. A manufacturer's compliance assurance program, submitted in accordance with part 1360.3100, item A shall include requirements for issuance, possession of, attachment of, and accounting for all seals to assure that seals are attached only to buildings or building components manufactured pursuant to an approved building system and inspected pursuant to an approved compliance assurance program.

D. If the state building inspector or an inspection agency determines that the manufacturer's record of compliance is such that the state building inspector or inspection agency need not maintain an inspector in a given plant at all times, the state building inspector or inspection agency may entrust seals to the custody of one or more employees of the manufacturer, who shall be charged with controlling the use of such seals. Such employees shall not be given custody of more seals than are necessary to accommodate the manufacturer's anticipated production for one month. If the conditions of custody are violated, the state building inspector or an inspection agency shall immediately regain possession of all seals that have not been applied to the manufactured buildings or building components and shall take such further action with respect to buildings or components already sealed, and with respect to future seals, as it may deem necessary to assure compliance with the act and these parts.

Statutory Authority: *MS s 16.85*

1360.2100 REPORTING.

Approved inspection agencies shall maintain a record of inspections and such records shall be made available to the state building inspector annually or upon request. Manufacturers shall report monthly the disposition of seals. Such report shall identify, by manufacturer's serial number, the manufactured building or component to which such seal was affixed.

Statutory Authority: *MS s 16.85*

1360.2200 RETURN OF SEALS.

The manufacturer shall return all seals allocated for a manufactured building or system to the state building inspector where the manufacturer, for any reason, determines that such seals shall no longer be needed.

Statutory Authority: *MS s 16.85*

1360.2300 REVOCATION.

Upon revocation of plan approval, all seals not affixed to a manufactured building or system shall be returned. All seals which have been affixed after the date of revocation shall be void.

Statutory Authority: *MS s 16.85*

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1360.2400 MANUFACTURER'S DATA PLATE.

The data plate form furnished by the state building inspector shall contain but not be limited to the following information, and shall be placed by the manufacturer in the vicinity of the electrical distribution panel or in some other approved designated location that is readily accessible for inspection:

- A. manufacturer's name and address;
- B. serial number of the unit;
- C. model designation and name of manufacturer of major factory-installed appliances;
- D. where applicable, identification of permissible type of gas for appliances and directions for water and drain connections;
- E. name and date of standards complied with;
- F. seal serial number;
- G. design loads;
- H. special conditions or limitations of the unit;
- I. date of manufacture; and
- J. electrical ratings-instructions and warnings on voltage, phase, size and connections of units, and grounding requirements.

Statutory Authority: *MS s 16.85*

1360.2500 PLAN APPROVAL PROCEDURES.

A plan approval shall be obtained from the state building inspector or the evaluation agency for manufactured buildings and systems. Such approvals are mandatory for all closed construction. Approval for open construction is optional to the manufacturer.

General requirements: Applications, plans, specifications and other documentation shall be submitted in sufficient copies as required. Plan size shall not exceed 18 inches by 24 inches. Applications shall be made in letter form. All documentations and plans shall indicate the manufacturer's name, office address, and address of manufacturing facility.

A quality control manual prepared by the manufacturer shall be submitted. Where the manufacturer elects to have each building or system produced individually inspected, a quality control manual need not be submitted.

Manufacturers shall submit plans showing all elements relating to specific systems on sheet(s) properly identifiable. Each plan shall bear the signature and seal of an approved registered architect or professional engineer where required. The plan shall indicate the method of evaluation and inspection for all required on-site testing of the systems. Plans shall designate all work to be performed on site, including connections of all systems, equipment and appliances and all work performed in the plant. A three-inch by four-inch clear rectangular space shall be provided on all sheets of plans near the title box for the stamp of approval.

The design of plumbing, electrical, heating and mechanical systems or any structural design or method of construction and data shall be in accordance with the State Building Code. Grade, quality, and identification of all materials shall be specified. Design calculations and test reports shall be submitted when required. Plans shall be drawn to scale. Plans shall indicate the location of the approved seal and data plate.

Statutory Authority: *MS s 16.85*

1360.2600 PRODUCTS MANUFACTURED IN MORE THAN ONE LOCATION.

If the manufacturer produces the same products at more than one manufacturing facility, the manufacturer shall provide such additional copies of documentation as may be required.

Statutory Authority: *MS s 16.85*

1360.2700 NONCONFORMING APPLICATION AND PLANS.

In the event that the application is determined to be unsuitable for processing prior to plan check, the applicant shall be notified in writing of such unsuitability and the basis thereof within 30 days of the date the application is received by the state building inspector or evaluation agency.

Statutory Authority: *MS s 16.85*

1360.2800 EVIDENCE OF PLAN APPROVAL.

Plan approvals shall be evidenced by the stamp of approval of the state building inspector or evaluation agency. One copy of all approved documentation shall be returned to the manufacturer.

Statutory Authority: *MS s 16.85*

1360.2900 REQUIRED CONSTRUCTION DETAILS.

Plans shall provide or show, but not be limited to, the following details:

A. General.

- (1) Details and method of installation of manufactured buildings or components to foundations or to each other.
- (2) All exterior elevations.
- (3) Cross-sections as necessary to identify major building components.
- (4) Details of flashing, such as at openings and at penetrations through roofs. Indicate flashing material and gauge to be used.
- (5) Attic access and attic ventilation.
- (6) Exterior wall, roof, and soffit material as well as finish.
- (7) Interior wall and ceiling finish material.
- (8) Fire separation details.
- (9) Sizes, locations, and types of doors and windows.
- (10) Recommended foundation plans, vents, and underfloor access.
- (11) Evidence of compliance with the design and evaluation criteria for energy conservation in new buildings, additions, remodeled elements of buildings, and standards for certain existing public buildings, 1978 edition, parts 1325.0200 to 1325.0700.

B. Plumbing detail requirements.

- (1) Plan or schematic drawing of the plumbing layout including, but not limited to, size of piping, fittings, traps and vents, cleanouts and valves, gas, water, and drainage systems.
- (2) Plumbing materials, fixed appliances, and equipment to be used. Indicate make, model, rating/capacity.
- (3) Make and model of safety controls and their location, such as for water heaters.
- (4) How piping is to be supported and intervals of support.
- (5) Location of vents above roofs and required clearances including, but not limited to, clearances from air intakes, other vents and flues.
- (6) Indicate method(s) of testing.

C. Structural.

- (1) Engineer's calculations of structural members.
- (2) Allowable soil bearing value and ground water table.
- (3) Structural and framing details of all floors, roofs, and walls.
- (4) Details of roof trusses and stress diagrams.
- (5) Details of reinforcing steel.
- (6) Complete loading schedule.
- (7) Column loads and column schedule.

(8) Lintel schedule.

(9) Size, spacing, and details of all structural elements.

(10) Grade or quality of all structural elements (lumber, steel, concrete).

(11) Elevations of structural elements, walls, or sections thereof providing resistance to vertical loads or lateral forces.

(12) Complete details of all structural connections including, but not limited to, chord splices, corner and wall intersection details, post and beam connections, beam splices and column splices. Both in-plant and on-site connections shall be shown.

D. Space and fire safety.

(1) Detail of time period of fire resistance for all stairways, doors, walls, floors, ceilings, partitions, columns, roof and shaft enclosures.

(2) Detail as to width of all aisles, corridors, passageways and stairway enclosures.

E. Building classification.

(1) Occupancy or use.

(2) Area, height, and number of stories.

(3) Type of construction.

(4) Fire hazard designation.

F. Mechanical detail requirements.

(1) Location of all equipment and appliances. Indicate equipment listed or labeled by approved agencies.

(2) Heat loss calculations.

(3) Manufacturer's name, make, model number, Btu input rating of all equipment.

(4) Duct and register locations, size, materials.

(5) Clearances from combustible material or surfaces for all ducts, flues, and chimneys.

(6) Method of providing required combustion air and return air.

(7) Location of flues, vents, and chimneys and clearances from air intakes, and other vents and flues.

(8) Details regarding dampers in ducts penetrating fire separations.

(9) Indicate method(s) of testing.

(10) Complete drawings of fire sprinkler systems, standpipe system of fire alarm system, if required.

(11) Fuel supply and storage details.

G. Electrical detail requirements.

(1) Plan of service equipment, including service entrance, conductors, service raceway, and clearances above ground and above structures.

(2) Method and detail for grounding service equipment.

(3) A single line diagram of the entire electrical installation.

(4) Load calculations for service and feeders.

(5) Sizes of all feeders and branch circuits.

(6) Size, rating, and location of main disconnect/overcurrent protective devices.

(7) Method of interconnection between manufactured buildings or components and location of connections.

(8) Location of all outlets and junction boxes.

(9) Method of mounting fixtures and wiring installation.

Statutory Authority: *MS s 16.85*

1360.3000 GENERAL.

Parts 1360.3000 to 1360.3700 outline the requirements for a comprehensive program of quality control. It shall be the manufacturer's responsibility to execute every aspect of this program. The manufacturer shall continue to be responsible for all corrective actions required, and the contractual relationship with an approved inspection agency shall not diminish such responsibility.

Statutory Authority: *MS s 16.85*

1360.3100 REQUIREMENTS FOR MANUFACTURER.

Subpart 1. **Manual.** The manufacturer shall provide a quality control manual with index including but not limited to the following:

A. procedure for periodic revision and resubmittal to the state building inspector or the evaluation agency;

B. organizational structure for implementing and maintaining the quality control program and the functional relationship with other elements of the organizational structure;

C. a uniform system of audit (in-depth analysis of quality control program effectiveness and means to identify deficiencies) to periodically monitor program performance;

D. the means of identification and segregation to prevent unauthorized use and disposition of items that do not conform to drawings or specification requirements;

E. procedures for timely remedial and preventive action for all problems that affect product quality;

F. sampling inspection where feasible;

G. use and maintenance of appropriate inspection and test equipment to assure conformance to drawings and specifications;

H. a system to indicate inspection stations during manufacturing and site operations;

I. inspection and test procedures including accept/reject criteria;

J. the maintenance of adequate records of inspections and tests performed during manufacturing and site operations and assurance that such records are complete and reliable (copies of forms to be utilized shall be included);

K. a system to control changes in production or inspection procedures;

L. procedures to assure effective control over procurement sources to ensure that materials, supplies, and other items used in production and site operations conform to applicable drawings, specifications, and quality requirements;

M. procedures for inspection of materials, supplies, and other items at the point of receipt;

N. implementation of inspection and test procedure to control the quality of in-process fabrication and workmanship;

O. procedures for final inspection on all manufactured buildings or systems before shipment to the site or storage point including identification and seal application;

P. procedures for packing, packaging, and shipping operations and related inspection;

Q. procedures for handling and storing all finished manufactured buildings or components; and

R. installation procedures with appropriate inspection procedures (utility hook-up procedures shall contain appropriate inspection criteria and test description).

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Subp. 2. **Identifications.** The manufacturer shall identify the inspection agency.

The manufacturer shall identify the manufacturer's representative who will be assigned the responsibility for implementing the quality control program and define his functional obligation, responsibility, and authority. The state building inspector or the evaluation agency shall be advised of any subsequent change.

Subp. 3. **Service and repair.** The manufacturer or his agent shall be responsible for timely and effective performance of service and repairs related to code compliance.

Statutory Authority: *MS s 16.85*

1360.3200 INSPECTION AGENCIES' PROCEDURES FOR COMPLIANCE ASSURANCE.

The inspection agency shall monitor the manufacturer's approved quality control program and inspect the manufactured building or system to assure compliance with the approved plans and specifications and the quality control manual.

Statutory Authority: *MS s 16.85*

1360.3300 APPROVAL OF INSPECTION AND EVALUATION AGENCIES; REQUIREMENTS FOR SUBMISSION.

An inspection or evaluation agency seeking approval shall submit an application to the state building inspector which shall include the items listed in this part:

A. the original articles of incorporation of the agency and all subsequent amendments thereto, as filed in the state of incorporation;

B. the bylaws of the organization, if any;

C. the names, addresses, and business affiliations of all members of the board of directors and of top management personnel;

D. stock owned in amounts over \$5,000 reflecting the financial interests of the agency's board of directors and top management personnel;

E. certification by the agency that its board of directors, as a body, and its technical personnel, as individuals, can exercise independence of judgment; and its activities pursuant hereto will result in no financial benefit to the agency via stock ownership, or other financial interests in any producer, supplier, or vendor of products involved, other than through standard published fees for services rendered;

F. names, years of experience, state in which professionally registered and other qualifications of the directors of inspection or evaluation programs;

G. names and years of experience of employees practicing in the following disciplines: architecture, structural engineering, mechanical engineering, electrical engineering, fire protection, and other branches of engineering; the states in which each is registered and the services each performs;

H. an organization chart showing management and supervisory persons including the number of graduate engineers and architects, and the names of all consulting engineers or architects, designating which are full-time and which are part-time engineers;

I. number and location of factory inspectors, supervisors, and other technicians, including evaluators of factory inspectors and the qualifications of each specialized group, including records of work experience, licenses held, and other pertinent qualifications; descriptions of the type of work each group and each technician is expected to perform, and the qualifications of each group and each technician to perform the work assigned;

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J. an outline of the training program, if any, of the agency to assure that all inspectors, evaluators, and other technicians are properly trained to do each job assigned to them;

K. an outline of the general procedures for supervision of inspectors and evaluators, including checking and evaluation of their work;

L. all engineers, technicians, and other personnel who will perform services for the organization but who are not employees of the organization, and the supervisory and other relationships which each will have to the agency;

M. type of products, components, equipment, structures, and other items which the organization has evaluated, tested, or inspected, and the number of years of experience the organization has had with each, and the type of codes, standards, specifications, and requirements with respect to which the organization has had experience in providing evaluation, inspection, or testing services, and the number of years of experience with each;

N. description of the record-keeping system the agency proposes to use with particular regard to availability of records to the state building inspector and the capacity to render reports to the state building inspector;

O. description of the frequency with which the agency is capable of performing inspections or evaluations;

P. list of states in which the agency is now approved to inspect or evaluate manufactured buildings or building components, and a further listing of those states in which the agency intends to seek such approval within the next two years;

Q. certification that the agency is able to evaluate building systems for compliance with the codes, standards, specifications, and requirements adopted herein, or manufactured buildings or building components for compliance with approved building systems; and

R. fee as required by part 1360.3600.

Statutory Authority: *MS s 16.85*

1360.3400 PROCEDURES FOR APPROVING EVALUATION AGENCIES.

Subpart 1. **Qualifying for approval.** The state building inspector shall approve inspection or evaluation agencies which meet the requirements of part 1360.3300 and which the state building inspector finds otherwise qualified to perform the functions proposed to be delegated to them.

Subp. 2. **Determining completeness of application.** Prior to a full evaluation of an application for approval, the state building inspector shall determine whether such application is complete and in accordance with part 1360.3300. In the event the application is found to be unsuitable for processing, the applicant shall be notified in writing of such unsuitability and the basis thereof within 30 days of the date the application is received by the state building inspector. In such event, all but \$25 of the fee will be returned, and the findings of unsuitability shall be without prejudice. Any subsequent submission shall be treated as a new application.

Subp. 3. **Reporting reasons for disapproval.** In the event an inspection or evaluation agency is not approved, the state building inspector shall return one complete application to the applicant with a written explanation of the reasons for such disapproval attached thereto.

Subp. 4. **Reporting approval.** Approval of inspection or evaluation agencies shall be evidenced by a letter to the applicant indicating such approval and stating specifically the functions which the applicant has been approved to perform. Such approval shall not constitute the actual delegation of such functions.

Statutory Authority: *MS s 16.85*

1360.3500 SUSPENSION AND REVOCATION OF APPROVAL.

Subpart 1. Grounds. The state building inspector may suspend or revoke its approval of any evaluation agency or inspection agency if the approval was issued in error, was issued on the basis of incorrect information, or was issued in violation of the act or these parts, or if the agency violates the act or these parts, if examination pursuant to 1360.0900, subparts 5 and 6 discloses that the agency has failed to perform properly, or for such other cause as may be deemed sufficient by the state building inspector to warrant such action. Appeals from suspensions or revocations shall receive timely review.

Subp. 2. Notice of suspension or revocation. If the state building inspector suspends or revokes the approval of an evaluation or inspection agency, the evaluation or inspection agency shall be given notice in writing of the suspension or revocation with the reasons therefore set forth therein. Manufacturers being evaluated or inspected by such agencies, and all local enforcement agencies within this state shall also be notified in writing of such suspensions or revocations. Such notices shall contain instructions to the local enforcement agencies as to manufactured buildings or building components previously certified by an agency whose approval has been suspended or revoked.

Subp. 3. Delivery of records. An evaluation or inspection agency whose approval has been suspended or revoked shall within 90 days of the suspension or revocation deliver to the custody of the state building inspector the originals of all records required by these parts to be made of, or in the course of, the agency's operations pursuant to the act and these parts.

Subp. 4. Delivery of seals. An evaluation or inspection agency for which approval has been suspended or revoked shall, within 90 days of the suspension or revocation, deliver to the custody of the state building inspector all seals in the agency's possession, under its control, or for which it is responsible pursuant to these parts.

Statutory Authority: *MS s 16.85*

1360.3600 FEES.

Subpart 1. Form and amount of payment. All fees shall be in the form of checks or money orders payable to "Minnesota State Treasurer," and addressed to: State of Minnesota Department of Administration, Building Codes and Standards Division, 408 Metro Square Building, Seventh and Robert Streets, Saint Paul, Minnesota 55101.

The seal fee is \$20 per seal. The replacement seal fee for damaged or lost seals is \$5 per seal. For all other work performed by the Building Code Division such as, but not limited to, the review of plans, specifications, and independent agency reports; inspection and quality control evaluation, a fee of \$20 per man-hour shall be charged. Travel expense shall be charged at the rates established for state employees by the commissioner of administration.

Subp. 2. Inspection or evaluation agencies. An initial fee of \$150 shall be submitted with the application for agency approval. The initial fee shall be submitted prior to January 1, 1981, by all currently approved agencies and shall include any additional data necessary to show compliance with parts 1360.0900, 1360.2000, and 1360.3300 to 1360.3500.

A registration fee of \$75 is required annually, due January 1 of each year, to maintain state approval.

Statutory Authority: *MS s 16.85*

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1360.3700 PROVISIONAL AUTHORITY.

A manufacturer who files an application in proper form for quality control approval shall have temporary authority to acquire seals commencing 20 days after the date of filing of the application, unless within such period the commissioner, by written notice mailed to the manufacturer at the address shown on his application or served upon him personally, shall deny temporary authority and state his reasons for doing so. Such temporary authority shall continue until final determination of the manufacturer's application for quality control approval, or revocation pursuant to part 1360.1800, whichever shall first occur, and shall empower the manufacturer to affix seals to all models whose plans have been approved and which comply with the code. A manufacturer operating under temporary authority is subject to all verification inspections and other requirements imposed upon a manufacturer who has obtained quality control approval.

Statutory Authority: *MS s 16.85*