

**METROPOLITAN AIRPORTS COMMISSION**

**ORDINANCE NO. 94  
MSP BUILDING CODE**

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**METROPOLITAN AIRPORTS COMMISSION**

**ORDINANCE NO. 94  
MSP BUILDING CODE**

An ordinance to promote and conserve the public safety, health, peace, convenience, and welfare by adopting the Minnesota State Building Code as the building code for the Minneapolis-St. Paul International Airport and providing for the application, administration, and enforcement of that building code.

The Metropolitan Airports Commission does ordain:

**SECTION 1 - DEFINITIONS**

- 1.1 Airport. The Minneapolis-St. Paul International Airport. This term does not include any intermediate use or minor use airport owned and/or operated by the Metropolitan Airports Commission.
- 1.2 Building Code. The building code adopted by this Ordinance.
- 1.3 Commission. The Metropolitan Airports Commission, a public corporation organized and operating pursuant to Chapter 500, Laws of Minnesota 1943 and amendments thereto.
- 1.4 Executive Director. The Commission's chief executive officer or a designated representative.
- 1.5 HVAC. Heating, ventilation and air conditioning.
- 1.6 State Building Code. The Minnesota State Building Code, as established pursuant to Minnesota Statutes 16B.59 to 16B.75 and as amended from time to time.

**SECTION 2 - ADOPTION OF STATE BUILDING CODE**

2.1 Adoption of Mandatory Provisions

The State Building Code is hereby adopted as the Building Code for the Airport. Specifically, the mandatory enforcement provisions of the State Building Code, as amended from time to time, shall be enforced and administered without change by the Commission, and are hereby incorporated in this Ordinance as if set out in full. As of the effective date of this Ordinance, the following chapters of Minnesota Rules set forth the mandatory enforcement provisions of the State Building Code:

- a. 1300 Minnesota Building Code
- b. 1301 Building Official Certification
- c. 1302 State Building Construction Approvals

- d. 1305 Adoption of the 1997 *Uniform Building Code* including Appendix Chapters:
  - 1. 3, Division I, Detention and Correctional Facilities
  - 2. 12, Division II, Sound Transmission Control
  - 3. 15, Reroofing
  - 4. 16, Division I, Snowload Design
  - 5. 29, Minimum Plumbing Fixtures
  - 6. 31, Division II, Membrane Structures
- e. 1307 Elevators and Related Devices
- f. 1315 Adoption of the *1996 National Electrical Code*
- g. 1325 Solar Energy Systems
- h. 1330 Fallout Shelters
- i. 1335 Floodproofing Regulations (except Sections 1335.0600 through 1335.1200)
- j. 1340 Facilities for the Handicapped
- k. 1346 Adoption of the *1991 Uniform Mechanical Code*
- l. 1350 Manufactured Homes
- m. 1360 Prefabricated Buildings
- n. 1361 Industrialized/Modular Buildings
- o. 1370 Storm Shelters (Manufactured Home Parks)
- p. 4715 Minnesota Plumbing Code
- q. 7670 Minnesota Energy Code

## 2.2 Adoption of Optional Provisions

The Commission also adopts the following optional chapters of Minnesota Rules, which are hereby incorporated in this Ordinance as if set out in full, and constitute part of the Building Code for the Airport:

- a. 1305 Appendix Chapter 33, Excavation and Grading, including fee tables 33A and 33B
- b. 1306 Special Fire Protection systems with Option 8

### **SECTION 3 - APPLICATION, ADMINISTRATION, AND ENFORCEMENT**

The application, administration, and enforcement of the Building Code shall be in accordance with Minnesota Statutes Chapter 16B and Minnesota Rules Chapters 1300 and 1305. The Executive Director, pursuant to Minnesota Statutes 16B.65, shall appoint a Building Official who shall attend to all aspects of Building Code administration. The Executive Director may develop rules and procedures for the administration and enforcement of the Building Code. The Building Code shall be enforced within the territorial limits of the Airport.

### **SECTION 4 - PERMITS, INSPECTIONS, AND FEES**

#### **4.1 Building Requirements**

Permits shall be issued, inspections conducted, and fees collected as provided for in Minnesota Statutes Chapter 16B, the Uniform Building Code, and the applicable Minnesota Rules. Permit fees shall be assessed for work governed by the Building Code in accordance with the Fee Schedule of this Ordinance. Valuation for all work requiring building permits shall be calculated using the most current cost per square foot values as published in the International Conference of Building Officials Building Codes and Standards Publication. In addition, a surcharge fee shall be collected in accordance with Minnesota Statute 16B.70 on all permits issued for work governed by the Building Code.

#### **4.2 Plumbing and HVAC**

Permits shall be issued, fees collected and inspections conducted in accordance with the applicable Minnesota State code for all plumbing and HVAC work at the Airport. Permit fees shall be assessed for plumbing and HVAC work in accordance with the Fee Schedule of this Ordinance.

#### **4.3 Electrical**

The Executive Director may determine that the Commission shall issue permits, collect fees and conduct inspections in accordance with the applicable Minnesota State code for all electrical work at the Airport. Permit fees for electrical work shall be calculated using the same method used for plumbing and HVAC. The Commission shall provide 60 days advance written notice to interested parties before such requirements take effect.

#### **4.4 Sewer Availability Charges ("SAC") and Water Availability Charges ("WAC")**

Sewer Availability Charges ("SAC") shall be paid at the time of building permit issuance. The fee rate shall be determined by the Metropolitan Council. The Commission reserves the right to charge additional Metropolitan Airports Commission ("MAC") SAC and WAC fees at a rate determined by the Executive Director. Such fees may be adjusted annually.

## **SECTION 5 – ADOPTION OF MAC DESIGN AND CONSTRUCTION STANDARDS**

All work done in structures or on land owned in whole or in part by the Commission must comply with the Minneapolis-St. Paul International Airport Design Standards and Guidelines, volumes 1 and 2, or as amended, and the Minneapolis-St. Paul International Airport Construction Standards, or as amended (collectively “MAC Standards”). The current version of the MAC Standards are on file at the Commission offices and are hereby incorporated in this Ordinance as if set out in full. The Executive Director has the authority to revise the MAC Standards.

## **SECTION 6 - PENALTIES**

### **6.1 Misdemeanor**

Any person violating any of the provisions of this Ordinance or any of the rules or procedures developed for the administration and enforcement of the Building Code shall upon conviction be punished by sentence within the parameters of the maximum penalty for misdemeanors set forth in Minn. Stat. § 609.03, or as may be amended.

### **6.2 Other Actions Not Precluded**

The penalties prescribed under this Ordinance in no way preclude the Commission from taking any other action authorized by law.

## **SECTION 7 - GENERAL PROVISIONS**

### **7.1 Notice**

Notice as required by this Ordinance is sufficient if delivered in person, sent by U.S. mail to the last address on file with the Commission, or transmitted by facsimile. Time of “issuance” means when the notice is hand delivered, placed in the mailed, or faxed.

### **7.2 Provisions Severable**

If any part or parts of this Ordinance is declared unconstitutional or invalid, this does not affect the validity of the remaining parts of this Ordinance. The Commission declares it would have passed the remaining parts of this Ordinance without the unenforceable provisions.

### **7.3 Effective Date**

This Ordinance is effective October 1, 2000.

**FEE SCHEDULE**

Total Valuation	Fee
\$1.00 to \$500.00	\$23.50
\$501.00 to \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof

**Other Inspections and Fees:**

1. Inspections outside normal business hours, ..... \$47.00 per hour\*  
(minimum charge - two hours)
2. Reinspection fees assessed under provisions of  
Section 108.8 ..... \$47.00 per hour\*
3. Inspections for which no fee is specifically indicated ..... \$47.00 per hour\*  
(minimum charge - one-half hour)
4. Additional plan review required by changes, additions  
or revisions to plans ..... \$47.00 per hour\*  
(minimum charge - one-half hour)
5. For use of outside consultants for plan checking and  
inspections, or both ..... Actual costs\*\*
6. Permit fees for plumbing and HVAC work shall be calculated at 2% of the total job cost for  
each individual profession. The job cost shall include all labor and material for the work  
being permitted. The Building Official may request that proof of the total job cost be  
submitted for his or her review.

\* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

\*\* Actual costs include administrative and overhead costs.