

Association of Minnesota Building Officials

Building Officials administrating the building, mechanical, plumbing & electrical codes, are committed to serving the public interest and the professionals that ensure safety in the building environment

Legislative Update Codes, Inspections and Cities

The integrity of inspections, valuation-based permits, and city discretion are being undermined by a number of bills this session. These bills are being advanced by a few Senators as a way to “reduce housing costs” and create “affordable housing”.

Only one association has testified in support of these bills, Housing First (aka BATC). No traditional affordable housing advocates have publicly supported the following bills.

2020 Bill Summaries

[SF3793: Square Foot Based Permits](#)

- Chief Author: [Senator Koran](#)
- Summary:
 - Requiring cities to adopt a square foot permit fee structure for single family buildings, instead of valuation based.
- AMBO’s Position: Opposed. AMBO testified against this bill in the Agriculture, Rural Development & Housing Policy committee on 3.3.20.
 - Unfortunately, this bill will increase permit costs for low priced homes, while potentially decreasing costs for higher-end houses (having an overall negative impact on affordable housing). Second, this method will not work for remodels or any inspections that are not based on square feet (HVAC, Windows, etc). This could require the adoption of a huge number of specific permits to accommodate this new approach, reducing city discretion.

[SF3795: Changes to the DLI Annual Reporting Form](#)

- Chief Author: [Senator Draheim](#)
- Summary:
 - Mandates that DLI change their annual fee collection reporting form, increases the reporting threshold, and statutorily identifies specific reporting categories.
- AMBO’s Position: Neutral. AMBO believes that the annual reporting form can be improved but that the specific reporting categories should not be codified. AMBO also believes that it will take the input of several stakeholders to come up with the best possible form, and AMBO has offered to participate in any needed meetings.

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[SF3796: The Privatizing of Building Inspectors](#)

- Chief Author: [Senator Koran](#)
- Bill Summary (this bill was amended in committee on 3/4/20 as follows):
 - Prohibits cities from having Building Inspectors;
 - Allows a property owner to contract with any licensed inspector to conduct building inspections;
 - If a city wants to have Building Inspectors the city must adopt that by ordinance;
 - If a city adopts the Building Inspector ordinance and cannot perform an inspection within two, the city must accept any private inspection “as if it were conducted by a designated municipal building inspector”.
 - If this bill is passed the builder that builds the building could also be the inspector. This creates a conflict of interest and is bad public policy for the health and safety of our citizens and building stock for decades.
- City Building Inspectors are a third-party with no personal financial interest in the inspections, the inspection process, or the outcome. They conduct the inspections solely to ensure code compliance and safety of the owner.
- AMBO’s Position: Opposed. AMBO testified in opposition to this bill on 3/4/20 alongside the LMC, DLI and Metro-Cities.
- Thanks to the AMBO members and affiliates who reached out to the Senate in opposition to this bill.

[HF4019 / \[SE3816\]\(#\) Limitation on building permit fees & whistleblower protections for independent contractors.](#)

- Chief Senate Author: [Senator Koran](#)
- Senate Summary: There is a Delete All amendment in the Senate Jobs’ Committee that makes this bill identical to [SF3793: Square Foot Based Permits](#).
- Chief House Author: [Representative Stephenson](#)
- House Summary:
 - Limits building permit fees, to the direct cost of the permit review and inspection services in that area. These fees could not be more than the amount adopted by the Department of Labor and Industry.
 - The bill also creates whistleblower protection for independent contractors who report a violation, suspected violation, etc..
- AMBO Position: Opposed because it limits municipal discretion.

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[SF3886: Municipal planning and zoning controls limitation.](#)

- Chief Author: [Senator Draheim](#)
- Summary:
 - Require that the 60-day rule apply to building permits.
 - Prohibit PUD conditions from exceeding State Building Code requirements.
 - Prohibit conditioning approval of a building permit, subdivision development, or PUD on the use of specific materials, design, amenities, or other aesthetic conditions not required by the State Building Code.
 - Require cities and counties to allow temporary family health care dwellings.
- AMBO's Position: Opposed

Other Relevant Bills

[HF3222](#) / [SF3686](#) Baby changing stations

- Summary:
 - The code must require the installation of baby-size changing facilities on each floor where there is a restroom accessible to the public.
- AMBO's Position: Any changes to state code should be made in the code not in statute.

[HF3467](#) / [SF3105](#) Adult changing stations

- Summary:
 - The code must require the installation of adult-size changing facilities on each floor where there is a restroom accessible to the public.
- AMBO's Position: Any changes to state code should be made in the code not in statute.

[HF3676](#) / [SF4039](#) Thermal Insulation Authoritative Board

- Summary:
 - Establishes an authoritative Board for Thermal system insulation contractors.
 - Creates licensing for thermal system insulation mechanics.
 - *NOTE: AMBO spoke with the proponents, the bill is being redrafted to include only the thermal licensure portion (no board).*
- AMBO's Position: AMBO will meet with the House and Senate authors to better understand this bill and its intentions with regarding to licensure.