



MACPZA Spring Conference

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Places of Public Accommodation
Scott McLellan

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Places of Public Accommodation

Scott McLellan

Places of Public Accommodation

2021 Legislative Changes

For purposes of this section, "place of public accommodation" means a publicly or privately owned facility that is designed for occupancy by ~~200~~100 or more people and is a sports or entertainment arena, stadium, theater, community or convention hall, **special event center**, indoor amusement facility or water park, or indoor swimming pool.

Construction, additions, and alterations to a place of public accommodation must be designed and constructed to comply with the State Building Code.

Places of Public Accommodation

2021 Legislative Changes

Effective July 1, 2017, in a municipality that has not adopted the code by ordinance,... the commissioner shall enforce this section...”

Automatic sprinkler systems for fire protection purposes are required in a place of public accommodation if, on or after August 1, 2008:

- (1) the facility was constructed, added to, or altered; &
- (2) the facility has an occupant load of 300 or more.

FACT SHEET

PLACES OF PUBLIC ACCOMMODATION

Minnesota Department of Labor and Industry

State inspection of places of public accommodation in non-code areas

Minnesota law requires state inspection of new construction, change of use, alterations or additions to a place of public accommodation (PPA) designed for 100 or more people. As of July 1, 2017, application must be made to the Minnesota Department of Labor and Industry for building code review, permit and inspection before construction can begin on these public buildings that will be constructed in non-code enforced areas of the state.



What is a PPA?

A publicly or privately owned facility with an occupant load of 100 or more people and is a sports or entertainment arena, stadium, theater, community or convention hall, special event center, indoor amusement facility or water park or indoor swimming pool.

Occupant load: The calculated number of people for which the means of egress system is designed. This number is based on the number of square feet that the building code assigns to each occupant to ensure means-of-egress safety requirements.

Fire area: A building or portion of a building bounded by exterior walls, fire walls or fire barrier walls constructed per the Minnesota State Building Code.

Agricultural buildings: Buildings located on land assessed as agricultural which are designed, constructed and used to house farm implements, livestock or agricultural products and used by the owner, lessee and members of their immediate family, employees and persons engaged in the pickup or delivery of agricultural products.

Where to get permits for places of public accommodation

Land use permits and grading permits: County or Local municipality, if required.

Building permits and mechanical permits: If the property is within a municipality having local enforcement of the State Building Code, the local building department has jurisdiction. If there is no local code enforcement, the Construction Codes and Licensing Division (CCLD) at the Minnesota Department of Labor and Industry has jurisdiction for projects with an occupant load over 100 persons.

Sprinkler permits: Minnesota Department of Public Safety, State Fire Marshal's Division.

Electrical, plumbing and elevator permits: CCLD, except where the department has specific agreements with local building departments.

Where to start when planning

Without exception, all PPA require design and certification by an architect or engineer licensed in Minnesota. Start by

assembling the design team: architect, structural engineer, mechanical engineer (if including any heating and/or air conditioning), master plumber, electrical engineer or master electrician. Licensed professionals are listed at <https://mn.gov/aelslagid/roster.html>.

I have an existing building that I would like to convert to a PPA

Conversion of commercial and residential buildings: Existing commercial buildings may use the Minnesota Conservation Code for Existing Buildings. Changes in occupancy will typically result in requirements to comply with the current construction codes.

Conversion of agricultural buildings: Minnesota Statute 326B.121 exempts agricultural buildings from the building code. However, conversion of an agricultural building to a PPA requires demonstration that the building complies with all of the requirements of the current construction codes. A barn used for another purpose is no longer exempt.

What are some typical areas of concern?

Building structure: Buildings must meet current gravity load criteria (dead load + live load + snow load) and current lateral (wind) load criteria. Must demonstrate with certified calculations.

Accessibility: Must demonstrate and provide accessible parking, an accessible route to an accessible entrance, an accessible route within to every primary function area and public space, and accessible toilets. If primary functions are not on the accessible level, provide an elevator.

Toileting: Provide the number of water closets, lavatories, sinks and drinking fountains required by Minnesota Building Code, Chapter 29. Portable toilets are not acceptable except for outdoor stadiums.

Means of egress: Provide means of egress compliant with Chapter 10 of the Minnesota Building Code. Panic hardware is required on doors. Exit signage and emergency power for egress lighting is required.

HVAC: If providing heating or air conditioning and spaces were not previously conditioned or if the building was an agricultural building, the thermal envelope of the conditioned space and HVAC equipment must comply with the current Minnesota Energy Code. If no HVAC, the architect must provide calculations for natural ventilation compliance.

Fire sprinkler systems: PPA require sprinkling under the following conditions:

1. when the occupant load of the fire area containing the PPA is 300 or more persons (MS 326B.108), or
2. when the building code requires other occupancies within the fire area containing the PPA to be sprinkled and there is not a rated occupancy separation between those other occupancies and the PPA (MBC 508.4.1), or
3. when the building code requires the entire building to be sprinkled in order to comply with allowable building height (MBC 504) and allowable building area (MBC 506).



Places of Public Accommodation

Definitions

- **Place of Public Accommodation:** A publicly or privately owned facility with an occupant load of 100 or more people and is a sports or entertainment arena, stadium, theater, community or convention hall, special event center, indoor amusement facility or water park or indoor swimming pool.
- **Occupant load:** The calculated number of people for which the means of egress system is designed. This number is based on the number of square feet that the building code assigns to each occupant. (square feet per person)
- **Agricultural buildings:** Buildings located on land assessed as agricultural which are designed, constructed and used to house farm implements, livestock or agricultural products and used by the owner, lessee and members of their immediate family, employees and persons engaged in the pickup or delivery of agricultural products.

Places of Public Accommodation

State inspection in non-code enforced areas

Minnesota law requires state inspection of new construction, change of use, alterations or additions to a place of public accommodation designed for 100 or more people. As of July 1, 2017, application must be made to the Minnesota Department of Labor and Industry for building code review, permit and inspection before construction can begin on these public buildings that will be constructed in non-code enforced areas of the state.



Places of Public Accommodation

Where to get permits for places of public accommodation

- **Land use permits & grading permits:** County or Local municipality, if required.
- **Building & mechanical permits:** If the property is within a city or county having code enforcement, the local building department has jurisdiction. If there is no local code enforcement, the Department of Labor & Industry (DLI) has jurisdiction.
- **Sprinkler permits:** Department of Public Safety, State Fire Marshal's Division.
- **Electrical, plumbing and elevator permits:** Department of Labor & Industry, except where the department has agreements with local building departments.

Places of Public Accommodation

Professional Design Required

- All Places of Public Accommodation require design & certification by an architect or engineer licensed in Minnesota.
- In addition to the architect, a structural engineer, mechanical engineer (if HVAC), licensed master plumber & electrician.

Places of Public Accommodation

Converting existing buildings to a Place of Public Accommodation

- **Conversion of commercial & residential buildings:** Changes in occupancy will typically result in having to upgrade parts of the building to comply with the code.
- **Conversion of agricultural buildings:** Minnesota Statute exempts agricultural buildings from the building code. However, conversion of an agricultural building to a Place of Public Accommodation requires redesign & reconstruction to current codes. A barn used for another purpose is no longer exempt from the building code.

Places of Public Accommodation

Typical areas of concern

- **Structural:** Buildings must meet current code for snow & wind loads.
- **Accessibility:** Parking stalls; route to an entrance & to every primary area, public space, & restroom. An elevator may be required if not on an accessible level.
- **Restrooms:** Number of toilets, sinks & drinking fountains required by Code. (Portable toilets not acceptable except for outdoor stadiums)

Places of Public Accommodation

Typical areas of concern – continued

- **Egress:** Provide code complying means of egress. Panic hardware is required on doors. Exit signs & emergency power for egress lighting is required.
- **HVAC:** If providing heating or air conditioning, building must comply with energy code. If no HVAC, the architect must provide for natural ventilation.
- **Fire sprinkler systems:** Required when the occupant load is 300 or more persons

Questions

Licensed Residential Building Contractors

Kelly Cooper

Licensed Residential Building Contractors

Building Permit Conditioned on Licensure (326B.85)

A political subdivision shall not issue a building permit to an unlicensed person who is required to be licensed.... A political subdivision that issues zoning or land use permits in lieu of a building permit shall not issue those permits to an unlicensed person who is required to be licensed.... The political subdivision shall report the person applying for the permit to the commissioner who may bring an action against the person.

Licensed Residential Building Contractors

Notice of Permit Application (326B.85)

A political subdivision shall notify the department when an application for a building permit involving the construction of new residential real estate has been received from an unlicensed person by submitting a copy of the application to the department within two business days of receipt of the application. The political subdivision may submit a copy of the building permit application by facsimile, United States mail, or electronic communication.

Licensed Residential Building Contractors

Who needs a license?

- Any individual or company that contracts directly with an owner of "residential real estate" to provide work in more than one special skill.
- An owner of residential real estate who builds or improves homes for resale or speculation.

What's the difference between a residential building contractor & a residential remodeler license?

- A residential remodeler can only perform work on existing houses; they cannot build new homes or detached garages.
- A residential building contractor can perform all the work of a residential remodeler plus build new houses.

Licensed Residential Building Contractors

Special Skills

A contractor who provides services in more than one special skill area must be licensed. Specialty contractors who provide only one special skill are not required to have a state license (except residential roofers).

"Special skill" means one of the following eight categories:

- a) Excavation
- b) Masonry & concrete
- c) Carpentry
- d) Interior finishing
- e) Exterior finishing
- f) Drywall & plaster
- g) Residential roofing
- h) General installation specialties

Licensed Residential Building Contractors

Who does not need a license?

- Contractors who perform only one Special Skill
- Subcontractors who do not contract with the homeowner
- Employees of a licensed contractor
- Owners doing work on their own property (unless they are building or improving properties they own for resale or speculation)
- Residential building contractors whose gross annual receipts from their residential activities are less than \$15,000 and have a Certificate of Exemption

Licensed Residential Building Contractors

LICENSE AND REGISTRATION LOOKUP

Use the search feature below to find personal and business licenses, bonds, certifications and registrations issued by DLI. To begin, choose either "Personal" or "Business." Next, select a specific type from the drop-down menu or leave the default "All."

To verify an individual's or company's current status, enter in a specific license, bond, certificate or registration number or the individual's or company's name and click "Search." If no search results are found, change selection of "Personal" or "Business" and search again.


Advanced search

License class	<input type="radio"/> Personal <input checked="" type="radio"/> Business
Select a discipline	<div>Residential Contractors ▼</div>
Select a classification	<div>ALL ▼</div>
License number	<input type="text"/>
Name	<input type="text"/>
City	<input type="text"/>
ZIP	<input type="text"/>
Status	<div>NONE ▼</div>

Search


 Number of items in a page

10 ▼



Licensed Residential Building Contractors


Click [PDF](#) to download results in PDF file. Click [EXCEL](#) to download results in EXCEL file.



Detail	Name	Classification Type	License No	Status	Orig Date	Effective Date	Exp Date
Detail	1 LLC	RESIDENTIAL BLDG CONTRACTOR	BC736247	ISSUED	1/31/2018	4/1/2021	3/31/2023
Detail	1 STOP INC DBA MARK ELLIOT HOMES	RESIDENTIAL BLDG CONTRACTOR	BC665904	ISSUED	4/24/2013	4/1/2021	3/31/2023
Detail	10 POINT CONSTRUCTION LLC	RESIDENTIAL BLDG CONTRACTOR	BC470572	ISSUED	8/19/2004	4/1/2022	3/31/2024
Detail	101 ROOFING & REMODELING LLC	RESIDENTIAL BLDG CONTRACTOR	BC777112	ISSUED	2/2/2021	4/1/2022	3/31/2024
Detail	1059 REMODELING CO LLC DBA 1059 REMODELING CO	RESIDENTIAL BLDG CONTRACTOR	BC687459	ISSUED	11/7/2014	4/1/2022	3/31/2024
Detail	1089 LLC	RESIDENTIAL BLDG CONTRACTOR	BC532878	ISSUED	6/30/2005	4/1/2021	3/31/2023
Detail	10K LLC DBA 10K CONSTRUCTION	RESIDENTIAL BLDG CONTRACTOR	BC780076	ISSUED	4/15/2021	4/1/2021	3/31/2023
Detail	12000 LAKES CONSTRUCTION LLC DBA 12K CONSTRUCTION	RESIDENTIAL BLDG CONTRACTOR	BC769121	ISSUED	5/5/2020	4/1/2022	3/31/2024
Detail	1858 BUILDERS LLC	RESIDENTIAL BLDG CONTRACTOR	BC709428	EXPIRED	6/6/2016	4/1/2020	3/31/2022
Detail	1ST CHOICE HOME IMPROVEMENTS LLC DBA 1ST CHOICE BUILDERS LLC	RESIDENTIAL BLDG CONTRACTOR	BC596004	ISSUED	12/11/2006	4/1/2022	3/31/2024

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) ...


Displaying 1-10 of 12934 Records



Contractor Recovery Fund

Kelly Cooper

Contractor Recovery Fund

 **DEPARTMENT OF
LABOR AND INDUSTRY**

[DIRECTIONS](#) [CONTACT US](#) [CHECK A LICENSE](#) [GET A PERMIT](#) [RENEW A LICENSE](#) [MAKE A PAYMENT](#)

[ABOUT THE DEPARTMENT](#) [FOR BUSINESS](#) [FOR WORKERS](#)

For information about Frontline Worker Pay visit frontlinepay.mn.gov.

BE AN APPRENTICE

BOILER ENGINEERS

BUILDING OFFICIALS

**ELECTRICIANS, ELECTRICAL
INSTALLERS AND ELEVATOR
CONSTRUCTORS**

HOMEOWNERS

Choosing a plumber

Code fact sheets, reports, publications

Contractor Recovery Fund

Electrical permits - homeowners

File a complaint and view
enforcement actions

Resources for property owners during
a weather emergency

Tips for hiring a contractor

For workers and the public > Homeowners > Contractor Recovery Fund

CONTRACTOR RECOVERY FUND

The Contractor Recovery Fund compensates owners or lessees of residential property in Minnesota who have suffered an actual and direct out-of-pocket loss due to a licensed contractor's fraudulent, deceptive or dishonest practices, conversion of funds or failure of performance.

How to apply
Complete and submit this [application packet](#). For misconduct discovered before Dec. 1, 2007, contact us.

Questions?

- [Contractor Recovery Fund Fact Sheet](#)
- Contact us at contractor.recoveryfund@state.mn.us or 651-284-5057.

More information

- [Contractor Recovery Fund Dashboard, Spring 2022](#)
- [Contractor Recovery Fund Annual Report for fiscal year 2021](#)
- About the [hire a licensed contractor campaign](#).
- [Statewide Outreach Campaign Fact Sheet](#)

FACT SHEET:
CONTRACTOR RECOVERY FUND
MINNESOTA DEPARTMENT OF LABOR AND INDUSTRY

WHAT IS THE CONTRACTOR RECOVERY FUND?

The Contractor Recovery Fund was created by the legislature in 1994 to compensate certain owners or lessees of residential property who have suffered a direct and out-of-pocket loss due to fraudulent, deceptive, or dishonest practices, conversion of funds or failure of performance that arose out of a contract directly between the licensee and the homeowner.

HOW DOES THE FUND WORK?

Each licensed residential building contractor pays a fee into the fund as a part of paying for their license. DLI reviews cases, determines whether a homeowner is eligible, and decides the amount of compensation available. Applicants may be paid up to \$75,000 per claim.

HOW DO I MAKE APPLICATION TO THE FUND?

The following items must be completed before submitting an application:

- Check to make sure your contractor was licensed at the time you entered into your contract. A directory of licensed contractors is at <https://secure.doli.state.mn.us/lookup/licensing.aspx>.
- Obtain a final judgment against the licensed residential contractor. A judgment is the result of filing a successful lawsuit or the filing of a settlement agreement reached through mediation.
- After obtaining your judgment you must “docket” and formally “enter” your judgment in District Court. This makes the judgment a legally collectable document. Contact the clerk of the District Court of the county in which you obtained your judgment for instructions.
- If DLI approves payment, the homeowner will assign its rights to the portion of the judgment that DLI has agreed to compensate the homeowner. If the approved payouts exceed the amount available for payments, DLI will prorate the amount available among the owners and the lessees. The deadlines for application to the fund each year are July 1 and Jan. 1.

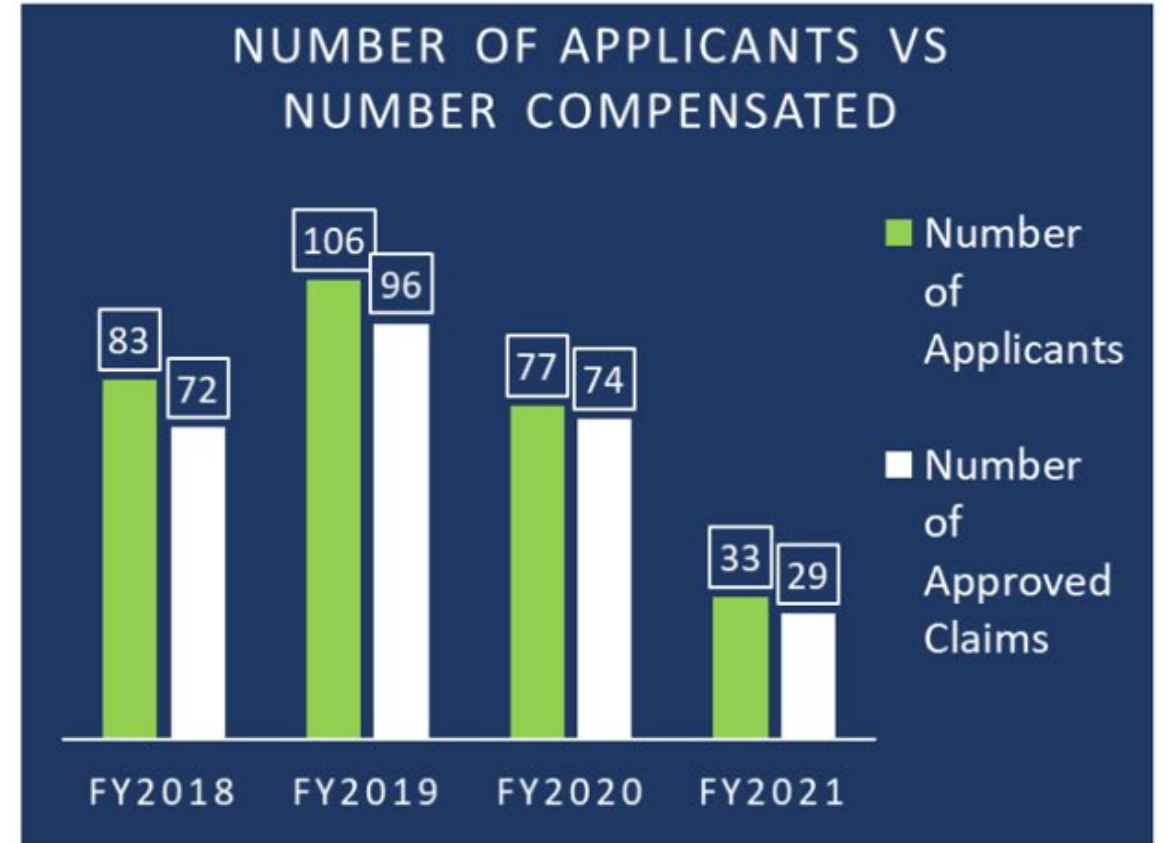
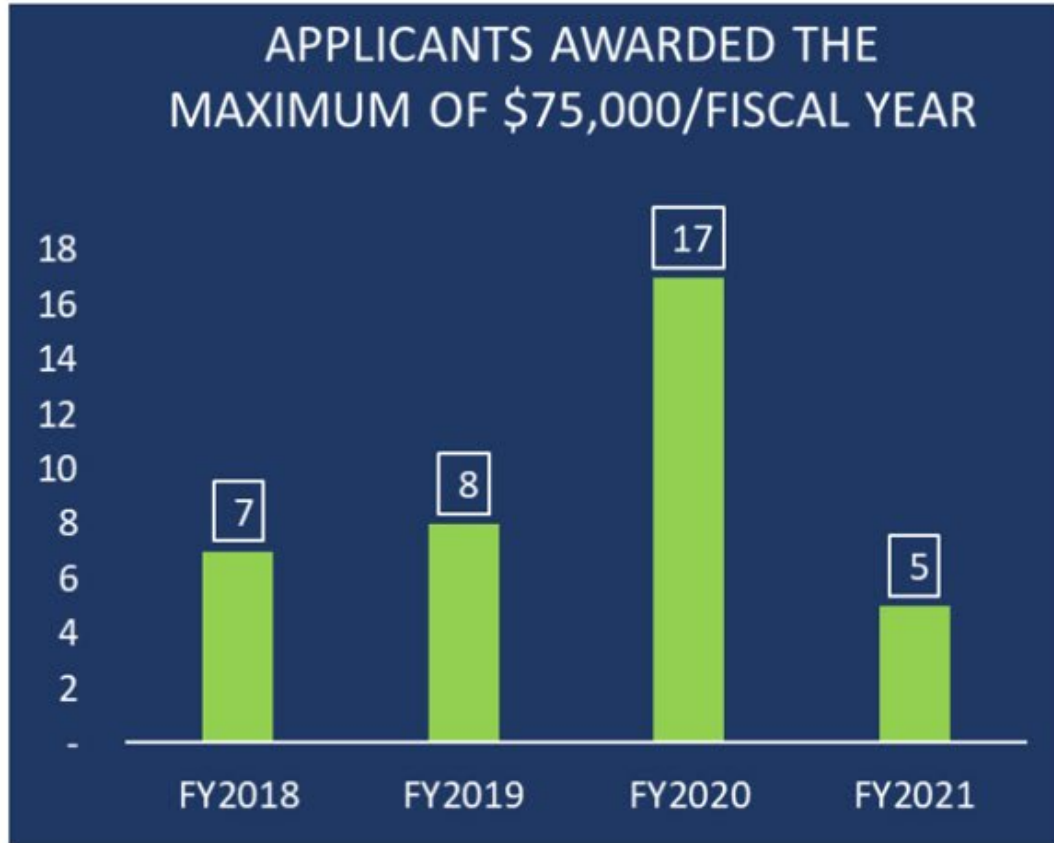


Download an application packet at www.dli.mn.gov/workers/homeowners/contractor-recovery-fund.

Contractor Recovery Fund

The commissioner shall not pay compensation from the fund to an owner or a lessee in an amount greater than \$75,000 per licensee. The commissioner shall not pay compensation from the fund to owners and lessees in an amount that totals more than \$550,000 per licensee.

Contractor Recovery Fund



Consumer Awareness Campaign

Kelly Cooper

STATEWIDE CONSUMER AWARENESS CAMPAIGN

Protect yourself. Hire only licensed contractors.

Legislation

In 2019, legislation was passed directing the Department of Labor and Industry (DLI) to conduct a statewide consumer awareness campaign highlighting the importance of hiring licensed contractors and the consequences of hiring unlicensed contractors. DLI was authorized to spend up to \$500,000 from the [Contractor Recovery Fund](#) to conduct the campaign in fiscal years 2020 and 2021.

Campaign overview

DLI's Construction Codes and Licensing Division hired a marketing firm in September 2020 and launched a statewide consumer awareness campaign in March 2021. The goal was to educate Minnesotans about the importance of hiring licensed contractors. In 2021, the campaign included ads in newspapers and on billboards, commercials on radio, search engine ads via Google and Bing, online ads and paid social media on platforms such as Facebook and Instagram. DLI will continue promoting the message using similar media strategies through September 2022.



Protect yourself. Hire licensed.

Make sure your next home project is done right the first time. Protect your investment by ensuring your contractor is licensed.

Verify a license at www.hirelicensedmn.com
Or call 651-284-5069.

HIRE LICENSED CONTRACTORS

mn DEPARTMENT OF
LABOR AND INDUSTRY
CONTRACTOR RECOVERY FUND

Hire only licensed contractors

The campaign's theme is to hire only licensed contractors, which will ensure consumers have financial protection through DLI's Contractor Recovery Fund. The fund reimburses homeowners who suffer financial losses as a result of a licensed contractor's misconduct.

Media mix

DLI created hirelicensedmn.com for the campaign. To date, the website has had more than 36,000 visits.

During April through August 2021, 11 billboards were placed across greater Minnesota to reach regional audiences in Bemidji, Grand Rapids, Detroit Lakes, Brainerd, Duluth, Sauk Centre, Little Falls, Hinckley, St. Cloud, New Ulm and Worthington.

Ads ran on 98 radio stations and in 210 newspapers across greater Minnesota.

Digital, paid social media and Google search ads targeted consumers throughout Minnesota. The media budget was spent on:

- Billboards – 41%
- Digital – 11%
- Radio – 21%
- Paid social – 8%
- Print ads – 16%
- Paid Google search – 3%

Campaign overview with graphics and content

View statewide consumer outreach campaign summary 2021 at https://www.flipsnack.com/modkhoo/mnli_report050121-updated.html.

Hire only licensed contractors

- The campaign's theme is the importance of hiring only licensed building contractors. Not only is it the law, but it helps protect consumers from financial fraud, broken contracts and non-compliance with the building code.

Media mix

- DLI created hirelicensedmn.com for the campaign. To date, the website has had more than 36,000 visits.

Consumer Awareness Campaign



A consumer's guide to

**Hiring a Residential
Building Contractor**

Primary goals

- Educate consumers about benefits of hiring licensed contractors
- Identify unlicensed contractors for Enforcement referral
- Work with local code and land use officials on licensing issues
- Consult with licensed builders on code and other issues

BILLBOARDS AND LOCATIONS



- Bemidji
- Brainerd
- Detroit Lakes
- Duluth
- Grand Rapids
- Hinkley
- Little Falls
- New Ulm
- Sauk Centre
- St. Cloud
- Worthington

Protect your investment. Hire a licensed contractor.
www.hirelicensedmn.com



mn DEPARTMENT OF
LABOR AND INDUSTRY
CONSTRUCTION CODES AND LICENSING

HIRE LICENSED CONTRACTORS

Hire with confidence.
Hire licensed only.
www.hirelicensedmn.com



Protect your investment. Hire a licensed contractor.
www.hirelicensedmn.com



Don't be misled.
Hire a licensed contractor.
www.hirelicensedmn.com



Protect your investment. Hire a licensed contractor.
www.hirelicensedmn.com



Is your contractor licensed?
www.hirelicensedmn.com



Protect yourself after the storm.
www.hirelicensedmn.com




Don't be misled.
Hire a licensed contractor.
www.hirelicensedmn.com



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CONSTRUCTION CODES AND LICENSING

HIRE LICENSED CONTRACTORS

Consumer Awareness Campaign



**Don't let
an unlicensed
contractor
ruin your project.**

NO LICENSE, NO PROTECTION


Hiring a licensed contractor provides you with an important benefit: access to the Contractor Recovery Fund, which reimburses consumers who suffer financial losses as a result of a licensed contractor's misconduct.

LEARN MORE

Visit www.hirelicensedmn.com or use the QR code to learn more about the benefits of hiring a licensed contractor, the Contractor Recovery Fund and verify that your contractor is licensed.



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CONSTRUCTION CODES AND LICENSING

 **HIRE LICENSED CONTRACTORS**

Verify your contractor: www.hirelicensedmn.com or 651-284-5069

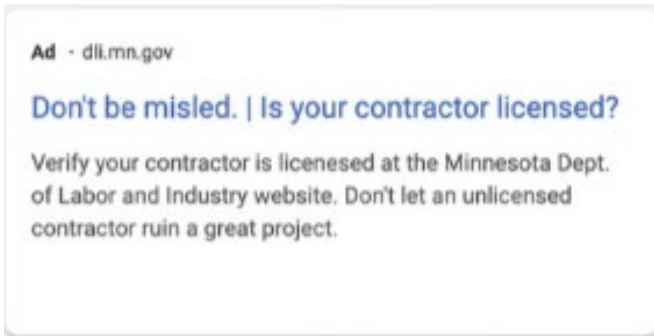
Verify a contractor is licensed:

- Website: www.hirelicensedmn.com
- Call: 651-284-5069

Consumer Awareness Campaign

GOOGLE ADS

Numerous Google search ads are running using multiple keyword search terms.



DIGITAL ADS

Digital ads are running on a wide variety of websites.



RADIO

Radio stations in Greater Minnesota are reaching Minnesotans across the state.



Questions