



Minnesota Building Permit Technicians Association

Volume 12, Issue 2

March/April 2009



*"I want to be a member of MBPTA...
But I'm not a Permit Tech"*

MBPTA members' job titles range from building secretary, administrative assistant, secretary, etc. If you work with homeowners, builders, building inspectors and officials, we would love to have you join MBPTA. Also, you do not have to be 'certified' in order to join our organization. If you have any questions, please contact an MBPTA officer or write us at admin@mbpta.org

President

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Secretary

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Secretary II

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New Brighton, MN 55112
651-638-2043 * fax 651-638-2044
may.vang@newbrightonmn.gov

Treasurer I

Patti Wasmund – Inspectron, Inc.
15120 Chippendale Ave S.
Rosemount, MN 55068
651-322-6626 * fax 651-322-7580
pwasmund@inspectroninc.com

Treasurer II

Position Vacant



"The goal of the Minnesota Building Permits Technicians Association is to provide, promote, and support education, networking, professionalism, certification, and recognition of its membership."

The following is a directory of the CCLD topic phone lines.
All phone/fax numbers are within the (651) area code:

- CCLD Main Number: 284-5012; fax: 284-5749
- Boiler and HPP Inspections: 284-5544; fax: 284-5737
- Building Permit Surcharge: 284-5411
- Building Plan Review: 284-5857
- Continuing Education, Rules & Code Development contacts:
 - Mike Godfrey – Manager, education, rules and code development: 284-5862
 - Don Sivigny – rules, code development; residential energy code: 284-5874
 - Richard Lockrem – seminar coordinator, certification renewal: 284-5868
 - Daniel Kelsey – structural: 284-5868
 - Scott Nelson – mechanical code; commercial energy code: 284-5850
 - Herman Hauglid – contractor continuing education program approval: 284-5863
 - Curt Wiehle – certification application; certification training, accessibility: 284-5877
 - Chris Meier – international residential code; mechanical code: 284-5865
 - Colleen Chirhart – rules: 284-5867
 - Kelly Denno – recertification of building officials, limiteds, accessibility specialists: 284-5845
- Electrical Inspections: 284-5026; fax: 284-5749
- Elevator Inspections: 284-5071
- Enforcement Services: 284-5069; fax: 284-5749
- Contractor Recovery Fund: 284-5057; fax: 284-5749
- Independent Contractor: 284-5074; fax: 284-5749
- Licensing and Certification:
 - Electrical Licensing: 284-5031; fax: 284-5743
 - Boiler Licensing: 284-5080; fax: 284-5743
 - Residential Building Contractor Licensing: 284-5034; fax: 284-5743
 - Manufactured Structures: 284-5092
 - Plumbing Inspections: 284-5044
- Plumbing Licenses: 284-5044
- Plumbing Plan Review: 284-5063



MN CONSTRUCTION CODES & LICENSING DIVISION

Message from your President.....

Hello everyone:



Annual MBPTA membership dues vary by size and type of your City or organization. Memberships start as low as \$50 per year. The 2009 Membership Application can be found at:

WWW.MBPTA.ORG

Benefits of Membership Include:

- Quality Education and Training Opportunities
- Discounts on Seminar Rates
- Wide Variety of Net Working Opportunities
- Scholarships for Higher Learning Programs for Members and Children of Members

Mail your completed membership form and check to:

Patti Wasmund – Inspectron, Inc.
15120 Chippendale Ave S.
Rosemount, MN 55068
651-322-6626 * fax 651-322-7580
pwasmund@inspectroninc.com

Make checks payable to: **MBPTA**



VOLUNTEERS NEEDED!

MBPTA currently has openings on several committees.

Hello past and present members! The first day of spring is March 20, 2009. It really felt like a long winter with the extreme cold and large amounts of snow. Let's hope for warm and sunny days ahead very soon. On a somber note, my thoughts have been with the many people who have lost their jobs recently. There are many cities that have eliminated positions, reduced hours and had early retirements. Some of these people we know personally and some were MBPTA members as well as our friends. My thoughts and prayers go out to these individuals in hope that they will overcome in these troubled economic times. I want to let all MBPTA members that they are always welcome to attend our meetings and be a part of our association. I hope that 2009 and 2010 will keep all of our jobs safe and to those that have not been as fortunate, I wish you the very best.

We had our first MBPTA meeting on February 24th at the City of Blaine. The meeting was a success and 24 people attended. Jeremiah Anderson, the Housing Code Enforcement Inspector for City of Mounds View was our presenter. Jeremiah did a power point presentation on moisture intrusion issues. Thank you so much Jeremiah for taking the time to speak to our association. Thank you also to City of Blaine staff for hosting our meeting.

2008 EDUCATION PLANNING – The Education Committee is working diligently on planning this year's meetings and educational offerings. The committee faces challenges with the ICC chapter benefit known as our "free day" which was eliminated from all chapters this year. With the elimination of the free education day we will now need to explore local agencies, associations and organizations to provide education. The second hurdle in acquiring training is obtaining the various programs approved by the state for CEU accreditation for various certification renewals. The economy will certainly add some additional creativity in locating qualified training at an affordable cost. MBPTA will keep members informed and a survey will be sent out with the choices that will be offered. The committee will need the feedback from members on topics that interest them. Please make sure you participate in this survey.

The education for the rest of 2009 is as follows: The meeting in March will be at the City of Shoreview. David Vosburgh from the Environmental Health Department at Goodhue County will discuss radon issues. May's meeting will be at the City of New Hope and Roger Axel, Building Official, will do a presentation of field inspections examples. July's meeting will be at the City of New Brighton and Joe Hatch will address foreclosure and housing issues. September's meeting will be at the City of Golden Valley and Don Sivigny from Department of Labor & Industry will present us with up-coming code changes and radon mitigation issues. Our Annual Fall Education is yet to be determined and our annual business meeting is in November at City of Andover. A copy of this education and meeting schedule is attached in this newsletter and updates will be posted on our web page.

I hope everyone has a chance to attend these great educational offerings. Attending a meeting not only provides education but gives you an opportunity to network with other permit technicians from other cities and show support for our association. We appreciate your ideas, suggestions and hearing from our members.

I wish all of you good health and happiness and I look forward to seeing you in March.

Sincerely,
Britt Pease

President, MBPTA

Attention MBPTA
Members:
If you would like
serve on an
MBPTA
Committee, please
contact any
MBPTA Officer.
Volunteers are
needed.
Thank you!

We're on the web...visit us at
www.MBPTA.org

Please contact
Barb Benesch at:
763-717-4028 or
barb.benesch@ci.mounds-view.mn.us
by Friday, March 27 if
you are planning to
attend the meeting

Reminder!

*MBPTA meetings are
the LAST Tuesday of
every other month at
9:30 a.m., unless
notified otherwise.*

NEXT MEETING: Tuesday, March 31, 2009
City of Shoreview, 9:30 a.m.

Agenda

1. Call to Order
2. Introductions
3. Approval of minutes for February 24, 2009 meeting
4. Approval of Treasurer's Report
5. Committee Reports -
 - A. **Education** – U of M Annual School report – Michele Engberg – Regions III – Update Roger Axel/Britt Pease
 - B. **Communications Committee** – Barb Williams/Barb Benesch
 - C. **State Advisory Board** – Linda Singer/Michele Engberg
 - D. **10K Lakes Representative** – Steve Nelson
6. General Business
 - A. Charity Event Update – Patti Wasmund
 - B. Permit Tech – question and answer review
 - C. Open Floor for Comments/Questions/Discussions
7. Adjournment

Immediately following the meeting David Vosburgh from the Minnesota Environmental Health Department will give a brief presentation on radon issues.

Caring for our Community:

Cash or check donations for food to "Hunger Solutions of MN" www.hungersolutions.org. Please make your checks payable to "Hunger Solutions of MN" and thanks for giving.

~ MBPTA EDUCATION ~

How to Become a Certified Permit Technician

Books needed for the test

- 2006 IBC (chapters 1-3, 6, 12 and 34)
- 2006 International Zoning Code
- 2002 Legal Aspects
- Basic Code Enforcement 8th printing
- You Can Build It has been removed from the exam

Additional Study Material

- ICC Study CD and ICC Permit Technician Study Companion
- Flashcards
- Attend OPTA Quarterly Study Sessions

Exam Details and Fees

- \$180.00 computerized
- 60 multiple-choice questions—
- Open Book—2hour limit
- General Administration 39%
- Legal Aspects 22%
- Plans and Documents 25%
- Zoning and Site Development 14%

For more information go to www.mbpta.org

MBPTA February Meeting



City of Blaine....

A huge thank you to Jeremiah Anderson, Housing/Code Enforcement Inspector for the City of Mounds View, for his presentation at our last meeting on moisture intrusion in single family-homes.

Permit Technician Program



If you would like information regarding the Building Permit Technician

program, you can obtain information by visiting the Inver Hills Community College website at www.inverhills.edu or the North Hennepin Community College website at www.nhcc.edu/schedule/. The courses are under "Building Permit Technology". Or you can check out our website at www.MBPTA.org

MBPTA March Meeting

City of Shoreview....

Immediately following our next meeting, David Vosburgh from the Minnesota Environmental Health Department, will give a brief presentation on radon issues.


2009 MBPTA Meeting Dates and Locations: Tuesdays.....



March 31	Regular Meeting	City of Shoreview
May 19	Regular Meeting	City of New Hope
July 28	Regular Meeting	City of New Brighton
September 29 or TBD	Annual Education Day	To Be Determined
November 24	ABM (No Education)	City of Andover



Do you have an idea for a meeting topic???? Do you know of someone who would like to speak at one of our meetings? Please contact an MBPTA officer with your suggestions. We appreciate any and all of your suggestions!



**PERMIT TECH
TEST QUESTIONS
3-31-2009 Meeting**

1. The scope of the “*International Building Code*” does not typically regulate what general category of buildings?
 - a). hotels
 - b). museums
 - c). high-rise office buildings
 - d.) single-family residences

2. Where a fire-extinguishing system is not provided, which of the following incidental use areas does not need to be separated from the main occupancy?
 - a). a storage room of 90 square feet in floor area.
 - b). a laundry room of 110 square feet in floor area.
 - c). an 80-square-foot waste and linen collection room in a Group I-2 occupancy.
 - d). a furnace room with one piece of equipment rated at over 400,000 btu’s.

3. Generally, the building elements in Types I and II construction must be _____ .
 - a). combustible
 - b). fire-resistive
 - c). fire-retardant
 - d).noncombustible

4. What is the occupancy classification of a warehouse that contains food products stored on wood pallets?
 - a). Group B
 - b). Group F
 - c). Group S-1
 - d). Group S-2

5. An access opening is required into any attic having a clear height exceeding _____ inches?
 - a). 20
 - b). 24
 - c). 30
 - d). 36



"Cook for Kids" at the Ronald McDonald House

The metro area has a number of the world's most advanced medical treatment centers for pediatric critical care. Families travel to the Twin Cities from all over the United States and the world for their children to receive specialized care at our hospitals. The Ronald McDonald House (RMH) in Minneapolis, which can accommodate 48 families on any given night, provides lodging and a community atmosphere of care, support and encouragement while reducing the costs of daily living. RMH provides a home-away-from home for families facing critical pediatric illness. One of several volunteer opportunities at RMH is called Cook for Kids. After a long and often exhausting day at the hospital, families look forward to coming back to the House for a home-cooked meal.

MBPTA can sign up to prepare and serve a meal to the families staying at RMH. We would prepare and serve a meal for approximately 90 – 95 people. The estimated cost to purchase food for the dinner is approximately \$250 - \$300. The food can be prepared at the RMH – they have 6 kitchen areas that have stoves, ovens, refrigerators, plates, utensils etc. – or we can prepare the food at someone's house and transport and reheat it at RMH. Dinner is served at 5:30 pm every evening and usually lasts about an hour. They suggest a group of 4 - 10 serve the meal. We also have to pick up the kitchen and store the uneaten food in sealable containers in their refrigerators. Due to the illnesses the children have, volunteers must be at least 14 years of age and not have or been exposed to communicable diseases.

This winter, one of our MBPTA officers helped prepare and serve a meal at the Ronald McDonald House with another volunteer organization. The group prepared and froze the food at a member's home on the weekend. They transported the food to the Ronald McDonald House in the afternoon and heated it up in the RMH kitchens. They also brought a variety of beverages and home-made desserts. There were 12 volunteers who helped prepare and serve food and it worked out great. There are plenty of ways to help even if you can't commit to an evening. For example: you can make a pan of bars or shop for the food or help transport the food.

We need volunteers. If you are interested in helping in any way, send an email to: pwasmund@inspectroninc.com. Explain how you want to help. **What counts in life is what we give to others and the reward for volunteering greatly exceeds the effort.**

Directions to Shoreview City Hall - 4600 North Victoria Street - 651-490-4600:

From Minneapolis* Take 35W north to Hwy 96 (1st exit past 694) take a right on Hwy 96 * go approximately 2 miles to Victoria St. Turn left onto Victoria and go $\frac{1}{2}$ block and turn right into our parking lot.

From St Paul* 35E north to 694 west to the Lexington Ave. exit, turn right onto Lexington Ave. Go approximately $1\frac{1}{2}$ miles to Hwy 96 (stop light) turn right onto Hwy 96 go $\frac{1}{2}$ mile to Victoria St. turn left, and go $\frac{1}{2}$ block and turn right into our parking.

From NE (Forest Lake, Hugo) * 35E south to Hwy 96, take a right and go approximately 4 miles, you will go past our building and take a right on Victoria to get to our parking lot.

From NW (Anoka, Blaine, Coon Rapids) * Hwy 10 south to Hwy 96, turn left on Hwy 96 and go approximately $1\frac{1}{2}$ miles to Victoria St. turn left on Victoria, go $\frac{1}{2}$ block and turn right into our parking lot.

From East (Woodbury, Oakdale, Eastern Wisconsin) * 694 west to Lexington Ave. turn right on Lexington Ave. go approximately $1\frac{1}{2}$ miles to Hwy 96 and take a right, go $\frac{1}{2}$ mile to Victoria and turn left, go $\frac{1}{2}$ block and turn right into our parking lot.

From West (New Brighton, Fridley, Brooklyn Park) * 694 east to Lexington Ave. turn left on Lexington, go approximately $1\frac{1}{2}$ miles to Hwy 96 and turn right, go $\frac{1}{2}$ mile to Victoria St. and take a left, go $\frac{1}{2}$ block and turn right into our parking lot.

Looking at the building from the parking lot---the City Hall main doors are on the left side of the building. Our meeting will be in the Council Chambers, just as you enter the building on your left.

DRAFT MINUTES - Tuesday, February 24, 2009 - Blaine City Hall

The meeting was called to order at 9:31 a.m. The following officers were present at this meeting: President Britt Pease; Vice-President Barb Williams; Secretary II May Vang; Treasurer I Patti Wasmund. The following members and guests were present: Connie Duellman, Debi Close, Jackie Onischuk, JoAnne Beckes, Krista Buth, Lisa Kelleher, Michele Engberg, Rhonda McDonald, Robbie Hiltz, Roger Axel, Tammy Siemsen, Linda Singer, Heather Rogers, Joy Fleury, Steve Nelson, Katy Okerstrom, Jeanne Witczek, Katie Schlundt, Gail Kezral, Jeremiah Anderson and Peter Kulczyk.

Introductions took place.

There were no corrections to the minutes. Member Michelle Engberg made a motion, seconded by Member Linda Singer, to approve the minutes of November 25, 2008. The motion passed unanimously.

Treasurer I Patti Wasmund gave the Treasurer's Report for December 2008 and January 2009. December 2008 had a beginning balance of \$6,353.16 with expenditures of \$37.00 with no deposits. The end balance for December 31, 2008 was \$6,315.67. January-February 2009's report noted a beginning balance of \$6,315.67 with expenditures of \$269.12 and deposits totaling \$2,910.00. The ending balance for February 24, 2009 was \$8956.55. Member Robbie Hiltz made a motion, seconded by Vice-President Barb Williams, to approve the treasurer's report. The motion passed unanimously.

Committee Reports

Education

Member Michelle Engberg reported that the attendance numbers were good at the Permit Tech sessions of the Annual Institute for Building Officials (AIBO) held at the University of Minnesota last month. Later this Spring, when planning begins for next year's Institute, the actual attendance numbers will be presented to the planning committee.

Thursday at the Institute was a day of Indoor Air Quality presentations co-sponsored with the Minnesota Association of Housing Code Officials (MAHCO). Four different presenters split the day and provided excellent material. Friday was a session on the basics of non-structural provisions of the International Building Code (IBC) presented by Mary Dickson from Arizona.

Additionally, the State of Minnesota, Construction Codes and Licensing Division of the Department of Labor and Industry, presented a session on basic residential plan review. The State-presented session followed last year's request (made by MBPTA) for an introduction to residential plan review. The MBPTA request for introductory plan review has led to a sequential series of presentations created by the State: last year's focus was Chapter 1300 of the State Building Code (SBC) and applicable provisions of the International Residential Code (IRC) with state amendments (SBC Chapter 1309, The Minnesota Residential Code); this year applied the code to an actual house plan; and next year is expected to be structural provisions of the Minnesota Residential Code. These State sessions are offered at both the January AIBO and at the February ICC Region III/AMBO Institute. President Pease stated that Friday was a session on the basics of non-structural provisions of the International Building Code (IBC) presented by Mary Dickson from Arizona, was well attended.

Regions III

Member Roger Axel reported numbers for attendance. For Wednesday's IPM class 58 attended, the Legal Aspects class 38 attended, total registered was 588 total. Member Axel also stated that given the economy, there was a pretty good turn out. Member Axel stated that ICC had 3 of their board members attended the Presidents Dinner and that there were members of ICC from across the states attending the dinner also. President Pease added that she attended the Presidents Dinner and it was a great opportunity for her to meet new people. It was also an opportunity to share information about our MBPTA group; Wisconsin attended and is interested in starting a Permit Techs group. Treasurer I Patti Wasmund stated that we could speak to Wisconsin and help them to start their own chapter.

Communications

Vice-President Williams stated that she is open to any ideas and suggestions people may have to improve the webpage. She stated that she did a little browsing on Colorado's webpage and some other States' permit

Continued on next page....

February 24, 2009 Minutes (continued)

tech webpage and they have wonderful ideas. She asks that members go and look at the other permit techs' webpage and let her and Secretary I Barb Benesch know of ideas and suggestions.

State Advisory Board

For the guests and new members who may not know what the State Advisory Board is, President Pease asked Members Engberg and Singer to talk about what the State Advisory Board does. Member Engberg stated that this advisory board gives MBPTA a voice to the State's regarding community colleges with our needs as permit techs. She added that between Member Singer and herself, they switch off every other month to attend these meetings. The meetings are held in two different locations. Member Engberg attends the meetings held at Inver Grove campus (south of the Twin Cities) and Member Singer attends the meetings at the North Hennepin (north of the Twin Cities). Member Engberg stated that most members of the advisory committee are instructors.

Member Engberg also reported that Inver Hills is involved in a Program Review of the BIT courses. College enrollment is down and some courses are being combined between the two campuses to avoid course cancellation when possible. All BIT courses are available online. President Britt Pease stated that the more education we can get, the better it will be for our jobs. Member Axel mentioned that the Advisory Committee has the ability to do conference calls for their meetings. President Pease thanked Members Engberg and Singer for their time for attending these meetings.

10K Lakes

For the guests and new members who may not know what 10K Lakes is, President Pease asked Member Steve Nelson to talk about 10K Lakes. Member Nelson gave a brief explanation about 10k Lakes. He stated that he was unable to attend the last meeting but updated the group on education offered through 10K: March 17/18 and 19/20 at Jimmy's Conference Center in Vadnais Heights, "06 IBC Performing Non-Structural Plan Reviews". Members who are interested would pay \$40.00/person which includes lunch. In March, the chapter will have education for contractors, location to TBD. Member Steve Nelson also stated that 10K will host a golf tournament on May 29, 2009 and added that it would be a charitable event. He also mentioned that 10K has scholarships for people interested in BIT courses (with a certain amount of credits) and members of 10K who are attending college. He added that we may see a decrease in the number of scholarships from 6 to 4. President Pease added that since our chapter's one "free" day of education is no longer available, perhaps we could join with other chapters for education.

Bylaws

President Pease noted that the Bylaws were approved at the November 25, 2008 meeting and that officers, at today's meeting, will sign them and also have them notarized. Treasurer Patti Wasmund stated that if any members have changes, additions, and/or clarifications to the Bylaws they should contact Patti Wasmund and Kathy Pepin. (Secretary I Barb Benesch stopped in prior to the meeting to sign the Bylaws in front of the notary since she was unable to attend today's meeting).

General Business

ICC Rewards Benefit

President Pease asked Member Axel to explain to the group about "ICC Rewards Benefits". Member Axel explained that this award is to help recognize chapters for their professionalism and added that ICC has an awards program in which chapters such as ours can earn points for being involved in various groups, events, and trainings. He added that once we've earned points, these points can be used towards a "free" education day for our chapter for 2010. He noted that he would look into what MBPTA has earned and inform President Pease. He also stated that these "free" education days we earn we can use towards a live-person-training.

Update on our ICC "Free Day" Education

President Pease informed members that we have lost our "free" education day; therefore the Education Committee will discuss options and ideas regarding this topic at our meeting following the regular MBPTA meeting. Treasurer Wasmund suggested that following our Education meeting, we should email the minutes to all members to get some response and recommendations for our "education day".

Charitable Event(s)

President Pease introduced Treasurer Wasmund who presented her charitable event idea for the group. Treasurer Wasmund explained that we would be preparing and/or serving a meal at the Ronald McDonald House. She added that she had helped this type of event in the past and went on to explain the steps involved. She added that we need approximately 12 people to hold the event. Treasurer Wasmund noted a possible a recipe that we could use if

so choose or suggested were to do a taco night or do a soup and salad night. She added that we could choose this event any day or evening. Member Nelson expressed that this would be a great PR opportunity for our group and suggested that we do it sometime during "Building Safety" week, which is in May. President Pease noted that our group has solicited donations for Toys-for-Tots and for the food shelves, but by doing this event we are doing something on a personal level. She added that there would be an email sent to all members with more information.

Review Permit Tech Questions & Answers

President Pease reviewed the questions and answers that were posted on the webpage and in the newsletter. Vice-President Williams stated that she has posted the Permit Tech questions on the MBPTA webpage but did not have the answers to post. Treasurer Wasmund suggested that we do 10 questions monthly as a tool for people interested in taking the certification test for Permit Technicians.

Open Floor

Member Engberg expressed that she was pleased with the way Blaine staff set up the meeting room; we could all see each other. President Pease thanked the City Staff of Blaine.

Adjournment

Member Jeanne Witczek made a motion, seconded by Member Singer, to adjourn the meeting at 10:23 a.m.

Immediately following the meeting, Jeremiah Anderson, Housing/Code Enforcement Inspector for the City of Mounds View, gave a highly informative presentation on moisture intrusion and mold in single family homes. Peter Kulczyk, from ICC Product Development, was also present to answer any questions that members might have. We would like to thank both of them for their time and expertise.



ICC 2009 CODES FORUM
March 23-25, New Orleans, Louisiana

New Orleans, Louisiana, will be the host city for this year's Codes Forum. The Sheraton New Orleans Hotel located steps away from Bourbon Street will be the location offering over 25 educational sessions giving attendees ample opportunity to earn CEU's.

FOR MORE INFORMATION GO TO:
<http://www.iccsafe.org/news/annual/2009Forum/>

ICC Contacts
 1-888-ICC-SAFE
 (422-7233)
 Web address:
www.iccsafe.org

Just for Fun....

A typical new home weighs in at about 339,000 pounds, or more than 150 tons.

What accounts for all that weight? Building materials, appliances, cabinetry and more, including 46,000 pounds of lumber, 16,000 pounds of drywall, 13,000 pounds of plywood, 750 pounds of plumbing piping, and 200 pounds of nails.

NEWSLETTER EDITOR INFORMATION

As always, please make sure you send all RSVP's and mailing list information to Barb Benesch. You only need to RSVP if you are coming to the meeting. You need not respond if you will not be able to make it (unless you are an officer).

If you are currently receiving a hard copy through the mail, and you have access to e-mail, please let me know and I will put you on the e-mail list.

We would love to receive articles for this newsletter! If you have any information, ideas or tidbits you would like to share, let us know.

Barb Benesch, Secretary I
 Fax (763) 717-4019
 Phone (763) 717-4028
 Barb.benesch@ci.mounds-view.mn.us
barb.benesch@ci.mounds-view.mn.us

INDEPENDENT CONTRACTOR EXEMPTION CERTIFICATE (ICEC)

MN state law requires individuals who work as independent contractors in the building construction industry to obtain from the Department of Labor and Industry an Independent Contractor Exemption Certificate (ICEC). For purposes of the state workers' compensation, unemployment insurance, wage and hour, occupational safety and health laws, and state and federal tax withholding, individuals doing residential and commercial construction work without an ICEC will be considered employees of the contractor for whom they are working. These businesses are characterized as contracting, performing work and receiving compensation from another contractor. **The ICEC is only required for independent contractor sole proprietorships who subcontract.**



Businesses that are registered as another business entity with the Minnesota Secretary of State do not qualify for the ICEC. This includes corporations, LLCs and partnerships. Also, the ICEC does not apply to construction sales, many types of landscaping (see Minn. Statutes 181.723, sub. 2) construction design, manufacturing, cleanup, deliveries or maintenance.

To obtain an ICEC, individuals must complete and submit an application, fees and supporting documents that establish they meet the conditions required to operate as an independent contractor. To operate as independent contractors, individuals must be able to meet the conditions set out in the law's 'nine-factor' test.

An ICEC permits individuals to work as independent contractors. Certificate holders, however, may work as either independent contractors or as employees. Whether a certificate holder is working as an employee or an independent contractor will depend on the conditions of the particular work relationship. To be an independent contractor, in addition to having an ICEC, the conditions of the work relationship must also meet the 'nine-factor' test..

For details about the Independent Contractor Exemption Certificate program and requirements, please go to MN Construction Codes and Licensing Division (CCLD) at <http://www.doli.state.mn.us/ic.html>.

An individual, who holds an ICEC, is an independent contractor if he or she:

1. maintains a separate business with the individual's own office, equipment, materials, and other facilities;
2. holds or has applied for a federal employer identification number or has filed business or self employment income tax returns with the federal Internal Revenue Service if the person has performed services in the previous year for which the individual is seeking the independent contractor exemption certificate;
3. operates under contracts to perform specific services for specific amounts of money and under which the individual controls the means of performing the services;
4. incurs the main expenses related to the service that the individual performs under contract;
5. is responsible for the satisfactory completion of services that the individual contracts to perform and is liable for a failure to complete the service;
6. receives compensation for service performed under a contract on a commission or per-job or competitive bid basis and not on any other basis;
7. may realize a profit or suffer a loss under the contract to perform service;
8. has continuing or recurring business liabilities or obligations;
9. the success or failure of the individual's business depends on the relationship of business receipts to expenditures.

Enforcement - Contractors who employ individuals who do not have an ICEC will face civil penalties if they do not provide workers' compensation and unemployment insurance to these individuals, and do not properly withhold state and federal taxes from their employees' pay.

DLI is responsible for the administration and enforcement of the ICEC program, and is required to share information with the Minnesota Departments of Revenue and Employment and Economic Development regarding individuals and employers who are found to be in violation of the ICEC requirements. In addition to penalties for failure to provide workers' compensation and unemployment insurance, employers may also be subject to civil penalties of up to \$5,000 per violation for violating provisions of the ICEC laws and rules. Individuals may also be subject to civil penalties if they provide false or misleading information in an ICEC application, fail to meet all requirements of the nine-factor test to qualify as an independent contractor, allow another person to use their ICEC, misrepresent their status as an independent contractor, or alter or falsify an ICEC.

For more information go to <http://www.doli.state.mn.us/>

Update on the State of the International Code Council: Strong and Evolving

We certainly appreciate the open dialogue we enjoy with our members, partners and stakeholders. As we continue this conversation, we think it is imperative that all of us strive for honesty and transparency in our discussions. We know that not every action, whether it is based on budgets or operations, will be met with universal approval. In each case we always will welcome constructive criticism that is given with the best of intentions for the future success and well-being of the Code Council.

Since our last communication, in which we conveyed the essence of our 2009 budget, we have moved into the budget's implementation. The first step involved a difficult but necessary second phase of position eliminations to reduce our overall expenses. At the same time, we restructured a number of our programs to work more efficiently in this time of economic limitations. All of these actions were driven by the impacts of the economy on you and those who regularly purchase our services and products. You are well aware of recent economic reports of skyrocketing unemployment numbers, a 6.2% 4th quarter decline in the Gross Domestic Product and the stock market falling below 7,000 for the first time in 12 years. These are only a few indicators of the economic difficulty we find ourselves in. The Code Council is not immune to what is going on here in the United States and around the world. All of us are connected in this global economy, and thus all of us are now required to take measures to regroup and move forward.

Congressional Action International Energy Conservation Code (IECC), will impact new growth in adoption, enforcement and professional development activities. In the coming weeks we will launch an information initiative designed to prepare you for new requirements to access federal energy grants through the IECC adoption and enforcement, along with other important tips. We also will renew our efforts to promote the adoption of our federal grant program that would provide awards to local governments across the United States to establish and enforce building safety and fire prevention codes.

: The last quarter of 2008 also saw the launch of several Board initiatives to address concerns about the Code Development Process, including issues raised through the Task Force on Hearings regarding hearing length and participation, and the formation of a President's Advisory Committee to look at the hearing and voting processes. Our interaction with you on these issues spans a number of years and has included a diverse group of stakeholders in a variety of feedback formats. The Board has acted very deliberately, and very specifically, based upon information you have provided and that all of us have experienced and observed firsthand.

: The Board also has acted very deliberately regarding an appeal filed after the Minneapolis hearings. The rules governing voting procedures and voter eligibility that were in place at the time of the Final Action Hearings were designed to maximize participation in our process. The Appeals Board found, and the Board of Directors concurred, that the information produced during the appeal did not establish that a violation of those rules had occurred. Anecdotal and speculative claims aside, a final decision has been made on this issue. The Board, however, recognizes that some changes are needed to the Council's Code Development Process, and accordingly has revised Council policy and proposed some bylaw changes.

ANSWERS TO PERMIT TECH QUESTIONS

1. (D) single-family residences – Ref. IBC 101.2 (exception)
2. (A) a storage room of 90 square feet in floor area – Ref. IBC 508.2
3. (D) noncombustible – Ref. IBC 602.2
4. (D) Group – S-2 – Ref. IBC 311.3
5. (C) 30 inches – Ref. IBC 1209.2

Thank you for your ongoing support and participation.

Adolf Zubia
President, Board of Directors

and

Richard P. Weiland
Chief Executive Officer