



MN Conservation Code for Existing Buildings

For projects involving existing buildings in Minnesota, Design Professionals may choose to comply with either the MN Building Code (MSBC 1305) or one of the methods as defined in the MN Conservation Code (MN CCEB 1311).

Change of Occupancy and Change of Occupancy Classifications are unique terms within the MN Conservation Code.

CHANGE OF OCCUPANCY. A change in the purpose or level of activity within a building that involves a change in application of the requirements of this code. *Example: A community center to a dance hall, both are classified A-3, but requirements of the code could be considerable different.*

CHANGE OF OCCUPANCY CLASSIFICATION. This includes a change of occupancy classification within a group as well as a change of occupancy classification from one group to a different group. *Example: A banquet hall to an art gallery, A-2 to A-3. Or a hardware store to a condominium project, M to R.*

Compliance Methods in the MN Conservation Code for Existing Buildings

Chapter 3 – Compliance Methods – Application of a method shall be the sole basis for assessing the compliance of work performed under a single permit. The methods shall not be applied in combination with each other.

Design professional chooses method of compliance

1. **Prescriptive Compliance Method – Chapter 4**
2. **Work Area Compliance Method – Chapters 5-13**
3. **Performance Compliance Method – Chapter 14**

Summary of Methods MN CCEB 1311

1. **Prescriptive Compliance Method – Chapter 4**

402 Additions – The addition shall comply with MSBC 1305 (MN Building Code). The existing building together with the addition shall be *no less conforming* than the structure was prior to the addition. Height and area provisions of the existing building together with the addition shall comply with Chapter 5 of MSBC 1305.

403 Alterations – Alterations shall comply with MSBC 1305 (MN Building Code) for the new construction. Alterations shall be such that the existing building or structure is *no less conforming* than the structure was prior to the alteration.

Exception – Existing and replacement stairways are not required to comply with MSBC 1305 provide they meet the exceptions of 403.1.

404 Repair – The restoration to good or sound condition of any part of an existing building for the purpose of its maintenance. Work on non-damaged components required for the repair work shall be considered part of the repair, and not subject to the requirements for alterations in MN CCEB 1311.

407 Change of Occupancy – Any change in use (level of activity) or occupancy of a building shall be made to comply with MSBC 1305 (MN Building Code) for that occupancy. *

If proposed change is an equal or lower hazard (Table 407.1), the building shall be made to comply with MSBC 1305 (MN Building Code), but may utilize the exceptions laid out in Chapter 4 of MN CCEB 1311.

* *If change to a higher hazard – Use 1305 or 1311 Work Area Compliance Method.*

* *If change to equal or lower hazard makes building less conforming to 1305 – Use 1311 Work Area Compliance Method.*

2. Work Area Compliance Method – Chapters 5-13

Classification of Work Method – Chapter 5

502 Repairs – Comply with MN CCEB Chapter 6. Include the patching, restoration, or replacement of worn or damaged materials, elements, equipment, or fixtures for the purpose of maintaining such components in good or sound condition with respect to existing loads or performance requirements.

503 Alteration Level 1 – Comply with MN CCEB Chapter 7. Include the removal and replacement or the covering of existing materials, elements, equipment, or fixtures using new materials, elements, equipment, or fixtures that serve the same purpose.

504 Alteration Level 2 – Comply with MN CCEB Chapters 7 and 8. Include the reconfiguration of space, the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment.

505 Alteration Level 3 – Comply with MN CCEB Chapters 7, 8 and 9. Where the *work area* exceeds 50% of the aggregate area of the building.

Change of Occupancy – Chapter 10

1001.2 Change in occupancy with no change of occupancy classification. Any change in use (level of activity) without a change of occupancy classification. Comply with Sections 1002 through 1011.

1001.2.1 Repair and alteration with no change of occupancy classification. Where work is being done and there is a change in use (level of activity) without a change of occupancy classification. Comply with MN CCEB Chapter 4 for the work (Sections 402, 403 or 404) and Chapter 10, Sections 1002 through 1011.

1001.3 Change of occupancy classification. Any change of occupancy classification. Comply with 1002 through 1012.

1001.3.1 Partial change of occupancy classification. Where a portion of a building undergoes a change of occupancy classification. Comply with 1002 through 1012.

1002 Special Use and Occupancy. If proposed change is to a Special Use and Occupancy (see 1002.1). Comply with MSBC 1305 (MN Building Code)

3. Performance Compliance Method – Chapter 14

Design professional submits for review by the building official evaluation of 19 elements that must be quantified to determine the level of safety for the existing building. Conformance with MN Accessibility Code and other chapters of the code specific to changes of occupancy in existing buildings is required.

MN Accessibility Code 1341

Additions – Section 1111

Alterations – Section 1112

Change of Occupancy – Section 1113 – Existing buildings or portions of buildings that undergo a change of group or occupancy classification shall comply with this section. *Only those with a classification change need comply.*

The MN State Building Code is available for viewing online at <http://dli.mn.gov/CCLD/codes15.asp>