

FAQs about continuation of municipal inspection services

- Q: Can a municipality decide to stop performing inspections and plan reviews during this time?**
- A:** No. Municipalities that have adopted the State Building Code are still obligated to enforce the code through their designated building official. However, to not put themselves or others at risk, there are ways that inspections and other code enforcement services could be modified or performed and still verify code compliance. Read on for examples.
- Q: What should a contractor do if they are unable to reach their building official for an inspection or are informed by the municipality that they will not perform the inspection?**
- A:** The contractor can call or email Wayne Gartland with the department's Enforcement unit. He can be reached at 651-284-5892 or dli.contractor@state.mn.us and will discuss the specific inspection to try and resolve the matter directly with the municipality.
- Q: If a municipality will not provide an inspection, can a contractor proceed without the inspection at "their own risk?" What if the contractor takes photos or videos of the work?**
- A:** The State Building Code identifies specific required inspections that must be performed and approved before work may proceed. As the municipality's building official is the designated person responsible for code enforcement, only the building official can authorize the use of photos or videos in lieu of a municipal inspection.
- Q: If a municipality will not provide an inspection, can the state provide the inspection for the contractor?**
- A:** No. The municipality is responsible for providing code enforcement. The department does not have the capability to provide inspections on buildings other than those under the department's jurisdiction.
- Q: Can the city hire or contract with another Minnesota certified building official to perform inspections?**
- A:** Yes. The code allows the building official to designate others to perform inspections and/or review plans.

Q: Can the building official allow pictures or real time video to be provided by contractors or owners in lieu of onsite inspection?

A: Although at the discretion of the building official, the code allows the building official to accept reports of inspection by approved agencies or individuals. The building official may establish specific process or procedure based on a particular inspection and method of technology.

Q: Does the department have a list of independent inspection firms that are willing to contract with municipalities for inspection and other code enforcement services?

A: The department is aware of some firms and individuals that provide code enforcement services by a Minnesota Certified Building Official. Contact the department for further information.

Q: Does a municipality have discretion if they are concerned for their inspector's health and safety when performing a requested inspection at a particular higher-risk occupancy?

A: Yes. Ensuring employee safety is the highest priority. Inspections should be completed only with the building owner and permit holder's authorization and only when or where the inspector is confident their health and safety is not being compromised. In some cases, it may be agreeable to the contractor to delay performing the inspection. In other cases, there may be alternate ways to verify compliance such as streaming video or photos. In some instances, inspections related to health and senior care facilities may have limited or no permitted access.