



ADVISORY COMMITTEE COMMENT FORM FOR PROPOSED CODE CHANGES

(This form must be submitted electronically)

IRC-70, MR 1303.2300

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Proposed Code Change - Language

Please provide your proposed code change in strikeout/underline format. Provide the *specific* language you would like to see changed, with new words underlined and words to be deleted should be ~~stricken~~. Also, state whether the language contained in your proposal is from a code book or from an amendment currently found in Minnesota Rule. (You may provide the language (electronically) on a separate, attached sheet).

~~1303.2300 SCOPE.~~

The provisions of parts ~~1303.2305 to 1303.2330~~ govern the requirements, methods, and devices used to provide window fall prevention for the occupancy uses specified in part ~~1303.2310~~.

~~1303.2305 DEFINITIONS.~~

Subpart 1. ~~Scope.~~ The definitions in this part apply to parts ~~1303.2300 to 1303.2330~~.

Subp. 2. ~~ASTM F 2006.~~ "ASTM F 2006" means the ASTM F 2006-00, Standard/Safety Specification for Window Fall Prevention Devices for Non-Emergency Escape (Egress) and Rescue (Ingress) Windows.

Subp. 3. ~~ASTM F 2090.~~ "ASTM F 2090" means the ASTM F 2090-01A, Specification for Window Fall Prevention Devices with Emergency Escape (Egress) Release Mechanisms.

~~1303.2310 OCCUPANCIES.~~

In new buildings, window fall prevention methods and devices must be provided in the following occupancies:

A. apartment houses and condominiums;

B. hotels; and

C. motels.

~~1303.2320 WINDOW FALL PREVENTION REQUIRED.~~

~~Windows that are required to comply with part [1303.2310](#) must be equipped with window fall prevention screens, guards, or other devices that comply with ASTM F 2006 or ASTM F 2090.~~

~~Exceptions:~~

- ~~1. Fixed, nonoperable windows.~~
- ~~2. Windows located in basements.~~
- ~~3. Windows located below the first story above grade plane.~~
- ~~4. Windows in which the opening of a window in any position does not permit a four inch diameter sphere to pass through the opening.~~
- ~~5. Windows in which the bottom of the sill is more than 24 inches (610 mm) above the finished floor.~~

~~1303.2330 BUILDING ADDITIONS; ADDITION OR REPLACEMENT OF WINDOWS.~~

~~When building additions occur or when windows are added or replaced requiring a permit, windows must comply with parts [1303.2310](#) to [1303.2320](#).~~

Additional information only: Proposal to use the 2012 IRC Section R312.2 text with amended text

1309.0312 SECTION R312, GUARDS AND WINDOW FALL PROTECTION

R312.2 Window fall protection. Window fall protection shall be provided in accordance with Section R312.2.1 and R312.2.2

R312.2.1 Window sills. In dwelling units, where the opening of an operable window is located more than 72 inches (1829 mm) above the finished grade or surface below, the lowest part of the clear opening of the window shall be a minimum of 24 inches (610 mm) above the finished floor of the room in which the window is located. Operable sections of windows shall not permit openings that allow passage of a 4-inch (102 mm) sphere where such openings are located within 24 inches (610 mm) of the finished floor.

Exceptions:

1. Windows whose openings will not allow a 4-inch-diameter (102 mm) sphere to pass through the opening when the window is in its largest opened position.
2. Openings that are provided with window fall prevention devices that comply with ASTM F 2090.
3. Windows that are provided with window opening control devices that comply with Section R312.2.2

R312.2.2 Window opening control devices. Window opening control devices shall comply with ASTM F 2090. The window opening control device, after operation to release the control device allowing the window to fully open, shall not reduce the minimum net clear opening area of the window unit to less than the area required by Section R310.1.1.

R312.2.3 Building additions; addition or replacement of windows. When building additions occur or when windows are added or replaced requiring a permit, windows must comply R312.2.1 and R312.2.2.

Proposed Code Change – Need and Reason

Please provide a thorough explanation of the need for this change and why this proposed code change is a reasonable change. During the rulemaking process, the Agency must defend the need and reasonableness of all its proposed changes. The Agency must submit evidence that it has considered all aspects of the proposal. (You may provide the need and reason (electronically) on a separate attached sheet).

The proposal offers to delete MR 1303.2300 in its entirety and utilize the 2012 IRC and IBC model code document text with amendments as required.

During the adoption of the 2006 IRC and IBC the provisions were amended out the code documents because of the uncertainty of pending legislation. House File 1078 and legislation required that the Department of Labor and Industry to adopt rule language to address window fall prevention and establish a scope that included building occupancies, and types, locations and sizes of windows that will require fall prevention devices.

Based on information offered to the Window Fall Prevention Advisory Committee, window fall prevention was determined to apply to apartment, condominium, hotel, and motel occupancy groups. Since the adoption of the MR 1303.2300 rule language (effective 7-1-2009), there have been numerous reports of children falling from windows beyond the scoping of the rule language. With the adoption of the 2012 international code documents we have an opportunity to broaden the scoping requirements and additional amendment text to the IRC and IBC model codes. It seems reasonable to take advantage of this opportunity to further protect the children in the State of Minnesota.

Proposed Code Change – Cost/Benefit Analysis

Please consider whether this proposed code change will increase/decrease costs or indicate that it will not have any cost implications and explain how it will not. If there is an increased cost, will this cost be offset somehow by a life safety or other benefit? If so, please explain. Are there any cost increases/decreases to enforce or comply with this proposed code change? If so, please explain. (You may provide the cost/benefit analysis (electronically) on a separate, attached sheet).

There will be additional costs related to the approval of the proposed amendment.

Other Factors to Consider Related to Proposed Code Change

1. Is this proposed code change meant to:

change language contained in a published code book? If so, list section(s).

change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

delete language contained in a published code book? If so, list section(s).

delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s). **MR 1303.2300**

neither; this language will be new language, not found in the code book or in Minnesota Rule.

2. Is this proposed code change required by a Minnesota Statute or new legislation? If so, please provide the citation to the Statute or legislation.
YES. Minnesota Statute language required that the DLI adopt rule language to address window fall prevention and required an effective date of July 1, 2009.
3. Will this proposed code change impact other sections of a published code book or of an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.
IRC Section R312.2 and IBC Section 1013.8.
4. Will this proposed code change impact other parts of the Minnesota State Building Code? If so, please list the affected parts of the Minnesota State Building Code.
YES. MR 1303.2300
5. Who are the parties affected or segments of industry affected by this proposed code change?
Parties affected are, building officials, contractors and designers.
6. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.
YES. The MR 1303.2300 could be revised to incorporate the provisions required in the IRC and IBC with amended language as required.
7. Are you aware of any federal requirement or regulation related to this proposed code change? If so, please list the regulation or requirement.
NO