

24CCP\_21.2

8/1/2024: Tabled for revision to option 1

11/20/2024: TAG support with modification



## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Greg Metz

Date: 7/28/2022 updated 7/15/2024

Revised 10/1/24

Email address: greg.metz@state.mn.us

Model Code: IBC 2024

Telephone number: 651-284-5884

Code or Rule Section:

Firm/Association affiliation, if any: DLI/CCLD

IBC 423.5.1 Storm Shelter Required Occupant Capacity

Code or rule section to be changed: MR 1305

### General Information

Yes   No

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

- change language contained the model 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 the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.  
IBC 423.5.1 Required Occupant Capacity

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.  
No
3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~strikeout~~ words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Option 1:

**423.5.1 Design occupant capacity.** The required design occupant capacity of the storm shelter shall include all of the buildings on the site and shall be the total occupant load of the classrooms, vocational rooms and offices in the Group E occupancy.

**Exceptions:**

1. Where approved by the building official, the actual number of occupants for whom each occupied space, floor or building is designed, although less than that determined by occupant load calculation, shall be permitted to be used in the determination of the required design occupant capacity for the storm shelter.
2. Where a new building or addition is being added on an existing Group E site, and where the new building or addition is not of sufficient size to accommodate the required design occupant capacity of the *storm shelter* for all of the buildings on site, the ~~storm shelter~~ shall accommodate not less than the required occupant capacity for the new building new building or addition shall be constructed as a storm shelter.
3. Where approved by the *building official*, the required design occupant capacity of the shelter shall be permitted to be reduced by the design occupant capacity of any existing *storm shelters on the site*.

Option 2:

~~**423.5.1 Design occupant capacity.** The required design occupant capacity of the storm shelter shall include all of the buildings on the site and shall be the total occupant load of the classrooms, vocational rooms and offices in the Group E occupancy.~~

~~**Exceptions:**~~

- ~~1. Where approved by the building official, the actual number of occupants for whom each occupied space, floor or building is designed, although less than that determined by occupant load calculation, shall be permitted to be used in the determination of the required design occupant capacity for the storm shelter.~~
- ~~2. Where a new building is being added on an existing Group E site, and where the new building is not of sufficient size to accommodate the required design occupant capacity of the *storm shelter* for all of the buildings on site, the *storm shelter* shall accommodate not less than the required occupant capacity for the new building number of occupants in the new building requiring storm sheltering.~~
- ~~3. Where approved by the *building official*, the required design occupant capacity of the shelter shall be permitted to be reduced by the design occupant capacity of any existing *storm shelters on the site*.~~

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.  
No.

**Need and Reason**

1. Why is the proposed code change needed?  
The model code lacks clear scoping for new buildings on existing school sites. The intent of the code is to provide storm sheltering for all site occupants. This will never happen if new

construction only has to accommodate the occupant load of the new work. There is confusion when the new building is not large enough to construct a storm shelter for the entire site.

2. Why is the proposed code change a reasonable solution?  
The intent of the code is to provide storm sheltering for the entire site. The new building will not be required to be made larger merely to accommodate storm sheltering, but it shall maximize the storm sheltering within the new program spaces provided. The language is changed to use the term addition to make it predominantly clear that the entire new addition shall be constructed as a storm shelter to maximize sheltering for the site, but not require the new addition to be constructed any larger than planned.
  
3. What other considerations should the TAG consider?  
None

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain.  
The proposed change will not increase construction costs. DLI/CCLD has first jurisdiction over schools and has interpreted that new construction which cannot provide storm sheltering for the entire site must be constructed completely as storm shelter to its greatest capacity within the program requirements for primary use.
  
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.  
N/A
  
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No
  
4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.  
No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, Engineers, Construction Contractors, Building Officials and Inspectors, Fire Officials, public and private schools in the southern half of the state.
  
2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?  
None
  
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?  
No
  
4. 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.

The proposed change is the lowest impact option with the potential to produce desired results.

5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?

None.

6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Continued confusion and frustration over storm shelter capacity requirements resulting in compromised budgets for public school projects.

7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.

No

8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can be considered by the TAG.

**1305.1511** [Repealed, 44 SR 609]

**1305.1511 SECTION 1511, REROOFING.**

Subpart 1. **IBC section 1511.1.** IBC section 1511.1 is amended to read as follows:

**1511.1 General.** Materials and methods of application used for recovering or replacing an existing roof covering shall comply with the requirements of chapter 15.

**Exception:** Reroofing shall not be required to meet the minimum design slope requirement of one-quarter unit vertical in 12 units horizontal (two percent slope) in Section 1507 for roofs that provide positive drainage if all the following conditions are met:

1. The minimum required roof slope is technically infeasible due to existing parapet heights, existing unalterable flashing that requires positive drainage, or other obstacle.
2. The existing structure is demonstrated through structural analysis to be capable of supporting ponding to the level of the secondary emergency drainage system or point of overflow.
3. A secondary (emergency) drainage system is installed in compliance with Section 1502.

Subp. 2. **IBC section 1511.5.** IBC section 1511.5 is amended to read as follows:

**1511.5 Reinstallation of materials.** Existing slate, clay, or cement tile shall be permitted for reinstallation, except that damaged, cracked, or broken slate or tile shall not be reinstalled. Existing vent flashing, metal edging, drain outlets, collars, and metal counterflashings shall not be reinstalled where rusted, damaged, or deteriorated. Aggregate surfacing materials shall not be reinstalled unless such aggregate complies with the gradation requirements of ASTM C-33 Standard Specification for Concrete Aggregate.

Subp. 3. **IBC section 1511.7.** IBC section 1511 is amended by adding section 1511.7 to read as follows:

**1511.7 Drainage.** Existing roofs where the roof perimeter construction extends above the roof in such a manner that water will be entrapped if the primary drains allow buildup for any reason shall be equipped with a secondary (emergency) drainage system.

**Exception:** Existing roofs that are demonstrated to have the structural capacity to support the depth of ponding water where the water will discharge over an exterior building edge if the primary drainage system fails.

**Statutory Authority:** *MS s 16B.59; 16B.61; 16B.64; 326B.101; 326B.106; 326B.13*

**History:** *27 SR 1474; L 2007 c 140 art 4 s 61; art 13 s 4; 44 SR 609*

**Published Electronically:** *March 31, 2020*



## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Jerry Norman

Date: 9/13/2024

Email address: gnorman@rochestermn.gov

Model Code: 2024 IBC

Telephone number: 507-328-2622

Code or Rule Section: Table 1006.3.4(1)

Firm/Association affiliation, if any: NA

Topic of proposal: sleeping units

Code or rule section to be changed: 2024 IBC

Intended for Technical Advisory Group ("TAG"):

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### General Information

Yes   No

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

### Proposed Language

1. The proposed code change is meant to:

change language contained the model 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 the model code book? If so, list section(s).  
IBC Table 509.1

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

add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.  
No

- Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

**TABLE 1006.3.4(1) – STORIES AND OCCUPIABLE ROOFS WITH ONE EXIT OR ACCESS TO ONE EXIT FOR R-2 OCCUPANCIES**

STORY	OCCUPANCY	MAXIMUM NUMBER OF DWELLING UNITS OR SLEEPING UNIT	MAXIMUM EXIT ACCESS TRAVEL DISTANCE
Basement, first, second or third story above grade plane and	R-2 <sup>a, b, c</sup>	4 dwelling <u>or sleeping</u> units	125 feet
Forth story above grade plane and higher	NP	NA	NA

For SI: 1 foot = 304.8 mm  
 NP = Not Permitted  
 NA = Not Applicable  
 a. Buildings classified as Group R-2 equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 and protected with emergency escape and rescue openings in accordance with Section 1031.  
 b. This table is used for group R-2 occupancies consisting of dwelling units or sleeping units. For other Group R-2 occupancies, use Table 1006.3.4 (2).  
 c. This table is for occupiable roofs accessed through and serving individual dwelling units or sleeping units in Group R-2 occupancies. For other Group R-2 occupancies with occupiable roofs that are not accessed through and serving individual units use Table 1006.3.4(2).

- Is this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.

No

### **Need and Reason**

- Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

The table identifies when a single means of egress is allowed from a story. The table allows up to 4 dwelling units per story for up to 3 stories above grade plane, but would not allow 4 sleeping units per story for up to 3 stories above grade plane and instead references the user to another code table (Table 1006.3.4(2)) which would not allow a single exit from the 3<sup>rd</sup> story above grade plane for a sleeping unit type group R-2 occupancy. By definition (ref. IBC Sec. 202) the difference between a sleeping unit and a dwelling unit is that a dwelling unit has provisions for sanitation AND cooking, where a sleeping unit has provisions for sanitation OR cooking but not both. Normally sleeping units have sanitation facilities only. So the question is “How does the addition of a cooking appliance make it SAFER and thereby allow the addition story?” Actual example that have been effected are small dormitory buildings and existing dwelling units turned into rooming houses.

- Why is the proposed code change a reasonable solution?

If the code has determined that 4 dwelling units with a single means of egress is safe for up to 3 stories above grade plane, then logically 4 sleeping units should also be permitted. Individual sleeping units are typically smaller in size than a dwelling unit, are provided with smoke alarms, and are separated from adjoining spaces with rated construction.

- What other factors should the TAG consider?

### **Cost/Benefit Analysis**

- Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

Decrease cost as a second means of egress will no longer be required from these facilities.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

It will reduce enforcement cost as a second means of egress will not need to be confirmed during plan review or inspection.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

## **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?

Architects, engineers and contractors.

2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

It could be a separate provision in section 1006.3.4 instead of being in the table.

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Failure to adopt the code change will limit option for designers on small lots thereby reducing affordable housing options.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

Yes. The legislature has direct MN DLI to review the single exit building provisions, but most efforts have been focused on “dwelling unit” buildings not “sleeping unit” buildings.



\*\*\*Note: The information you provide in this code change proposal form is considered Public Data and used by the TAG to consider your proposed modification to the code. Any code change proposal form submitted to DLI may be reviewed at public TAG meetings and used by department staff and the Office of Administrative Hearings to justify the need and reasonableness of any proposed rule draft subject to administrative review and is available to the public.

\*\*\*\*Note: Incomplete forms will be returned to the submitter with instruction to complete the form. Only completed forms will be accepted and considered by the TAG. The submitter may be asked to provide additional information in support of the proposed code change.

# Minnesota Department of Public Safety State Fire Marshal Division

## Fire Code Change Proposal Form

(Submit via email to: [fire.code@state.mn.us](mailto:fire.code@state.mn.us))

*\*\*Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: [Forrest Williams, Supervisor \(SFM\)](#)

Date: [5/20/2024](#)

Email address: [forrest.williams@state.mn.us](mailto:forrest.williams@state.mn.us)

Telephone number: [651-769-7784](tel:651-769-7784)

Organization/Association/Agency, if any: [DPS – State Fire Marshal](#)

Code or rule section to be changed (include code or rule title and edition year): [2024 IFC Section 510.1 - 510.2](#)

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES:  NO:  UNKNOWN:

*\*\*If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

### General Information

Yes   No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?

### Proposed Language

1. The proposed code change is meant to:

Change language contained the model code book? If so, list section(s).



# Minnesota Department of Public Safety State Fire Marshal Division

2024 IFC Sections 510.1 – 510.2

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

MR 7511.0510

Delete language contained in the model code book? If so, list section(s).

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

Add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

No

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

This proposal replaces MR 7511.0510 with the following:

## **SECTION 510 EMERGENCY RESPONDER COMMUNICATIONS ENHANCEMENT SYSTEMS**

*2024 IFC Sections 510.1 and 510.2 are deleted and replaced with the following:*

### **510.1 Where required.**

Approved in-building emergency responder communications enhancement system (ERCES) for emergency responders shall be provided as required in jurisdictions where Appendix Q has been adopted via ordinance or where otherwise required by law or ordinance.

### **510.2 Installation.**

Newly installed emergency responder communications enhancement systems shall comply with Sections 510.3 through 510.6.4.

*[Note: Appendix Q will be updated to include 2024 IFC Section 510 in its entirety.]*



Updated July 2022

# Minnesota Department of Public Safety State Fire Marshal Division

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.  
2024 IEBC Section 908 will need to be amended to coordinate with the MN State Fire Code (likely by deleting Section 908).

## Need and Reason

1. Why is the proposed code change needed?  
Currently, MR 7511.510 deletes Section 510 in its entirety and places it in an optional appendix (currently Appendix P, but to be renamed as Appendix Q) for local adoption via ordinance. However, removing the entire section text has the effect of removing the permit and technical installation requirements. This means that when such systems are installed voluntarily outside the scope of the optional appendix or local ordinance, there are no governing installation, performance, and maintenance provisions. This has resulted in emergency responder communications enhancement system installations that do not function as intended. This change will ensure that whether an ERCES is installed voluntarily, or as required by ordinance, such systems will be designed and installed consistently throughout the state to ensure proper performance and operability.
2. Why is the proposed code change a reasonable solution?  
This change is reasonable because it's imperative that emergency responder communications enhancement systems, where installed, operate and perform as intended. Since these systems can cost anywhere from \$0.50 to \$2.00 per square foot, correcting deficiencies after-the-fact can pose an additional financial hardship for property owners.
3. Is there additional data or information that should be considered?  
n/a

## Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.  
No change in costs.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.  
n/a
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No. In those jurisdictions that choose to require a permit, the permit fee should offset the cost of plan review and inspection.
4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is



# Minnesota Department of Public Safety State Fire Marshal Division

any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No

## Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?  
Fire code officials, building code officials, ERCES designers and installation contractors, building owners and operators.
2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?  
No
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?  
No
4. 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.  
No
5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?  
None
6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?  
Without adoption of this proposal there will continue to be no governing installation and performance provisions for voluntarily installed ERCESs, resulting in systems that do not function as intended.
7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.  
No
8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.  
No



Updated July 2022

# Minnesota Department of Public Safety State Fire Marshal Division

*\*\*Please complete all sections. Incomplete forms may be returned for additional information.*



Updated July 2022

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

*Author/requestor:* Britt McAdamis, Wendy Rannenberg

*Date:* 8/20/2024

*Email address:* britt.mcadamis@state.mn.us

*Model Code:* IEBC 2024

*Telephone number:* 651-284-5276

*Code or Rule Section:* 1011.5.6

*Firm/Association affiliation, if any:* DLI/CCLD

*Code or rule section to be changed:* MR 1311

*Intended for Technical Advisory Group ("TAG"):* IEBC

### General Information

**Yes**    **No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:
  - change language contained the model 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 the model code book? If so, list section(s).
  - delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - add new language that is not found in the model code book or in Minnesota Rule.
  
2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.  
No
  
3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

**(2024 IEBC) 1011.5.6 Existing Emergency escape and rescue openings.** ~~Where a change of occupancy would require an emergency~~ Emergency escape and rescue openings shall be provided where required for the new occupancy classification in accordance with Section 1031 of the *International Building Code*, as amended by Minnesota Rules 1305, the *Minnesota Building Code*. Operable windows serving as the emergency escape and rescue opening shall comply with one of the following:

1. An existing operable window serving as the emergency escape and rescue opening shall ~~provide a minimum net clear opening of 4 square feet (0.38 m<sup>2</sup>) with a minimum net clear opening height of 22 inches (559 mm) and a minimum net clear opening width of 20 inches (508 mm).~~ comply with all of the following conditions:

- 1.1. Minimum of 20 inches in clear opening width.
- 1.2. Minimum of 20 inches in clear opening height.
- 1.3. Minimum of 4.5 square feet (648 square inches) clear opening.
- 1.4. Maximum of 48 inches from the floor to the bottom of the clear opening.

2. A replacement window installed in an existing unaltered opening may serve as the emergency escape and rescue opening where such window complies with both of the following:

- 2.1. The replacement window meets the size requirements in Item 1.
- 2.2. The replacement window is the manufacturer's largest standard size window that will fit within the existing frame or existing rough opening. The replacement window shall be permitted to be of the same operating style as the existing window or a style that provides for an equal or greater window opening area than the existing window.

3. Where alteration of an existing opening is necessary to provide a required emergency escape and rescue opening, the replacement window and opening shall comply with Section 1031 of the *International Building Code*, as amended by Minnesota Rules 1305, the *Minnesota State Building Code*.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.

### **Need and Reason**

1. Why is the proposed code change needed?  
Language is updated to provide clarity that emergency escape and rescue opening are required when any change in occupancy occurs, regardless of the means of egress hazard level. Minimum opening dimensions for emergency escape and rescue openings are adjusted to align with Minnesota Rules 7511, the Minnesota Fire Code.
2. Why is the proposed code change a reasonable solution?  
Updating the dimensions are necessary to provide consistency for emergency escape and rescue openings between, building code, fire code and licensed facilities to all have the same minimum requirements.
3. What other considerations should the TAG consider?  
None.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain.  
No. Fire code and licensing requirements already enforce and require the minimum dimensions of Minnesota Rules 7511, the Minnesota State Fire Code.



2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.  
N/A
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No
4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.  
No.

## **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, Engineers, Construction Contractors, Building Officials and Inspectors, Fire Officials, care providers, care recipients and their families.
2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?  
None
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?  
No
4. 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.  
  
The proposed change is the lowest impact option with the potential to produce desired results.
5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?  
None.
6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?  
This proposal aligns requirements from multiple agencies. Not adopting the rule will result in delays for licensing of care facilities and construction costs to make corrections.
7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.  
No

8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.  
The proposed rule aligns regulations from multiple state agencies: MN Dept. of Public Safety, MN Department of Health, and Construction Codes & Standards. A consistent rule across all agencies saves time and money and enhances safety.

CCP – EB – 9.2  
 5/3/24  
 7/9/24 – Reviewed at TAG,  
 accepted with modifications.  
 7/26/24 – Propose additional  
 change to footnotes for clarity  
 and consistency with Ch 5  
 table footnotes.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: C. Scott Anderson

Date: 4/22/24  
 R 7/9/24

Email address: c.scott.anderson@minneapolismn.gov

Model Code: 2024 IEBC

Telephone number: 612-246-7303

Code or Rule Section: Tables 1011.5,  
 1011.6, 1011.7

Firm/Association affiliation, if any: City of Minneapolis

Topic of proposal: Change in Occupancy,  
 Hazard Categories

Code or rule section to be changed: Tables 1011.5, 1011.6, and 1011.7

Intended for Technical Advisory Group (“TAG”):

### General Information

**Yes**    **No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

### Proposed Language

1. The proposed code change is meant to:

- change language contained the model 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 the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule. Tables 1011.5, 1011.6, and 1011.7

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.  
No
3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~strikethrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

**TABLE 1011.5 MEANS OF EGRESS HAZARD CATEGORIES**

RELATIVE HAZARD	OCCUPANCY CLASSIFICATIONS <sup>a</sup>
1 (Highest Hazard)	H
2	I-2; I-3; I-4
3	A; E; I-1; M; R-1; R-2; R-4, Condition 2
4	B; F-1; R-3; R-4, Condition 1; S-1
5 (Lowest Hazard)	<u>IRC-1, IRC-2, IRC-3</u>
6 (Lowest Hazard)	F-2; S-2; U, <u>IRC-4</u>

(a) IRC-1, IRC-2, IRC-3, and IRC-4 occupancy classifications are included only to determine relative hazard level where ~~residential structures~~ buildings regulated by Minnesota Rule 1309 are converted to ~~nonresidential uses~~ buildings regulated by Minnesota Rule 1311 in a change of occupancy. See part 1300.0070, subpart 12b, for occupancy classifications. When the use of a portion of a building is classified under Minnesota Rules Chapter 1311, the entire building shall be classified under Minnesota Rules Chapter 1311 and Minnesota Rules Chapter 1309 no longer applies to any part of the building.

**TABLE 1011.6 HEIGHTS AND AREAS HAZARD CATEGORIES**

RELATIVE HAZARD	OCCUPANCY CLASSIFICATIONS <sup>a</sup>
1 (Highest Hazard)	H
2	A-1; A-2; A-3; A-4; I; R-1; R-2; R-4, Condition 2
3	E; F-1; S-1; M
4 (Lowest Hazard)	B; <del>F-2; S-2</del> ; A-5; R-3; R-4, Condition 1; U
5 (Lowest Hazard)	<u>F-2; S-2; U; IRC-1; IRC-2; IRC-3; IRC-4</u>

(a) IRC-1, IRC-2, IRC-3, and IRC-4 occupancy classifications are included only to determine relative hazard level where ~~residential structures~~ buildings regulated by Minnesota Rule 1309 are converted to ~~nonresidential uses~~ buildings regulated by Minnesota Rule 1311 in a change of occupancy. See part 1300.0070, subpart 12b, for occupancy classifications. When the use of a portion of a building is classified under Minnesota Rules Chapter 1311, the entire building shall be classified under Minnesota Rules Chapter 1311 and Minnesota Rules Chapter 1309 no longer applies to any part of the building.

**TABLE 1011.7 EXPOSURE OF EXTERIOR WALLS HAZARD CATEGORIES**

RELATIVE HAZARD	OCCUPANCY CLASSIFICATION <sup>a</sup>
1 (Highest Hazard)	H
2	F-1; M; S-1
3	A; B; E; I; R
4 ( <del>Lowest Hazard</del> )	F-2; S-2; U; <u>IRC-4</u>
5 (Lowest Hazard)	<u>IRC-1; IRC-2; IRC-3</u>

(a) IRC-1, IRC-2, IRC-3, and IRC-4 occupancy classifications are included only to determine relative hazard level where ~~residential structures~~ buildings regulated by Minnesota Rule 1309 are converted to ~~nonresidential uses~~ buildings regulated by Minnesota Rule 1311 in a change of occupancy. See part 1300.0070, subpart 12b, for occupancy classifications. When the use of a portion of a building is classified under Minnesota Rules Chapter 1311, the entire building shall be classified under Minnesota Rules Chapter 1311 and Minnesota Rules Chapter 1309 no longer applies to any part of the building.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.

No

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)  
The conversion from 1309 (IRC) occupancy categories to 1305 (IBC) occupancy categories is not addressed in these tables, so determining what the relative hazards are is difficult. This is even more complicated since 1309 occupancies are included in table 501 and all are of a lower hazard than the 1305 R occupancies.
2. Why is the proposed code change a reasonable solution?  
This will reduce confusion as to the relative hazards when converting 1309 to 1305 occupancies.
3. What other factors should the TAG consider?  
None

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
This is an editorial change and should not impact the cost of construction.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.  
No cost change.
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
NA

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.  
No

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, Contractors, Developers, Building Owners, Contractors, Building Officials
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.  
No
3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?  
Not adopting this change will result in continued disagreement between code officials and designers as to how this code provision is to be applied.
4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.  
No

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

**CODE CHANGE PROPOSAL FORM**  
(Must be submitted electronically)

Author/requestor: Gregory Metz

Date: 10/16/2024

Email address: Greg.Metz@State.MN.US

Model Code: 2024 IEBC

Telephone number: 651-284-5884

Code or Rule Section: 506.5

Firm/Association affiliation, if any: DLI/CCLD

Topic of proposal: Sprinkling I-4 Change of Occupancy

Code or rule section to be changed: Add Section 506.5

Intended for Technical Advisory Group ("TAG"): MR 1311 TAG

**General Information**

**Yes**    **No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Proposed Language**

1. The proposed code change is meant to:

- change language contained the model 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 the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

No

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

**506.5 Fire Sprinkler System in I-4.** Where a change in occupancy classification occurs that requires an automatic fire sprinkler system to be provided in an I-4 Occupancy in accordance with Minnesota Rules 1305, such system shall be provided throughout the area where the change of occupancy occurs.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.

No.

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

I-4 Occupancies provide care for some of the most vulnerable of our population. The current code allows repurposing of many types of existing buildings to an I-4 Occupancy without requiring sprinkler systems necessary for their protection, including when the I-4 occupancies occur in basements or on levels other than the level of exit discharge.

2. Why is the proposed code change a reasonable solution?

When located on the level of exit discharge with direct exterior exits for young children, many I-4 Occupancies can be reclassified as Group E, reducing the requirement for sprinklers. The remaining I-4 Occupancies are those with limited access to exiting and those located in basements or upper stories where egress is more challenging. Requiring the extra measure of safety afforded by a sprinkler system ensures that vulnerable occupants will be provided with extra time to egress a building during a fire emergency.

3. What other factors should the TAG consider?

IEBC Chapter 10 requires sprinkling of I-4 occupancies for a change of occupancy.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

Proposed change will result in an increase on construction cost for non-sprinkled buildings being repurposed for childcare or adult day services. Cost for installing a new sprinkler system averages \$1.35/square foot. (NFSA.org)

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.

Sprinkler system provides a dramatic increase in building safety for these vulnerable care recipients.

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

Facility operators moving into existing buildings will pay the costs as part of the facility improvements.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No. Enforcement and compliance cost increases will be offset by increased permit revenues.

5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?

Architects, engineers, commercial daycare providers, commercial adult day services providers.

2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.

No

3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Infants and frail elderly will be in buildings remodeled for the services they require and will not be provided with the safeguards required for new construction. There will be a perceived expectation of safety that does not exist.

4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

No.



## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Britt McAdamis - staff

Date: 11/20/2024

Email address: [britt.mcadamis@state.mn.us](mailto:britt.mcadamis@state.mn.us)

Model Code: IEBC

Telephone number: 651-284-5276

Code or Rule Section: 1008.2, 1008.3

Firm/Association affiliation, if any: DLI/CCLI

Topic of proposal: Ventilation and Heating

Code or rule section to be changed: 1008

Intended for Technical Advisory Group ("TAG"): MR 1311

### General Information

**Yes**    **No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

change language contained the model 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 the model code book? If so, list section(s).

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

add new language that is not found in the model code book or in Minnesota Rule.  
MR 1311.1008.2, MR 1311.1008.3

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.  
No.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striethrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

**1008.2 Ventilation.** Ventilation shall comply with the requirements of Minnesota Rules Chapter 1305, Section 1202 for the new occupancy.

**1008.3 Temperature control.** Interior spaces intended for human occupancy shall comply with the requirements of Minnesota Rules Chapter 1305 for the new occupancy.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.  
No.

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

Heating equipment and systems are not currently addressed for a change in occupancy. In the instance where an occupancy is changed to a use intended for human occupancy it is reasonable to require the interior spaces be provided with a heat source meeting the requirements of the IBC. The proposed change would ensure the system is capable of maintaining an indoor temperature of not less than 68 degrees as required by the IBC.

Ventilation compliance is also added under Section 1008 for mechanical provisions to ensure the required ventilation is provided in the new occupancy. Current code language is subject to the limitations of increased mechanical ventilation or different kitchen exhaust requirements, and standard ventilation requirements are often missed as a requirement. This code change would require ventilation in any case regardless of increased needs of the change of occupancy.

2. Why is the proposed code change a reasonable solution?  
The code change ensures occupants are provided with required ventilation and heating conditions for the change in occupancy.
3. What other factors should the TAG consider?  
None.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No increase in costs as these are standard requirements, but this ensures the new occupancy is provided with necessary environmental conditions for human occupancy and equitable enforcement.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.  
N/A
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

N/A

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No.
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.  
No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Owners, architects, engineers, building officials.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.  
No.
3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?  
Changes in occupancy where the existing heating and or ventilation does not meet the requirements for new construction could be approved without proper ventilation and heat source.
4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.  
No.

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.

**CODE CHANGE PROPOSAL FORM**  
(Must be submitted electronically)

*Author/requestor:* Wendy Rannenberg                      *Date:* 9/25/24  
*Email address:* wendy.rannenberg@state.mn.us            *Model Code:* IEBC 2024  
*Telephone number:* 651-284-5415                              *Code or Rule Section:* MR 1311.0506.1  
*Firm/Association affiliation, if any:* DLI/CCLD              *Topic of proposal:* Prescriptive Relative Occ. Risk  
*Code or rule section to be changed:* MR 1311.0506.1  
*Intended for Technical Advisory Group ("TAG"):* 1311

**General Information**

**Yes**    **No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Proposed Language**

- The proposed code change is meant to:
  - change language contained the model 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 the model code book? If so, list section(s).
  - delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - add new language that is not found in the model code book or in Minnesota Rule.
- Is this proposed code change required by Minnesota Statute? If so, please provide the citation.  
No

- Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~strikethrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

**506.1.1 Change in the character of use.** A *change of occupancy* with no *change of occupancy* classification shall not be made to any structure that will subject the structure to any special provisions of the applicable international codes, without approval of the *code official*. Compliance shall be only as necessary to meet the specific provisions and is not intended to require the entire building to be brought into compliance.

<b>Table 506.1 Life Safety and Fire Risk</b>	
<b>Relative Hazard</b>	<b>Occupancy Classification <sup>(a)</sup></b>
1 (Highest Hazard)	H, I-2, I-3
2	A-1, A-2, A-3, A-4
3	A-5, E, I-1, R-1, R-2, I-4
4	M, R-3, R-4
5	B, F-1, S-1, IRC-1, <b>IRC-2</b> , IRC-3
6	F-2, S-2, <del>IRC-2</del>
7 (Lowest Hazard)	U, IRC-4

<sup>(a)</sup> IRC-1, IRC-2, IRC-3, and IRC-4 occupancy classifications are included only to determine relative hazard level where ~~residential structures buildings regulated by Minnesota Rule 1309~~ are converted to ~~nonresidential uses buildings regulated by Minnesota Rule 1311~~ in a change of occupancy. See part 1300.0070, subpart 12b, for occupancy classifications. When the use of a portion of a building is classified under Minnesota Rules Chapter 1311, the entire building shall be classified under Minnesota Rules Chapter 1311 and Minnesota Rules Chapter 1309 no longer applies to any part of the building.

- Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.  
No

**Need and Reason**

- Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)  
The proposed change to IRC-2 hazard category creates consistency with IEBC/MR 1311 Ch 10 for the relative hazard categories for buildings with occupancies currently scoped to the IRC/ MR Ch. 1309 which are being converted to occupancies scoped under the IBC/MR Ch. 1305. The additional footnote language provides clarity that IRC/1309 uses and IBC/1305 uses are not permitted in the same building.
- Why is the proposed code change a reasonable solution?  
The proposal places similar IRC/MR 1309-scoped uses in the same hazard category, and it provides clarity that mixed use buildings are regulated via the IBC/MR 1305.
- What other factors should the TAG consider?  
None

## **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
No-this is a change for clarity.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.  
NA
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.  
NA
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.  
No

## **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, Engineers, Construction Contractors, Building Officials and Inspectors.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.  
No – this is a simple concise change to add clarity and ensure consistency.
3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?  
Confusion in enforcement and inconsistency in the code across compliance options.
4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.  
No.

\*\*\*Note: The information you provide in this code change proposal form is considered Public Data and used by the TAG to consider your proposed modification to the code. Any code change proposal form submitted to DLI may be reviewed at public TAG meetings and used by department staff and the Office of Administrative Hearings to justify the need and reasonableness of any proposed rule draft subject to administrative review and is available to the public.

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

*Author/requestor:* Britt McAdamis, Ryan Rehn

*Date:* 7/26/2024

*Email address:* britt.mcadamis@state.mn.us

*Model Code:* IEBC 2024

*Telephone number:* 651-284-5276

*Code or Rule Section:* 506 – Change of occupancy, 1001 – General

*Firm/Association affiliation, if any:* DLI/CCLD

*Code or rule section to be changed:* MR 1311

*Intended for Technical Advisory Group (“TAG”):* IEBC

### General Information

**Yes   No**

- |  |                                     |                                     |
|--|-------------------------------------|-------------------------------------|
| A. Is the proposed change unique to the State of Minnesota?                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B. Is the proposed change required due to climatic conditions of Minnesota?            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| D. Will the proposed change remedy a problem?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment?               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Proposed Language

1. The proposed code change is meant to:

- change language contained the model 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 the model code book? If so, list section(s).
- delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.  
No

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

**506.1.2 State licensed facilities.**

When a building or space undergoes a change of occupancy to a State licensed facility as defined by Minnesota Statute 326B.103 from Minnesota Rules Chapter 1309, the *Minnesota Residential Code*, it shall be reclassified to an occupancy classification in Minnesota Rules Chapter 1305, the *Minnesota Building Code*, and shall comply with Section 1001.2.2.2.

**1001.2.2.2 State licensed facilities.**

When a building or space undergoes a change of occupancy to a State licensed facility as defined by Minnesota Statute 326B.103 from Minnesota Rules Chapter 1309, the *Minnesota Residential Code*, it shall be reclassified to an occupancy classification in Minnesota Rules Chapter 1305, the *Minnesota Building Code*, and the provisions of Section 1002 through 1011 shall apply.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.

No

**Need and Reason**

1. Why is the proposed code change needed?

There has been confusion regarding state licensed facilities as defined by Minnesota Statute 326B.103 when the proposed licensed facility is located in an occupancy regulated under Minnesota Rules 1309. Adding these sections clarifies that a change of occupancy from a Minnesota Rules 1309 to a state license facility is subject to the provisions of Minnesota Rules 1305 for occupancy classification. The addition of these sections brings clarity to the application of the codes for the new occupancy classification.

This is necessary for state licensed facilities to be addressed as a full change of occupancy to address all life safety concerns and to capture accessibility provisions to these facilities.

2. Why is the proposed code change a reasonable solution?

Adding these code sections to reinforce the change of occupancy from Minnesota Rule 1309 to a Minnesota Rule 1305 occupancy classification is appropriate to provide consistent applications of the code for these occupancies.

3. What other considerations should the TAG consider?

None

**Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain.

No.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.

N/A

3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No



4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.  
No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, Engineers, Construction Contractors, Building Officials and Inspectors, Fire Officials, long-term care providers, care recipients and their families.
2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?  
None
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?  
No
4. 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.

The proposed change is the lowest impact option with the potential to produce desired results.

5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?  
None.
6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?  
The proposal should result in reduced risk of unexpected cost or delay to obtain license to operation care facilities.
7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.  
No
8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.  
The proposed rule will improve alignment of requirements across agencies for licensing, fire code, and building codes and federal accessibility requirements.

\*\*\*Note: Incomplete forms may be returned to the submitter with instruction to complete the form. Only completed forms can considered by the TAG.