



CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Greg Metz, Ryan Rehn, Britt McAdamis

Date: 7/15/2022, revised 7/17/2024, revised after TAG discussion 7/24/2024

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 308.5.1.3 Child Day Care

Code or rule section to be changed: MR 1305

Intended for Technical Advisory Group ("TAG"): IBC and IBC/IFC Coordination

General Information

Yes **No**

- A. Is the proposed change unique to the State of Minnesota? Yes No
- B. Is the proposed change required due to climatic conditions of Minnesota? Yes No
- C. Will the proposed change encourage more uniform enforcement? Yes No
- D. Will the proposed change remedy a problem? Yes No
- E. Does the proposal delete a current Minnesota Rule, chapter amendment? Yes No
- F. Would this proposed change be appropriate through the ICC code development process? Yes No

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 Section 308.5.1.3 Child day care.

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.

308.5.1.3 Child day care. A child day care facility ~~shall~~ may be classified as a Group E occupancy where all of the following conditions apply:

- a. The facility provides care for more than five but not more than 100 children 2 ½ years or less of age.
- b. The rooms in which the children 2 ½ years or less of age are cared for are located on the level of exit discharge serving such rooms.
- c. Each room providing day care to children 2 ½ years or less of age, has an exit door directly to the exterior, and the means of egress shall not include stairs.

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 the exit discharge requirements for daycare rooms. Level of exit discharge does not mean that the exit discharge is at or near finished grade, but merely that a door passes through an exterior wall. Level of exit discharge is defined as a story where exits end and exit discharge begins. Requiring the day care to be located on the level of exit discharge does not guarantee that exit doors from care providing spaces discharge to grade where a walk-out basement condition exists. The intent of the section is that there is free and uninhibited egress from care providing spaces. If the means of egress is from the underground side of a walk-out basement condition or significantly above grade, there may be stairs to negotiate with day care children, slowing egress.

A pointer was added to make it clear that only the rooms where the children 2 ½ years or less of age are cared for or occupied would need to comply with these provisions.

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

The requirement is already in code. A Minnesota amendment negates the condition for existing buildings, but should be required for daycare even in existing buildings because the classification as an E occupancy eliminates the requirement for a sprinkler system for facilities under 12,000 square feet.

3. What other considerations should the TAG consider?

None.

Cost/Benefit Analysis

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

There should be no cost change because the condition is already required by IBC 1009.1. Including the language here is a clarification for uniformity.

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, schools, places of worship, daycare facilities.
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?
Daycare facilities without protective sprinkler systems located above or below grade where children do not have ease of access to safety in emergency conditions like fire.
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 considered by the TAG.



CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Greg Metz, Britt McAdamis, Ryan Rehn Date: 7/18/2022 updated 7/17/2024

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 310.4.2 Lodging House

Code or rule section to be changed: MR 1305

Intended for Technical Advisory Group ("TAG"): IBC and IBC/IFC Coordination

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).
- 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 Section 310.4.2 Lodging house
- 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 IBC) 310.4.2 Lodging houses. *Owner* -occupied *lodging houses* Lodging houses with five or fewer *guest rooms* shall be constructed in accordance with this code or the *International Residential Code*, ~~provided that facilities constructed using the *International Residential Code* are protected by an automatic sprinkler system is installed in accordance with Section P2904 of the *International Residential 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?

It is necessary to delete the last sentence as automatic residential fire sprinklers are addressed for lodging houses under the Minnesota Rule part 1309.0313 and automatic sprinkler systems for lodging houses are addressed under Minnesota Rule part 1305.0903.

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

The change should proceed in conjunction with consistency in sprinkler requirements between the Minnesota Residential Code and Minnesota Building Code.

3. What other considerations should the TAG consider?

Cost/Benefit Analysis

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

Proposed change will clarify and potentially decrease costs for a building.

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, building owners/ home owners.

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 over requirements specific to using Minnesota Residential Code scoped buildings verses using Minnesota Building Code requirements for transient use.
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.

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CODE CHANGE PROPOSAL FORM

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Author/requestor: Greg Metz

Date: 7/18/2022

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

Model Code: IBC 2018

Telephone number: 651-284-5884

Code or Rule Section:

Firm/Association affiliation, if any: DLI/CCLD

IBC 202 Definitions: Assisted Living

Code or rule section to be changed: MR 1305

Intended for Technical Advisory Group ("TAG"): IBC and IBC/IFC Coordination

General Information

Yes **No**

- A. Is the proposed change unique to the State of Minnesota? Yes No
- B. Is the proposed change required due to climatic conditions of Minnesota? Yes No
- C. Will the proposed change encourage more uniform enforcement? Yes No
- D. Will the proposed change remedy a problem? Yes No
- E. Does the proposal delete a current Minnesota Rule, chapter amendment? Yes No
- F. Would this proposed change be appropriate through the ICC code development process? Yes No

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.
MBC 201 Definitions: Assisted Living

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.

Assisted living. Facilities that provide custodial care to residents and some residents may require limited verbal or physical assistance while responding to an emergency situation to complete building evacuation.

Assisted living with dementia care. Facilities that provide custodial care to residents including residents with cognitive disorders. Some residents are incapable of self-preservation because they are incapable of responding to an emergency situation to complete building evacuation with only limited verbal or limited physical assistance.

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.
Yes, MBC section 308.2 including subsections, section 308.3 including subsections, section 310.4 and 310.5.

Need and Reason

1. Why is the proposed code change needed?
There has been confusion regarding the interpretation of what the building code requires for assisted living and assisted living with dementia care. Since the last code cycle, MDH now licenses assisted living and assisted living with dementia care. There are multiple occupancies under which assisted living and assisted living with dementia care could be classified and classification is unclear because the parameters of assisted living are also unclear. Providing definitions will enhance clarity and appropriate applications of the code.
2. Why is the proposed code change a reasonable solution?
The proposed definitions support interpretations by the Minnesota Department of Health regarding the make-up of residents in these types of facilities. Adding these definitions into the building code will support uniformity across state requirements.
3. What other considerations should the TAG consider?
When fire suppression sprinkling should be required, and what the population threshold is for requiring a smoke barrier and refuge areas.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
No cost change. DLI/CCLD and MDH have been espousing that assisted living shall be classified as I-1 Condition 2 and assisted living with dementia care shall be classified as I-2 Condition 1 since the adoption of the 2020 Minnesota Building 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, long-term care providers, elderly citizens 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?
Continued confusion over requirements specific to using Minnesota Residential Code scoped buildings verses using Minnesota Building Code requirements for use as an assisted living facility.
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.

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CODE CHANGE PROPOSAL FORM

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Author/requestor: Britt McAdamis, Ryan Rehn

Date: 7/15/2024

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

Model Code: IBC 2024

Telephone number: 651-284-5276

Code or Rule Section: 302.2 Care Facilities

Firm/Association affiliation, if any: DLI/CCLD

Code or rule section to be changed: MR 1305

Intended for Technical Advisory Group ("TAG"): IBC

General Information

Yes **No**

- A. Is the proposed change unique to the State of Minnesota? Yes No
- B. Is the proposed change required due to climatic conditions of Minnesota? Yes No
- C. Will the proposed change encourage more uniform enforcement? Yes No
- D. Will the proposed change remedy a problem? Yes No
- E. Does the proposal delete a current Minnesota Rule, chapter amendment? Yes No
- F. Would this proposed change be appropriate through the ICC code development process? Yes No

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).
1305.0302

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).
1305.0302

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.

Housing with Services Establishment	Housing with Services Establishment Housing with Services Establishment Providing Assisted Living Services	1— 5 adult residents c 80 percent 55 years of age or older unless registered under MN Statutes, Section 144D.025	R-3 dwelling unit
	Housing with Services Establishment Housing with Services Establishment Providing Assisted Living Services	6— 16 adult residents c 80 percent 55 years of age or older unless registered under MN Statutes, Section 144D.025	R-4 Condition 2
	Housing with Services Establishment Housing with Services Establishment Providing Assisted Living Services	> 16 adult residents c 80 percent 55 years of age or older unless registered under MN Statutes, Section 144D.025	I-1 Condition 2
Assisted Living Facilities and Assisted Living Facilities with Dementia Care	Assisted Living Facility	5 or fewer residents; some of whom may require limited verbal or physical assistance to respond to an emergency	R-3
	Assisted Living Facility	6 to 16 residents; some of whom may require limited verbal or physical assistance to respond to an emergency	R-4 Condition 2
	Assisted Living Facility	More than 16 residents; some of whom may require limited verbal or physical assistance to respond to an emergency	I-1 Condition 2
	Assisted Living Facility with Dementia Care	5 or fewer residents; some of whom are incapable of self preservation	R-3
	Assisted Living Facility with Dementia Care	More than 5 residents; some of whom are incapable of self preservation	I-2 Condition 1

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.
202, 308, 310

Need and Reason

- Why is the proposed code change needed?
Since the last code cycle, MDH now licenses assisted living and assisted living with dementia care, Housing with services is no longer a type of licensed facility. There has been confusion regarding the interpretation of what the building code requires for assisted living and assisted living with dementia care. There are multiple occupancies under which assisted living and assisted living with dementia care could be classified and classification is unclear because the parameters of assisted living are also unclear. Updating the table will enhance clarity and appropriate applications of the code.
- Why is the proposed code change a reasonable solution?
The proposed occupancy classifications support interpretations by the Minnesota Department of Health regarding the make-up of residents in these types of facilities and align with the application of the Life Safety Code by MDH. Updating the table in the building code will support uniformity across state 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 cost change. DLI/CCLD and MDH have been espousing that assisted living shall be classified as I-1 Condition 2 and assisted living with dementia care shall be classified as I-2 Condition 1 since the adoption of the 2020 Minnesota Building 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, 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?

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.

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CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Britt McAdamis

Date: 7/15/2024

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

Model Code: IEBC 2024

Telephone number: 651-284-5276

Code or Rule Section: 202, 302.2

Firm/Association affiliation, if any: DLI/CCLD

Code or rule section to be changed: MR 1305

Intended for Technical Advisory Group ("TAG"): IBC

General Information

Yes **No**

- A. Is the proposed change unique to the State of Minnesota? Yes No
- B. Is the proposed change required due to climatic conditions of Minnesota? Yes No
- C. Will the proposed change encourage more uniform enforcement? Yes No
- D. Will the proposed change remedy a problem? Yes No
- E. Does the proposal delete a current Minnesota Rule, chapter amendment? Yes No
- F. Would this proposed change be appropriate through the ICC code development process? Yes No

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).
1305.0302

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).
1305.0302

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 words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

202 Definitions

Supervised living facility. "Supervised living facility" means a facility in which there is provided supervision, lodging, meals and in accordance with provisions of rules of the Department of Human Services and the Department of Health, counseling and developmental habilitative or rehabilitative services to five or more persons who are developmentally disabled, chemically dependent, adult mentally ill, or physically disabled. For considerations of licensure, construction and major renovation, supervised living facilities are classified as follows

Class A supervised living facilities include homes for ambulatory and mobile persons who are capable of taking appropriate action for self-preservation under emergency conditions as determined by program licensure provisions.

Class B supervised living facilities include homes for ambulatory, nonambulatory, mobile, or nonmobile persons who are not mentally or physically capable of taking appropriate action for self-preservation under emergency conditions as determined by program licensure provisions.

Table 302.2

Supervised Living Facilities	Class A-1	6 or fewer residents; all of whom are capable of self-preservation without assistance	R-3 dwelling unit
	Class A-2	7 to 16 residents; all of whom are capable of self-preservation without assistance	R-4 Condition 1
	Class A-2	More than 16 residents; all of whom are capable of self-preservation without assistance	I-1 Condition 1
	Class B-1	6 or fewer residents; all of whom are not capable of self preservation without assistance where residents may be incapable of self preservation	R-3
	Class B-2	7 to 16 residents; of which some may require limited assistance for self preservation where residents may be incapable of self preservation	R-4 Condition 2 <u>I-2</u> Condition 1
	Class B-3	More than 16 residents; all of whom are not capable of self preservation without assistance where residents may be incapable of self preservation	I-2 Condition 1

- 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.
202, 302, 308, 310

Need and Reason

- Why is the proposed code change needed?

The definition of Supervised living facility was not previously located in Minnesota Rule 1305, it is defined by Minnesota Department of Health Statute 4665.0100 Subp. 10 and Minnesota Rule 7511. This proposal is to include the definitions from which align with the Minnesota Department of Health.

The number of care residents and corresponding occupancy classifications can be determined by the use of Minnesota Rule Table 1305.0302 and the occupancy classification groups as defined in the building code. Table 1305.0302 is also updated to properly align with the level of care and the self-preservation capabilities as determined by the license.

2. Why is the proposed code change a reasonable solution?
The proposed definitions support interpretations by the Minnesota Department of Health regarding the make-up of residents in these types of facilities. Adding these definitions into the building code will support uniformity across state requirements.
3. What other considerations should the TAG consider?

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
No cost change.
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?
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.

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Minnesota Department of Public Safety State Fire Marshal Division

24CCP_117

Fire Code Change Proposal Form

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

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

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

Date: [5/3/2024](#)

Email address: forrest.williams@state.mn.us

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

Organization/Association/Agency, if any: [State Fire Marshal – Department of Public Safety](#)

Code or rule section to be changed (include code or rule title and edition year): [MR 7511.0202, Table 202.1 and MR 1305.0302, Table 302.2](#)

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

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

MR 7511.0202, Table 202.1 and MR 1305.0302, Table 302.2

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.

Revise Table 202.1, child care classified as Group E, to read as follows:

> 5 but ≤ 100 children ≤ 2.5 years of age ~~and each room at, and with, an exit at the level of exit discharge~~ with each care room on the LED and each care room having an exit directly to the exterior.

TABLE 202.1
CARE FACILITY CLASSIFICATIONS

TYPE OF LICENSED FACILITY		NUMBER OR TYPE OF RECIPIENTS	IBC OCCUPANCY CLASSIFICATION
Child care (Day care)	Family child care home	10 occupants maximum with ≤ 6 below school age ¹	R-3 Dwelling unit
	Group child care home < 24 hours per day	11–14 occupants maximum	R-3 Dwelling unit
	Child care center < 24 hours per day	> 5 but ≤ 100 children ≤ 2.5 years of age and each room at, and with, an exit at the level of exit discharge	E
	Child care center < 24 hours per day	More than 5 children > 2.5 years of age	E
	Child care center < 24 hours per day	More than 5 children ≤ 2.5 years of age and not classified E	I-4



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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.
[MR 1305.0302, Table 302.2](#)

Need and Reason

1. Why is the proposed code change needed?
This revision is needed to clarify the intent of the definitional summary. Without this change, it's not clear that that each care room is required to have a direct exit to the exterior. As currently written without the 'direct' qualifier, the language could be interpreted to mean that each room used for care only need to have access (direct or indirect) to an exterior exit on the level of exit discharge. This table only serves as a summary of the Group E and I-4 child care occupancy classification definitions, and this change more accurately reflects the definitions.
2. Why is the proposed code change a reasonable solution?
It's reasonable because it serves to clarify the criteria of the occupancy definitions. It doesn't create a change to the current provisions.
3. Is there additional data or information that should be considered?
This proposal has been made because SFM did have to abate an issue where a local code official approved a non-conforming egress design for a Group E child care occupancy serving children under 2.5 years of age.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
[No change in costs – clarification only.](#)
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 change – clarification only.](#)
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](#)



Minnesota Department of Public Safety State Fire Marshal Division

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Fire and building code officials, design professionals, child care center 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?
None
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
N/A
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.
None
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?
By not adopting the proposed revision, code officials and design professionals may continue to misinterpret and misapply these provisions resulting in non-conforming egress systems for younger children who require assistance and additional time to evacuate during emergencies.
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.
N/A

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



Updated July 2022

Minnesota Department of Public Safety State Fire Marshal Division



Updated July 2022



CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Jerry Norman

Date: 7/17/2024

Email address: gnorman@rochestermn.gov

Model Code: 2024 IBC

Telephone number: 507-328-2622

Code or Rule Section: 306.2

Firm/Association affiliation, if any: City of Rochester

Topic of proposal: Occupancy classification

Code or rule section to be changed: IBC Sec 306.2

Intended for Technical Advisory Group ("TAG"):

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota? Yes No
- B. Is the proposed change required due to climatic conditions of Minnesota? Yes No
- C. Will the proposed change encourage more uniform enforcement? Yes No
- D. Will the proposed change remedy a problem? Yes No
- E. Does the proposal delete a current Minnesota Rule, chapter amendment? Yes No
- F. Would this proposed change be appropriate through the ICC code development process? Yes No

Proposed Language

1. The proposed code change is meant to:

change language contained in the model code book? If so, list section(s).
IBC Section 306.2 Moderate-hazard factory industrial, F-1.

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 ~~strike through~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Water/sewer treatment facilities or portions thereof that involves use, processing or storage of materials that constitute a physical or *health hazard* not classified as a group H 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.
Yes. IBC sec. 903.2.4

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.)

In the previous model code edition (2018 IBC) a water or sewer facility was not listed under any specific occupancy group. This allowed the building official to classify the facility into those groups that were appropriate based on the level of hazard present depending on which stage the water or wastewater was at in the treatment process and the chemicals present. The majority of the steps in the wastewater treatment process does not employ hazardous materials and the process piping and contents are typically non-combustible. Those stages in the process would be more appropriately classified as a low hazard group F-2 occupancy. The F-2 occupancy classification would not require an approved sprinkler system. The F-1 occupancy classification would most likely require a sprinkler system.

2. Why is the proposed code change a reasonable solution?
It reduces cost and allows the building/fire official to utilize their skill and training to determine when sprinkler protection is appropriate and where it is not.
3. What other factors should the TAG consider?
The proposed amendment is in keeping with the intent of MN Statute 326B.101 in providing reasonable safeguards while lowering construction cost:
The commissioner shall administer and amend a state code of building construction which will provide basic and uniform performance standards, establish reasonable safeguards for health, safety, welfare, comfort, and security of the residents of this state and provide for the use of modern methods, devices, materials, and techniques which will in part tend to lower construction costs. The construction of buildings should be permitted at the least possible cost consistent with recognized standards of health and safety.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.
It will lower the cost as sprinkler protection most likely will not be required "throughout" the facility.
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.
Enforcement cost will decrease as there will be less building area to review/inspect for sprinkler design and installation.
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, code 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.

The only other option that could be done is to revert back to the language of the 2018 IBC and DELETE water/sewer treatment facilities from the list of F-1 occupancies.

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?

There are a lot of variables that are associated with this mainly the different square footages of the buildings. The installation of sprinklers typically run between \$3 to \$5 per square foot for initial cost. There is also a monthly monitoring cost and an annual testing cost.

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.

***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.



CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Greg Metz

Date: 7/19/2022, revised 07/24/2024

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

Model Code: IBC 2018

Telephone number: 651-284-5884

Code or Rule Section:

Firm/Association affiliation, if any: DLI/CCLD

IBC 308.2 Institutional group I-1

Code or rule section to be changed: MR 1305

General Information

Yes **No**

- A. Is the proposed change unique to the State of Minnesota? Yes No
- B. Is the proposed change required due to climatic conditions of Minnesota? Yes No
- C. Will the proposed change encourage more uniform enforcement? Yes No
- D. Will the proposed change remedy a problem? Yes No
- E. Does the proposal delete a current Minnesota Rule, chapter amendment? Yes No
- F. Would this proposed change be appropriate through the ICC code development process? Yes No

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.
MBC 308.2 Institutional Group I-1.

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.

308.2 Institutional Group I-1. This occupancy shall include buildings, structures, or portions thereof for more than 16 persons capable of self-preservation who reside on a 24-hour basis in a supervised environment and receive custodial care services.

Examples of this include the following:

- Alcohol and drug centers
- Assisted living (Condition 2)
- Boarding care homes
- Chemical dependency and Mental health treatment programs – Residential (Condition 2)
- Congregate care facilities
- Convalescent facilities
- Group homes
- Halfway houses
- ~~Housing with services establishment~~
- Patient recovery facilities (transient)
- Residential board and care facilities
- Social rehabilitation facilities
- Supervised living facilities Class A-2 (Condition 1)

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?
 - a. To clarify that all assisted living (not including dementia care) will be classified as Condition 2 because with a population of 16 or more care recipients needing at least custodial care it is highly likely that there will be some residents that require limited assistance.
 - b. “Chemical dependency and Mental health treatment programs” are added as they are included in the care facilities table 302.2.
 - c. “Housing with services” as a facility type has been eliminated from the Minnesota Department of Health licensing list and is no longer defined in Minnesota.
 - d. Transient patient recovery facilities is added for clarification because I-1 occupancies are not specific to transient or non-transient use, and the I-1 occupancy allows for some level of custodial care to be provided in the context of patient recovery, even if the care provider is a relative or guardian. The intent is to capture patient release from hospitals into adjacent “hotel-like” facilities where they are in close proximity to the hospital/outpatient surgical center for easy access to services and potential monitoring but not admitted as patients.
 - e. To clarify that Supervised living facilities Class A are by licensing requirements capable of self preservation and are appropriately classified as Condition 1.

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

It clarifies the existing code language for I-1 occupancies which are intended for some level of non-medical patient care from a non-specific source. The additional criteria for an I-1 occupancy is mandatory sprinkling which adds significantly to the safety of the facility. If some users may need limited assistance with self-preservation, then the Condition 2 is

appropriate. The I-1C2 designation initiates installation of a smoke barrier for greater defend-in-place strategies for those needing assistance with self-preservation.

3. What other considerations should the TAG consider?

The mixed occupancy separated or non-separated use of an existing hotel with separation by floor would allow I-1C1 up to four stories in a sprinkled wood building and I-1C2 up to 3 stories in a sprinkled wood building. R1 could be up to 4 stories.

Cost/Benefit Analysis

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

Minor increase in cost. The addition of a smoke barrier for I-1C2 occupancies in residential construction essentially adds the cost of cross-corridor doors with smoke detection. The cost is approximately \$1,500 per story. For a four story building, this amounts to a total added cost of approximately \$6,000.

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

The increased cost is offset by the added benefit of building compartmentalization for fire and smoke, increasing in defend-in-place fire survival strategies for the vulnerable.

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, medical care providers for surgical recovery and outpatient surgery, patients.

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?
Surgical and hospital patients continuing to be released to nearby hotels for recovery with family members providing custodial care in buildings not designed for concentrated numbers of vulnerable people.
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 considered by the TAG.



CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Greg Metz

Date: 7/19/2022

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

Model Code: IBC 2018

Telephone number: 651-284-5884

Code or Rule Section:

Firm/Association affiliation, if any: DLI/CCLD

IBC 308.2.4 Institutional group I-1; Five or fewer persons receiving custodial care

Code or rule section to be changed: MR 1305

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).
- 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.
MBC 308.2.4 Institutional Group I-1; Five or fewer persons receiving custodial care.

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.

308.2.4 Five or fewer persons receiving custodial care. A facility with five or fewer persons receiving custodial care within a single-family home, two-family home, or townhome shall be classified as Group R-3.

Exception: A community residential setting as defined by Minnesota Statute 245D.01, with five or fewer persons receiving custodial care within a dwelling unit may be classified as Group IRC-1 if the facility is a single-family home and provided with custodial care physically present within the dwelling unit twenty four hours each day.

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?
To correct a potential code problem that could classify an R-2 apartment as an R-3 occupancy which only allows up to two dwelling units within a building if custodial care is provided within the facility.
2. Why is the proposed code change a reasonable solution?
It merely clarifies the existing code language to enhance uniformity. The interpretation that assisted living is Condition 2 is consistent with Minnesota Department of Health licensing criteria.
3. What other considerations should the TAG consider?
Minnesota Department of Health licensing criteria for assisted living and assisted living with dementia care.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
No cost change.
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 of assisted living services, elderly public.
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 non-uniformity in building code enforcement. Significant conflicts between newly constructed work and licensing requirements for assisted living.
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 considered by the TAG.



CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Greg Metz

Date: 7/26/2022, revised 07/24/2024

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

Model Code: IBC 2018

Telephone number: 651-284-5884

Code or Rule Section:

Firm/Association affiliation, if any: DLI/CCLD

IBC 308.3 Institutional group I-2

Code or rule section to be changed: MR 1305

General Information

Yes **No**

- A. Is the proposed change unique to the State of Minnesota? Yes No
- B. Is the proposed change required due to climatic conditions of Minnesota? Yes No
- C. Will the proposed change encourage more uniform enforcement? Yes No
- D. Will the proposed change remedy a problem? Yes No
- E. Does the proposal delete a current Minnesota Rule, chapter amendment? Yes No
- F. Would this proposed change be appropriate through the ICC code development process? Yes No

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.
MBC 308.3 Institutional Group I-2.

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.

308.3 Institutional Group I-2. This occupancy shall include buildings, structures, or portions thereof used for medical care on a 24-hour basis for more than five persons who are incapable of self-preservation. Examples of this include the following:

Assisted living with dementia care (Condition 1)

Foster care facilities

Detoxification facilities

Hospitals

Nursing Homes

Psychiatric hospitals

Supervised living facilities Class B (Condition 1)

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?

To clarify that all assisted living with dementia care will be classified as Condition 1 because the degenerative nature of dementia diseases ensures that there will be some residents that require more than just limited assistance with self-preservation and the additional safety measures afforded by the I-2 C1 classification provide that level of safety for similar people groups such as nursing homes and foster care facilities.

To clarify that supervised living facilities class B based on the licensing and the self preservation capabilities of the residents, they are to be classified as Condition 1.

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

It clarifies the existing code language regarding occupancy groups and self-preservation capacity to enhance uniformity. The interpretation that assisted living with dementia care is Occupancy Group I-2 Condition 1 is consistent with Minnesota Department of Health licensing criteria. This change to the building code will much more closely align the building code with existing MDH construction requirements for licensing assisted living with dementia care.

3. What other considerations should the TAG consider?

Minnesota Department of Health licensing criteria for assisted living with dementia care.

Cost/Benefit Analysis

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

No cost change. This interpretation is already being communicated and is essentially required for licensing by the Minnesota Department of Health.

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 of assisted living services, frail elderly public.
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 non-uniformity in building code enforcement. Significant conflicts between newly constructed work and MDH licensing requirements for assisted living with dementia care.
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 considered by the TAG.



CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Greg Metz

Date: 8/16/2022, revised 07/24/2024

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

Model Code: IBC 2018

Telephone number: 651-284-5884

Code or Rule Section:

Firm/Association affiliation, if any: DLI/CCLD

IBC 310.5 Residential Group R-4

Code or rule section to be changed: MR 1305

Intended for Technical Advisory Group ("TAG"): IBC and IBC/IFC Coordination

General Information

Yes **No**

- A. Is the proposed change unique to the State of Minnesota? Yes No
- B. Is the proposed change required due to climatic conditions of Minnesota? Yes No
- C. Will the proposed change encourage more uniform enforcement? Yes No
- D. Will the proposed change remedy a problem? Yes No
- E. Does the proposal delete a current Minnesota Rule, chapter amendment? Yes No
- F. Would this proposed change be appropriate through the ICC code development process? Yes No

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).
IBC Section 310.5 Residential Group R-4

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.

310.5 Residential Group R-4. This occupancy shall include buildings, structures, or portions thereof for more than five but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive custodial care. This group shall include the following:

Alcohol and drug centers

Assisted living (Condition 2) (not assisted living with dementia care)

Boarding care homes

Chemical dependency and Mental health treatment programs – Residential (Condition 2)

Congregate care facilities

Group homes

Halfway houses

~~Housing with services establishment (including those that provide assisted living services)~~

Residential board and care facilities

Residential hospice with 12 or fewer occupants

Social rehabilitation facilities

Supervised living facilities Class A-2 (Condition 1)

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?
 - a. Clarification that assisted living with dementia care is not R-4
 - b. Addition of chemical dependency from care facilities table 302.2.
 - c. Deletion of Housing with services because that licensing type no longer exists.
 - d. Addition of supervised living facilities class A from care facilities table 302.2.

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

The code change clarifies the parameters of the R-4 designation. Some dementia care patients are not capable of self-preservation, even with limited assistance. Since dementia care is degenerative, most dementia care residents will become incapable of self-preservation. The R-4 occupancy requires some capacity for self-preservation.

Additional changes to incorporate the facilities listed in table 302.2.

3. What other considerations should the TAG consider?

Classification of Assisted Living with Dementia Care licensed facilities as Occupancy Classification I-2.

Cost/Benefit Analysis

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

There should be no cost change because the additional wording clarifies the condition required for classification rather than introducing a material change.

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, home owners with care facilities, foster care facilities.
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 over R-3 occupancy application.
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.



CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Greg Metz

Date: 8/15/2022

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 903.2.8 Group R Sprinkling Scoping –
Exception 3

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 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).

MBC 903.2.8 Group R, Exception 3

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 ~~strikeout~~ words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

903.2.8 Group R. An automatic sprinkler system shall be installed throughout all buildings with a Group R fire area in accordance with Section 903.3.

Exceptions:

~~3. An automatic fire sprinkler system shall not be required if additions or alterations are made to existing Group R-3 or R-4 buildings or a portion thereof that do not have an automatic sprinkler system installed, unless required by a Minnesota license.~~

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 current language allows an infinite number of additions to an existing Group R-3 or R-4 building without sprinkling. There are no limits to the size of a Group R-3 building and no limits to the number of guest rooms/ bedrooms. Group R-4 are care facilities for residents receiving custodial care. The language in this section is more specific than the allowable area limits of Table 506.2 which would require sprinkling typically at 12,250 square feet (7000sf x 1.75 increase for frontage). Because the language of this section is more specific, it would allow buildings of any size in Group R4 if the overage is by addition.
2. Why is the proposed code change a reasonable solution?
Because an existing building is defined as one that has a legal building permit. An R-3 or R-4 building constructed last year could be added on to this year, exceed the allowable area requirements and not be required to be sprinkled. The Minnesota Conservation Code for Existing Buildings already creates conditions whereby sprinkling can be avoided with the equivalent of occupancy separations in many cases. It is reasonable to allow Minnesota Rule 1311 to govern these conditions rather than rely on a specific carve-out amendment for R-3 and R-4.
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 code will not increase construction costs because the inadvertent condition created by the current amendment has not been leveraged.
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, building owners.
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?
Any existing R-3 or R-4 building could be expanded to any size without requiring a sprinkler system.
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 considered by the TAG.



CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Greg Metz

Date: 8/15/2022, revised 07/24/2024

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 903.2.8 Group R Sprinkling Scoping

Code or rule section to be changed: MR 1305

General Information

Yes **No**

- A. Is the proposed change unique to the State of Minnesota? Yes No
- B. Is the proposed change required due to climatic conditions of Minnesota? Yes No
- C. Will the proposed change encourage more uniform enforcement? Yes No
- D. Will the proposed change remedy a problem? Yes No
- E. Does the proposal delete a current Minnesota Rule, chapter amendment? Yes No
- F. Would this proposed change be appropriate through the ICC code development process? Yes No

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.
MBC 903.2.8 Group R

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.

903.2.8 Group R. An automatic sprinkler system shall be installed throughout all buildings with a Group R fire area in accordance with Section 903.3.

Exceptions:

2. A Group R-3 ~~dwelling unit~~ with less than 4,500 square feet (418.1 m²) of building area, excluding garages, unless the Group R-3 ~~dwelling unit~~ contains a state-licensed care facility that is required to be provided with an automatic sprinkler system as a condition of the license.
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 term dwelling unit is removed for clarity so as to not imply this exception only applies to those R-3 occupancies identified with the 'dwelling unit' terminology in the care facilities table 302.2 and referenced in Section 310.1, but to be applicable all R-3 occupancies.
2. Why is the proposed code change a reasonable solution?
The intent of the current Minnesota amendment is to limit buildings containing an R-3 occupancy to 4,500 square feet without a sprinkler system. The proposed would clarify to apply to all R-3 occupancies.
3. What other considerations should the TAG consider?

Cost/Benefit Analysis

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

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?
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 considered by the TAG.

Minnesota Department of Public Safety State Fire Marshal Division

24CCP_75

Fire Code Change Proposal Form

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

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

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

Date: [4-30-2024](#)

Email address: forrest.williams@state.mn.us

Telephone number: [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/IBC Section 903.2.6](#)

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/IBC Section 903.2.6

- 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.

903.2.6 Group I.

An *automatic sprinkler system* shall be provided throughout buildings with a Group I *fire area*.

Exceptions:

1. An *automatic sprinkler system* installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1, Condition 1 facilities.
2. An *automatic sprinkler system* is not required where Group I-4 day care facilities are at the *level of exit discharge* and where every room where care is provided has not fewer than one exterior *exit door*.
3. In buildings where Group I-4 day care is provided on levels other than the *level of exit discharge*, an *automatic sprinkler system* in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided, all floors between the level of care and the *level of exit discharge*, including the level of exit discharge, and all floors below the *level of exit discharge* other than areas classified as an open parking garage.



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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?
This proposed change is a clarification due to an apparent oversight in the existing language. The obvious intent of this section is for the floor level containing the Group I-4 day care occupancy, and all floor levels below including the level of exit discharge (LED), to be sprinkler-protected. However, the paragraph as written can be interpreted to exclude the level of exit discharge from sprinkler protection, as the phrase "...all floors *between* the level of care and the level of exit discharge" appears to exclude the LED, as the LED is not a 'between' level in this context. However, it's illogical for all floor levels below the level containing the I-4 occupancy to be sprinklered except for the LED, as the LED is the story providing access to the building's exit discharges. A fire occurring on a non-sprinklered LED would then have the potential to obstruct egress from all upper floor levels.
2. Why is the proposed code change a reasonable solution?
This change is reasonable because it simply clarifies intent, eliminates the potential for misapplication that could result in a life-safety hazard, and makes no substantive changes.
3. Is there additional data or information that should be considered?
No

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
No change in costs – clarification only.
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.
None
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



Minnesota Department of Public Safety State Fire Marshal Division

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Fire and building code officials, design professionals, construction industries, property 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?
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.
No. Seeking a change via the model code process is not practical as it would take at least 6 years before that change could be adopted under MN Rules.
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 consequences of not adopting the proposed rule is the potential for misapplication and misinterpretation of this section by design professionals and code officials, which could allow for a design that poses a fire and life-safety hazard to building occupants.
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.
N/A

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



Updated July 2022

Minnesota Department of Public Safety State Fire Marshal Division

24CCP_87

Fire Code Change Proposal Form

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

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

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

Date: [4-26-2024](#)

Email address: forrest.williams@state.mn.us

Telephone number: [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): [MR 7511.903, Subpart 6, Section 903.4](#)

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

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

MR 7511.903, Subpart 6, Section 903.4

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.

903.4 Sprinkler system supervision and alarms. Valves controlling the water supply for *automatic sprinkler systems*, pumps, tanks, water levels and temperatures, critical air pressures and waterflow switches on all sprinkler systems shall be electrically supervised by a *listed* fire alarm control unit.

Exceptions:

1. *Automatic sprinkler systems* protecting one- and two-family *dwellings*.
2. Limited area sprinkler systems in accordance with Section 903.3.8.
3. *Automatic sprinkler systems* installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the *automatic sprinkler system*, and a separate shutoff valve for the *automatic sprinkler system* is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.
8. For existing sprinkler systems, monitoring is required in accordance with the code in effect at the time of installation or when the number of sprinklers is 100 or more, whichever is the most restrictive.



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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. MR 1305.0903, Section 903.4. However, as this amendment is specific to existing installations only, it's possible there's no need to maintain this current amendment in the state building code. This will be discussed with the 1305 TAG.

Need and Reason

1. Why is the proposed code change needed?
This change is necessary to clarify the intent regarding when existing sprinkler systems are required to be electrically supervised a fire alarm control unit. The intent for existing sprinkler systems having 100 or more sprinklers to be electrically supervised is to ensure existing systems installed under a former code that did not have a supervision requirement are monitored for water supply integrity, valve tampering, and waterflow conditions. However, the current language is lacking sufficient detail because, as written, it could be interpreted to allow some existing supervised sprinkler systems to forgo monitoring.

Example: An owner of an existing sprinkler system installed in 2016, where the code in effect at the time of installation required monitoring for systems having 20 or more sprinklers, may interpret Section 903.4, Exception 8, to mean their system, which has only 80 sprinklers, is no longer required to be monitored and therefore the monitoring service required for supervised systems under Section 903.4.1 may be discontinued.

This change clarifies that if an existing system was required to be electrically supervised in accordance with the code in effect at the time of installation, then that monitoring must be maintained.

2. Why is the proposed code change a reasonable solution?
The change is reasonable as it only clarifies the intent of an existing amendment. There is no substantive change to the requirements.
3. Is there additional data or information that should be considered?
No

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
No change in costs. Clarifying language, only.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
N/A



Minnesota Department of Public Safety State Fire Marshal Division

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?

Local fire and building code officials, property 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?

None

3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?

No. Clarifying language, only.

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?

By not adopting the proposed change, there may be cases where property owners or operators mistakenly believe they're able to discontinue monitoring services for building sprinkler systems. This could result in sprinkler waterflow conditions going unnoticed for extended periods of the time when the building is not occupied (e.g., after business hours), causing extensive water damage to the property. The loss of monitoring can also allow sprinkler water supply valves to be closed without anyone's knowledge, completely negating a required fire- and life-safety system and jeopardizing the safety of occupants.



Minnesota Department of Public Safety State Fire Marshal Division

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.

N/A

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



Updated July 2022

Minnesota Department of Public Safety State Fire Marshal Division

24CCP_80

Fire Code Change Proposal Form

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

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

Author/requestor: Tom Jenson, Code Specialist, SFM

Date: 4-26-2024

Email address: Thomas.Jenson@state.mn.us

Telephone number: 651-201-7221

Organization/Association/Agency, if any: DPS – State Fire Marshal

Code or rule section to be changed (include code or rule title and edition year): 7511.0903

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

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

7511.0903, 1305.0903

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.

903.4.4 Valve security. All valves controlling water supplies for automatic sprinklers shall be locked or secured in the open position by methods approved by the fire code official.

Exception: Valves located in a room or space when access is limited to essential personnel only.

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?

Typically fire protection contractors secure valves controlling water supply to sprinklers and standpipe systems with heavy chain and lock. First in fire crews do not carry bolt cutters as part of their equipment cache. To shut down the control valve requires returning to the apparatus for tools or retrieving keys from the fire department lock box. After a fire is out or in case of a broken sprinkler, any delay in shutting down water flow leads to further property damage. This change will allow fire code officials to allow the use of heavy-duty tie wraps to secure the valve and quickly removed with a knife or other tool in their immediate possession and shut down water flow.



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2. Why is the proposed code change a reasonable solution?
The use of a plastic tie wrap provides the same type of security to deter people from closing the control valve.

3. Is there additional data or information that should be considered?
No

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.
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?
Fire protection contractors, fire code officials, building owners.
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.
No



Minnesota Department of Public Safety State Fire Marshal Division

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?

Continued use of chain and lock delaying shut down of water flow leads to additional water damage. This can add to the negativity of installing sprinklers and the perception of water damage.

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.

N/A

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



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Minnesota Department of Public Safety State Fire Marshal Division

24CCP_79

Fire Code Change Proposal Form

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

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

Author/requestor: Tom Jenson, Code Specialist SFM

Date: 4-29-2024

Email address: Thomas.Jenson@state.mn.us

Telephone number: 651-201-7221

Organization/Association/Agency, if any: DPS – State Fire Marshal

Code or rule section to be changed (include code or rule title and edition year): 7511.0905
Sudd 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

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).

7511.0905 Subd 2

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.

Yes. 299F.011 Subdivision 4

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.

~~905.3.2.1 Group A exhibition. Class I automatic standpipes shall be provided in Group A-3 occupancies where the floor area used for exhibition exceeds 12,000 square feet (1,115 m²).~~

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.

1305.0905

Need and Reason

1. Why is the proposed code change needed?

Standpipe requirements for Group A occupancies with exhibition space first appeared in the 1979 Uniform Building Code for areas over 5,000 square feet (sf). In 1998, the first Minnesota amendment to increase the size to over 12,000 sf was adopted into the 1997 Minnesota State Building Code and Minnesota Uniform Fire Code. This requirement was not brought forward with the merger of several codes into the 2000 International Building and Fire Codes. Minnesota continued with the amendment, modifying it to fit the format of the new codes. However, the 2003 Statement of Need and Reasonableness (SONAR) does not provide any rationale as to why the amendment was continued.



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Due to the lack of a rationale for the amendment and because any significantly sized Group A-3 occupancy now requires sprinkler protection, the proposal is to delete the amendment in deference to the standpipe provisions of the model code.

2. Why is the proposed code change a reasonable solution?
Minnesota Statute 326B.02 Subdivision 6 requires the State Fire Marshal to adopt a model code. This coincides with Statute 326B.106 Subdivision 1 for the Minnesota Building Code. This requirement is not unique to Minnesota and if necessary, should be addressed through the model code process.
3. Is there additional data or information that should be considered?
No

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
Decrease removing a requirement not found in the model codes.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
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?
Fire and building code officials, owners, contractors, and architects.
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



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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?

Costs to install standpipes in exhibition halls not required by the model codes.

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.

None

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



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Minnesota Department of Public Safety State Fire Marshal Division

24CCP_78

Fire Code Change Proposal Form

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

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

Author/requestor: Tom Jenson, Code Specialist SFM

Date: 4-24-2024

Email address: Thomas.Jenson@state.mn.us

Telephone number: 651-201-7221

Organization/Association/Agency, if any: DPS – State Fire Marshal

Code or rule section to be changed (include code or rule title and edition year): 7511.0905,
1305.0905

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

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

7511.0905, 1305.0905

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.

905.3.10 Group R-2 occupancies; small hose connections. In Group R-2 occupancies not required to have standpipes per Section 905.3, sSmall hose connections shall be installed in Group R-2 occupancies three ~~or more~~ stories in height where any portion of the building's interior area is more than 200 feet (60,960 mm) of travel, vertically or horizontally, from the nearest point of fire department vehicle access. Small hose connections required by this section shall comply with the following:

1. Supply one 1-1/2-inch (38 mm) fire hose valve at each floor level or intermediate stair landing in each required and enclosed stairway.
2. The water for the small hose connections shall be supplied separately from the sprinkler system protecting that area so that the small hose connections are still functional if the water supply to the sprinkler system is shut down following fire extinguishment.
3. The piping shall be a minimum of 1-1/2-inch (38 mm).
4. The water shall be supplied from a wet-pipe sprinkler system only.
5. The piping shall be comprised of metallic piping and hose valve connections.



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Permanent signage shall be required which reads "Fire Department Overhaul Hose Connection" at each connection in the building. ~~If a separate standpipe system is provided, a sign shall also be provided at the exterior fire department connection.~~

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?
Clarify that these are only required in buildings not required to be provided with standpipes.
2. Why is the proposed code change a reasonable solution?
Provides minimal fire hose connections for three story buildings where distances from the fire apparatus vehicles are extensive.
3. Is there additional data or information that should be considered?
No

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?



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Architects, engineers, construction contractors, building officials and inspectors, fire code officials and building owners.

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 the 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 amongst affected parties and misinterpretation of the original intent of the rule. In addition, the model codes addressed the travel distance from the apparatus to upper stories by now including four story buildings needing standpipes.
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.
None

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



Updated July 2022

Minnesota Department of Public Safety State Fire Marshal Division

24CCP_77

Fire Code Change Proposal Form

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

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

Author/requestor: Tom Jenson, Code Specialist SFM

Date: 3-28-2024

Email address: thomas.jenson@state.mn.us

Telephone number: 651-201-7221

Organization/Association/Agency, if any: DPS – State Fire Marshal

Code or rule section to be changed (include code or rule title and edition year): 7511.0906

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).

[IFC 906.1](#)



Minnesota Department of Public Safety State Fire Marshal Division

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

7511.0906

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.
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.

906.1 Where required. Portable fire extinguishers shall be installed in the following locations:

1. In all Group A, B, E, F, H, I, M, R-1, R-2, R-4, and S occupancies.

Exceptions:

1. In Group E occupancies equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, fire extinguishers shall be required only in laundry and soiled linen rooms, boiler and furnace rooms, mechanical and electrical rooms, garages, stages, projection booths, shops, laboratories, kitchens, locker rooms, custodial closets, trash-collection rooms, storage rooms greater than 100 square feet, and similar areas.
2. In Group S parking garages, fire extinguishers shall only be required at stairways and elevator lobbies.

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



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1. Why is the proposed code change needed?
Vehicle fires inside parking ramps is one of the most dangerous fires to fight with extremely toxic smoke produced where one breath by an unprotected person could be their last breath. Placing fire extinguishers throughout parking ramps encourages the public to use them. In addition, many ramps are now automated with no personnel on site. Fire extinguishers are often stolen and/or used as a form of vandalism or projectile.
2. Why is the proposed code change a reasonable solution?
It is better to locate the fire extinguishers in a stairway or elevator lobby moving the public away from the fire to an exit and then they can decide if it is worth the risk. Most vehicles involved in a fire are not repairable.

Comments from MAC Fire Marshal: Portable fire extinguishers for untrained people are meant to extinguish a small controllable fire, when they can safely do so, not a vehicle fire. We have taught people for decades that the first thing to do is to ensure you have an exit path and to exit the area. Placing fire extinguishers at or near exits provides people the option, exit the area and call 911, or call 911 and safely use the fire extinguisher on small fires, but always maintain your exit and escape path.

3. Is there additional data or information that should be considered?
Looking for fire data

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
It will most likely reduce costs to the owner due to not having to replace stolen extinguishers.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
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?



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Owners. No anticipated impact on fire extinguisher companies.

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.
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 government units, businesses, or individuals?
Continued costs to replace missing extinguishers
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.
None

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



Updated July 2022

Minnesota Department of Public Safety State Fire Marshal Division

24CCP_84

Fire Code Change Proposal Form

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

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

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

Date: [5-1-2024](#)

Email address: 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): [MR 7511.0907](#),
[MR 7511.1103](#), and [MR 1305.0907](#)

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).



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

MR 7511.0907, MR 7511.1103, and MR 1305.0907, including Subsections 907.2.1.1, 907.2.3.1, 907.2.4.1, 907.2.5.1, 907.2.6.1.1, 907.2.6.2.1, 907.2.6.3.1, 907.2.6.4.1, 907.2.8.1, 907.2.9.1.1, 907.2.9.2.1, 1103.7.1.2, 1103.7.2.2, 1103.7.4.2, and 1103.7.5.2.

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 is to add 'elevator equipment rooms' to the list of areas required to have automatic fire detection under the various initiation subsections found in Sections 907.2 for new buildings and 1103.7 for existing buildings. Including 907.2.1.1, 907.2.3.1, 907.2.4.1, 907.2.5.1, 907.2.6.1.1, 907.2.6.2.1, 907.2.6.3.1, 907.2.6.4.1, 907.2.8.1, 907.2.9.1.1, 907.2.9.2.1, 1103.7.1.2, 1103.7.2.2, 1103.7.4.2, and 1103.7.5.2.

Here's an example:

907.2.1.1 Initiation. Initiation of the fire alarm system shall be by automatic means. Approved automatic fire detectors shall be installed in laundry rooms, boiler and furnace rooms, mechanical and electrical rooms, elevator equipment rooms, shops, kitchens, trash-collection rooms, storage rooms, and similar areas.

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.

MR 1305.0907



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Need and Reason

1. Why is the proposed code change needed?

In buildings that require a fire alarm system per Section 907.2 or 1103.7, both SFM and DLI/CCLD have historically required fire alarm system detection in elevator equipment rooms based on the "...and similar areas" qualifier in the respective initiation subsections. However, it's acknowledged that local jurisdictions may not necessarily have a similar interpretation, and thus allowing elevator equipment rooms to be without automatic fire detection for the purposes of early notification to occupants and emergency services.

In buildings protected by automatic fire alarm systems, it's important that building occupants receive early notification of a potential fire condition within rooms or areas not normally occupied and where a fire could develop and progress unnoticed. This is the rationale behind the list of locations requiring automatic fire protection. The early warning via the fire alarm evacuation signal is intended to provide occupants sufficient time for evacuation before the situation becomes hazardous. It also enables a timelier fire department response and reduces the potential of fire extending to other areas of the building. Further, the need for detection in elevator equipment rooms is even more critical because such rooms are prohibited from containing fire sprinklers.

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

This proposal simply clarifies the intent that elevator equipment rooms are to be equipped with fire detection when located in buildings required to have a fire alarm system pursuant to Section 907.2 or 1103.7. It does not add a new requirement.

3. Is there additional data or information that should be considered?

This change proposal was coordinated with DLI/CCLD building plan review and elevator code staff members.

Cost/Benefit Analysis

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

No change in costs – clarification only.

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.



Minnesota Department of Public Safety State Fire Marshal Division

No

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Building and fire code officials, design professionals, construction/fire alarm industries, property 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?
N/A – clarification only. Not a new requirement.
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
N/A
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. This change involves a current MN Rule.
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. Clarification only. Not a new requirement.
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 adopting the proposed rule change, design professionals, fire alarm system designers, and local code officials may erroneously interpret this section to not require fire detection in elevator equipment rooms because such areas are not specifically listed as one of the examples. This could allow for a fire to grow undetected, which may pose a life-safety hazard to building occupants and increase the potential for fire to extend to other areas of the building before extinguishment attempts can be made by the responding fire department. Further, by not adopting this proposal there will continue to be inconsistent enforcement among various jurisdictions.
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.
N/A



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Minnesota Department of Public Safety State Fire Marshal Division

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



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Minnesota Department of Public Safety State Fire Marshal Division

24CCP_86

Fire Code Change Proposal Form

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

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

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

Date: [5-7-2024](#)

Email address: forrest.williams@state.mn.us

Telephone number: [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): [MR 7511.0907, Subpart 8, Section 907.2.6](#) and [MR 1305.0907, Section 907.2.6](#)

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

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

MR 7511.0907, Subpart 8, Section 907.2.6, and MR 1305.0907, Section 907.2.6

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.

907.2.6 Group I, general. A fire alarm system shall be installed in accordance with Sections 907.2.6.1 through 907.2.6.4.2 in Group I occupancies.

907.2.6.1 Group I-1 occupancies, general. A manual and automatic fire alarm system shall be installed in Group I-1 occupancies in accordance with Sections 907.2.6.1.1 through 907.2.6.1.3.

907.2.6.1.1 Initiation. Initiation of the fire alarm system shall be by manual and automatic means. Approved automatic fire detectors shall be installed in laundry and soiled linen rooms, boiler and furnace rooms, mechanical and electrical rooms, shops, laboratories, kitchens, locker rooms, custodial closets, trash-collection rooms, storage rooms, lounges, gift shops, and similar areas. Automatic smoke detectors shall be provided in corridors and areas that are open to corridors.

Exception: Manual fire alarm boxes in ~~patient~~ sleeping areas of Group I-1 occupancies shall not be required at exits if located at ~~all nurses' stations or other~~ constantly attended staff locations, provided such fire alarm boxes are visible and continuously accessible and provided that travel distances required by Section 907.4.2 are not exceeded.

907.2.6.1.2 Notification. Activation of the fire alarm system or automatic sprinkler system shall initiate a general evacuation signal. In addition, activation of the fire



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alarm system shall immediately transmit an alarm to an approved central station or remote station service.

Exceptions:

~~1. In lieu of audible notification appliances, visible notification appliances shall be allowed to be used in critical care areas.~~

~~2. Where occupants are incapable of evacuating themselves because of age, physical/mental disabilities or physical restraint, only the attendants or other personnel required to evacuate occupants from a zone, area, floor, or building shall be required to be notified. This notification shall include means to readily identify the zone, area, floor, or building in need of evacuation.~~

907.2.6.1.3 Sleeping room smoke alarms. Smoke alarms shall be installed in resident sleeping rooms in accordance with Section 907.2.10.2.

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.
[MR 1305.0907, Section 907.2.6](#)

Need and Reason

1. Why is the proposed code change needed?

The first change removes 'nurses' stations' from the exception to manual fire box locations in Section 907.2.6.1.1 as Group I-1 occupancies typically do not contain such locations. Thus, the mention of nursing stations is not needed and may cause confuse the reader.

The second change deletes the 2 exceptions in Section 907.2.6.1.2 which requires a general evacuation signal to notify all building occupants of a fire alarm condition. Exception 1 allows visible notification only in critical care areas; however, such areas do not exist in Group I-1 occupancies, and therefore Exception 1 should be deleted. Exception 2 applies to occupants who are incapable of self-preservation, where only those personnel responsible for evacuating occupants need be notified of a fire alarm signal. However, by definition both I-1, Condition 1 and Condition 2 occupancies cannot have residents who are incapable of self-preservation. Such care facilities would likely be classified as Group I-2. As such, exception 2 does not apply to Group I-1 and thus should be deleted.

These exceptions do not apply to Group I-1 occupancies, and therefore may cause confusion, resulting in misinterpretation and misapplication of fire alarm system requirements. It would pose a fire- and life-safety hazard to allow staff-only fire alarm notification in Group I-1 occupancies where constantly attending locations are rare and staff are limited and incapable of affecting rapid notification of building occupants. Since occupants are capable of evacuation with limited to no assistance in Group I-1



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occupancies, fire alarm activation must initiate a general evacuation signal that notifies all building occupants of a potential fire condition.

2. Why is the proposed code change a reasonable solution?
This change is reasonable because it deletes language that does not apply to Group I-1 occupancies and therefore may cause confusion, resulting in misinterpretation and misapplication of fire alarm system requirements.
3. Is there additional data or information that should be considered?
No

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
This proposal is cost-neutral, as it only seeks to prevent a misapplication of the fire alarm provisions by deleting exceptions for conditions that don't exist in Group I-1 occupancies.
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?
Fire and building code officials, design professionals, fire alarm system contractors, owners/operators of assisted living facilities, group homes, congregate care facilities, half-way houses, board & care homes.
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 additional costs.
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
No



Minnesota Department of Public Safety State Fire Marshal Division

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?

No cost changes.

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?

By not adopting this proposed rule change, exceptions intended to apply to Group I-2 occupancies will remain within the Group I-1 section. Thus, allowing confusing and non-sensical language to remain, leaving the potential for misapplication of the code. It would pose a fire- and life-safety hazard to allow staff-only fire alarm notification in Group I-1 occupancies where constantly attending locations are rare and staff are limited and incapable of affecting rapid notification of building occupants. Since occupants are capable of evacuation with limited to no assistance in Group I-1 occupancies, fire alarm activation must initiate a general evacuation signal that notifies all building occupants of a potential fire condition.

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.

N/A

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



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24CCP_99.1

Fire Code Change Proposal Form

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

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

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

Date: [5/22/2024](#)

Email address: 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/IBC 907.3](#)

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).



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2024 IFC/IBC 907.3 and 2024 IMC 606.4.1

- 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).
MR 7511.
 - 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.
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.

[Note: This change proposal seeks to incorporate current state amendments in 7511.0907, Section 907.3 and 1305.0907, Section 907.3 with the updated language in 2024 IFC/IBC Section 907.3. The added references to Chapter 11 are not intended to be included in the building code amendment.]

907.3 Fire safety functions.

Automatic fire detectors utilized for the purpose of performing fire safety functions shall be connected to the building's fire alarm control unit where a *fire alarm system* is required by Section 907.2 or Chapter 11. Detectors shall, upon actuation, perform the intended function and shall initiate a visible and audible supervisory signal at the fire alarm control unit ~~activate the alarm notification appliances or activate a visible and audible supervisory signal~~ or at a constantly attended location. In buildings not equipped with a *fire alarm system*, the automatic fire detector shall be powered by normal electrical service and, upon actuation, perform the intended function and activate a visual and audible supervisory signal at an approved location which shall indicate the source of the signal. The detectors shall be located in accordance with NFPA 72.

907.3.1 Duct smoke detectors.



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Smoke detectors installed in ducts shall be *listed* for the air velocity, temperature and humidity present in the duct. Duct smoke detectors shall be connected to the building's fire alarm control unit where a *fire alarm system* is required by Section 907.2 or Chapter 11. Activation of a duct smoke detector shall initiate a visible and audible supervisory signal at the fire alarm control unit ~~a constantly attended location~~ and shall perform the intended fire safety function in accordance with this code and the *International Mechanical Code*. Activation of a duct smoke detector shall not initiate a general evacuation signal. In facilities that are required to be monitored by a supervising station, duct smoke detectors shall report only as a supervisory signal and not as a fire alarm. They shall not be used as a substitute for required open area detection.

Exceptions:

- ~~1. The supervisory signal at a *constantly attended location* is not required where duct smoke detectors activate the building's alarm notification appliances.~~

In occupancies not required to be equipped with a *fire alarm system*, actuation of a smoke detector shall activate a visible and an audible signal in an *approved* location. Smoke detector trouble conditions shall activate a visible or audible signal in an *approved* location and shall be identified as air duct detector trouble.

907.3.2 Special locking systems.

Where special locking systems are installed on *means of egress* doors in accordance with Section 1010.2.13 or 1010.2.12, an automatic detection system shall be installed as required by that section.

907.3.3 Elevator emergency operation.

Automatic fire detectors installed for elevator emergency operation shall be installed in accordance with the provisions of ASME A17.1/CSA B44 and NFPA 72.

907.3.3.1 Elevator control functions. Fire detectors installed to control or recall elevators or to control doors for elevators, elevator lobbies, or elevator shafts and that are connected to a fire alarm system shall not activate a general evacuation signal. Elevator emergency operations and control functions shall not be initiated by fire detectors or initiating devices installed for purposes other than elevator control.

Exception: Occupant evacuation elevators and fire service access elevators shall function as required by Chapter 30 of the Minnesota Building Code.

907.3.4 Door hold-open functions. Smoke detectors that are installed to hold open fire doors or fire shutters under nonemergency conditions and that are connected to the



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building's fire alarm system shall sound a general evacuation signal when the doors or shutters being held open are directly communicating with an exit access corridor, exit access stairway or exit enclosure. When not connected to a fire alarm system, smoke detectors that are installed to hold open fire doors or fire shutters are not required to activate a visual or audible signal.

907.3.54 Wiring.

The wiring to the auxiliary devices and equipment used to accomplish the fire safety functions shall be monitored for integrity in accordance with NFPA 72.

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.
Yes, 2024 IMC 606.4.1. This section will need to be amended similar to what's proposed for IFC/IBC Section 907.3.1.

Need and Reason

1. Why is the proposed code change needed?
Because IFC/IBC Section 907.3 has been revised since the 2018 editions, it's necessary to incorporate our current state amendments so they properly coordinate with the updated language.
2. Why is the proposed code change a reasonable solution?
It's reasonable because it maintains currently adopted state amendments in MR 7511 and 1305.
3. Is there additional data or information that should be considered?
No

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
There will be no change in costs as the currently adopted provisions are being maintained.
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



Minnesota Department of Public Safety State Fire Marshal Division

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?
None, as the currently adopted provisions are being maintained.
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.
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?
There will be no probable costs of compliance as the currently adopted provisions are being maintained.
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?
The consequence of not adopting the proposed change would be that the existing state amendments would overwrite much of the updated model code language.
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.
N/A



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



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24CCP_83

Fire Code Change Proposal Form

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

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

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

Date: [4-11-2024](#)

Email address: 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): [MR 7511.0910 Subpart 5, Section 910.5, and Subpart 6, Section 910.6.](#)

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

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).

MR 7511.0910, Subparts 5 and 6. Section 910.5 - Calculated engineering design of mechanical smoke exhaust, and Section 910.6 – Testing and maintenance.

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.

Although not necessarily a requirement of MN Statutes, 326B.02 Subd. 6 states: “The code and its amendments shall conform insofar as practicable to model fire codes generally accepted and in use throughout the United States...” Thus, the repealing of this state amendment in deference to the provisions of the model code is consistent with this statement.

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 would delete MR 7511.0910, Subparts 5 and 6, in deference of the model code language in IFC Section 910.4 (mechanical smoke removal systems) and IFC Section 910.5 (maintenance and testing).

~~**910.5 Calculated engineering design of mechanical smoke exhaust.** Calculated engineering design of mechanical smoke exhaust shall be in accordance with Sections 910.5.1 through 910.5.5.~~

~~**910.5.1 Methodology.** Mechanical smoke exhaust systems shall be designed to remove smoke after a fire is extinguished and to assist the fire department during suppression operations or during marginal sprinkler control situations. They are not considered life safety systems and are not designed for occupant safety.~~

~~**910.5.2 Calculation method.** Volumetric flow rate calculations~~



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shall demonstrate that the system will provide at least three air changes per hour for the space required to be provided with smoke exhaust. When only a portion of a space is used for high-piled storage requiring smoke exhaust, the volume to be extracted shall be based on the ceiling height multiplied by the actual gross floor area for storage.

910.5.3 Operation. Mechanical smoke exhaust fans shall be manually activated. In addition, individual manual controls of each fan unit shall also be provided.

910.5.4 Supply air. Supply air for exhaust fans shall be sized to provide a minimum of 50 percent of the required exhaust. Air velocity at each supply air opening shall not exceed an average of 200 feet per minute when measured 4 feet (1,219 mm) in front of the opening. Openings for supply air shall be uniformly distributed around the periphery of the area served and be located or ducted to a position not more than one half the storage height above the floor. Supply air openings shall open automatically upon operation of the smoke exhaust system and shall not require a manual action at each supply opening for operation. Supply air openings shall be kept clear of storage or obstructions to airflow for at least 4 feet (1,219 mm) in front of the opening. Supply air openings shall be separated from exhaust fans and exterior combustibles to prevent introduction of smoke into the building.

910.5.5 Equipment. Wiring and controls shall be as required in Sections 910.4.5 and 910.4.6. Interlock controls shall be as required in Section 910.4.7. Exhaust fans shall be uniformly spaced and each fan shall have a maximum individual capacity of 30,000 cfm (850 m³/min).

910.6 Testing and maintenance. Mechanical smoke exhaust systems shall be tested and maintained as required in Sections 910.6.1 through 910.6.4.

910.6.1 Acceptance testing. Mechanical smoke exhaust systems shall be acceptance tested as required by Sections 909.18 and 909.19.

910.6.1.1 Controls. For testing purposes, each smoke exhaust system equipped for automatic activation shall be put into operation by the actuation of the automatic initiating device. Control sequences shall be verified throughout the system, including verification of override from the firefighter's control panel when systems are equipped for automatic activation.



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~~**910.6.2 Special inspections.** Special inspections for mechanical smoke exhaust shall be conducted according to Section 909.18.8.~~

~~**910.6.3 Maintenance.** Mechanical smoke exhaust systems, including exhaust fans, supply air openings and controls, shall be maintained and unobstructed.~~

~~**910.6.4 Operational testing.** Operational testing of the smoke exhaust system shall include all equipment such as initiating devices, fans, dampers, controls and supply air openings. Mechanical smoke exhaust systems shall be operated and tested under each control sequence at least annually.~~

~~**910.7 Maintenance.** Smoke and heat vents shall be maintained in an operative condition in accordance with NFPA 204. Fusible links shall be promptly replaced whenever fused, damaged, or painted. Smoke and heat vents shall not be modified.~~

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. [Affected rules include the following from MR 7511.0910, Subpart 1.](#)
 - [Section 910.1.1, exception 1 to be deleted as it references 910.5.](#)
 - [Section 910.1.3 to be deleted as it references 910.5.](#)

Need and Reason

1. Why is the proposed code change needed?
The model code language now adequately addresses the design, installation, and maintenance of smoke and heat removal systems. The IFC design language includes provisions for minimum exhaust rates, makeup air, activation method, and manual control locations. As such, there is no need for an additional design option under MN Rules beyond what's permitted under the national model code.

The following selection is from the 2007 Chapter 7511 SONAR for Section 910.5, as amended. The primary rationale for the state amendment was to allow for a less complicated engineering design method. However, since then the model code language has been greatly simplified, prescribing a design method with a minimum exhaust rate of 2 air changes per hour (see 2024 IFC Section 910.4).

The proposal would vastly simplify the current rule by eliminating the need for a fairly complex fire engineering analysis, and instead requiring three air changes per hour. This would also greatly reduce the amount of text in the rule and the complexity of the requirements. Most mechanical contractors are accustomed to dealing with movement of air (air changes per hour). The State Fire Marshal Division modeled several fire



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scenarios using computer simulation software programs. These models showed that 3 air changes per hour were roughly equivalent to the volumetric calculations required under the current rule.

The 2007 SONAR also states that 3 air changes per hour, as required by the amendment, were roughly equivalent to the more complex design method offered by the 2006 IFC. However, that language has since been replaced for a much simpler design method of 2 air changes per hour. This is another indication the state amendment is outdated as it no longer offers an equivalent option to the model code design requirements as initially intended.

Further, Section 910.6, as amended, should also be repealed along with Section 910.5 as the maintenance and testing provisions in the model code under IFC Section 910.5 are written to coordinate with the overall provisions of Section 910. And with the repealing of Section 910.5, there's no longer a need for amended (added) Section 910.6.

2. Why is the proposed code change a reasonable solution?
Repealing the current state amendment in deference to similar provisions of a nationally recognized model code is consistent with M.S. 326B.02 Subd. 6, conforming insofar as practicable to model fire codes in use throughout the United States. It's reasonable because the current amendment is no longer serving its intended purpose.
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.
None
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



Minnesota Department of Public Safety State Fire Marshal Division

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
None
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.
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 government units, businesses, or individuals?
None
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.
N/A

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



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CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: C. Scott Anderson

Date: 4/22/24

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

Model Code: 2024 IBC

Telephone number: 612-246-7303

Code or Rule Section: 1006.3.4
Exception 2

Firm/Association affiliation, if any: City of Minneapolis

Topic of proposal: 1006.3.4 Exception 2

Code or rule section to be changed: 1006.3.4 Exception 2

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.
1006.3.4 Exception 2

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.

1006.3.4 Single exits.

A single *exit* or access to a single *exit* shall be permitted from any *story* or *occupiable roof* where one of the following conditions exists:

1. The *occupant load*, number of *dwelling units* and exit access travel distance do not exceed the values in Table 1006.3.4(1) or 1006.3.4(2).
2. Rooms, areas and spaces complying with Section 1006.2.1 and located at a level of exit discharge, with *exits* that discharge directly to the exterior ~~at the level of exit discharge~~, are permitted to have one *exit* or access to a single *exit*

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.)
- Item 2 for a single exit story is intended to be for rooms, areas or spaces that comply with 1006.2.1 as a single exit space, are located on the level of exit discharge, and have exits that discharge directly to the exterior. The commentary discusses how vertical travel takes longer than horizontal travel and indicates that if a space can exit directly to the exterior, rather than egress into an interior corridor or exit stairway, a higher level of safety is provided. A common use of this item is for a single-story strip mall where a tenant space complies as a single exit space and has an exit door directly to the exterior.
- The current wording for Item 2 does not meet the intent of the item as indicated above since the level of exit discharge requirement is tied to the discharge of the exit instead of the location of the room, area or space. For example, an interior exit stairway is an "exit" by definition and, if the discharge from the interior exit stairway is directly to the exterior, any single exit space that egresses through this stairway would not have to have access to a second exit, regardless of what story the space is on. It is clearly not the intent of the code that a single exit room, area or space on any story or occupiable roof of the building could have access to a single exit as this would directly contradict Tables 1006.3.4(1) and 1006.3.4(2) that have limits on which stories or occupiable roofs can have a single exit. Architect has tried to use this section to provide a single exit from an occupiable roof above a 3, 4 or 5-story building or tried to use this section to provide a single exit for a second-story B occupancy with up to 49 occupants, as allowed by Table 1006.2.1 for a single exit space, which conflicts with Table 1006.3.4(2) that would allow a maximum of 29 occupants instead.
- To fix the issue described above, this proposal revises the wording to tie level of exit discharge requirement to the location the room, rather than the location of the discharge from the exit. This change aligns the wording in the code with the intent of the code.

2. Why is the proposed code change a reasonable solution?
This addition to the definition reduced confusion and clarifies code requirement.
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.

This change was adopted by the ICC egress committee at the April 2024 Code Action Hearings by a vote of 10-4 and is unlikely to be overturned at the final action hearings and voting. Regardless of the ICC actions this is a significant improvement to the current code language.

***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: C. Scott Anderson

Date: 5/02/24, 9/19/20 at TAG mtg

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

Model Code: 2024 IBC

Telephone number: 612-246-7303

Code or Rule Section: 1010.1.1

Firm/Association affiliation, if any: City of Minneapolis

Topic of proposal: 1010.1.1 Door size

Code or rule section to be changed: 1010.1.1

Intended for Technical Advisory Group ("TAG"):

General Information

Yes **No**

- A. Is the proposed change unique to the State of Minnesota? Yes No
- B. Is the proposed change required due to climatic conditions of Minnesota? Yes No
- C. Will the proposed change encourage more uniform enforcement? Yes No
- D. Will the proposed change remedy a problem? Yes No
- E. Does the proposal delete a current Minnesota Rule, chapter amendment? Yes No
- F. Would this proposed change be appropriate through the ICC code development process? Yes No

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.
1010.1.1 and following

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.

Add new text as follows:

1010.1.1 Size of doors. Doors in the means of egress shall comply with the minimum clear opening width and minimum height requirements of Sections 1010.1.1.1 and 1010.1.1.2.

Revise as follows:

~~1010.1.1~~ **1010.1.1.1 Size of doors Minimum width.**

The required capacity of each door opening shall be sufficient for the *occupant load* thereof and shall provide a ~~minimum~~ clear opening width of not less than 32 inches (813 mm). ~~The clear opening width of doorways with swinging doors shall be measured between the face of the door and the frame stop, with the door open 90 degrees (1.57 rad). Where this section requires a minimum clear opening width of 32 inches (813 mm) and a door opening includes two door leaves without a mullion, one leaf shall provide a minimum clear opening width of 32 inches (813 mm).~~ In Group I-2, doors serving as means of egress doors where used for the movement of beds shall provide a ~~minimum~~ clear opening width of not less than 41 1/2 inches (1054 mm). ~~The minimum clear opening height of doors shall be not less than 80 inches (2032 mm).~~

Exceptions:

1. In Group R-2 and R-3 dwelling and sleeping units that are not required to be an Accessible unit, Type A unit or Type B unit, the minimum clear opening width shall not apply to door openings that are not part of the required means of egress.
2. In Group I-3, door openings to resident sleeping units that are not required to be an Accessible unit shall have a ~~minimum~~ clear opening width of not less than 28 inches (711 mm).
3. Door openings to storage closets less than 10 square feet (0.93 m²) in area shall not be limited by the minimum clear opening width.
- ~~4. Door openings within a dwelling unit or sleeping unit shall have a minimum clear opening height of 78 inches (1981 mm).~~
- ~~5. In dwelling and sleeping units that are not required to be Accessible, Type A or Type B units, exterior door openings other than the required exit door shall have a minimum clear opening height of 76 inches (1930 mm).~~
- ~~6.~~ 4. In Groups I-1, R-2, R-3 and R-4, in dwelling and sleeping units that are not required to be Accessible, Type A or Type B units, the minimum clear opening widths shall not apply to interior egress doors.
- ~~7.~~ 5. Door openings required to be accessible within Type B units intended for user passage shall have a ~~minimum~~ clear opening width of not less than 31.75 inches (806 mm).
- ~~8.~~ 6. Doors serving sauna compartments, toilet compartments or dressing, fitting or changing compartments that are not required to be accessible shall have a ~~minimum~~ clear opening width of not less than 20 inches (508 mm).
- ~~9.~~ 7. Doors serving shower compartments that are not required to be accessible shall have a clear opening width of not less than 22 inches. ~~shall comply with Section 421.4.2 of the International Plumbing Code.~~

Add new text as follows:

1010.1.1.1.1 Clear opening width measurement. The clear opening width of doorways with swinging doors shall be measured between the face of the door and the frame stop, with the door open 90 degrees (1.57 rad).

1010.1.1.1.2 Two door leaves. Where a minimum clear opening width is required and a door opening includes two door leaves without a mullion, one leaf shall provide that required minimum clear opening width.

1010.1.1.1.3 Opposite-swinging doors. Where a pair of opposite-swinging doors are in the means of egress, each door required to swing in the direction of egress travel shall provide the required minimum clear opening width.

1010.1.1.2 Minimum height. The clear opening height of doors shall be not less than 80 inches (2032 mm).

Exceptions:

1. Door openings within a dwelling unit or sleeping unit shall have a clear opening height of not less than 78 inches (1981 mm).
2. In dwelling and sleeping units that are not required to be Accessible, Type A or Type B units, exterior door openings other than the required exit door shall have a clear opening height of not less than 76 inches (1930 mm)

Revise as follows:

1010.1.1. 1010.1.1.3 Projections into clear opening. There shall not be projections into the required clear opening width lower than 34 inches (864 mm) above the floor or ground. Projections into the clear opening width between 34 inches (864 mm) and 80 inches (2032 mm) above the floor or ground shall not exceed 4 inches (102 mm).

Exception: Door closers, overhead doorstops, frame stops, power door operators, and electromagnetic door locks shall project into the door opening height not lower than 78 inches (1980 mm) above the floor.

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.)
This proposal editorially separates door size provisions into minimum width requirements (and related exceptions) from minimum height requirements (and related exceptions). All current requirements are retained, but many are relocated.

In several locations phrasing was revised from “minimum clear opening width of” to “clear opening width of not less than” for editorial consistency within the code. And, a few other editorial adjustments were made with the text.

This proposal adds provisions for where a pair of opposite-swinging doors are in the means of egress in proposed new section

1010.1.1.1.3. Where the occupant load is such that doors are required to swing in the direction of egress travel, the code currently does not make it clear that each door which is required to swing in the direction of egress travel (of the pair of opposite-swinging doors) is required to meet the required minimum clear opening width.

This new section (1010.1.1.1.3) clearly expresses the intent of the code,

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

This change clears up text and makes it easier to read. It also addresses a potential code interpretation issue with the door swing.

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.

This change was adopted by the ICC egress committee at the April 2024 Code Action Hearings by a vote of 14-0 and is unlikely to be overturned at the final action hearings and voting. Regardless of the ICC actions this is a significant improvement to the current code language.

***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: Greg Metz

Date: 8/15/2022

Revised: 5/15/2024

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 1010.1.7~~ 1010.1.6 Thresholds, Exception 2

Code or rule section to be changed: MR 1305

General Information

Yes **No**

- A. Is the proposed change unique to the State of Minnesota? Yes No
- B. Is the proposed change required due to climatic conditions of Minnesota? Yes No
- C. Will the proposed change encourage more uniform enforcement? Yes No
- D. Will the proposed change remedy a problem? Yes No
- E. Does the proposal delete a current Minnesota Rule, chapter amendment? Yes No
- F. Would this proposed change be appropriate through the ICC code development process? Yes No

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).
MBC ~~4040.1.7~~ 1010.1.6 Exception 2
- 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 ~~strikeout~~ words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.
 2. In Type B units, where Exception 5 to Section 1010.1.5 permits a ~~4-inch (102 mm)~~ 2-inch (51 mm) elevation change at the door, the threshold height on the exterior side of the door shall not exceed ~~4 ¾ inches (120 mm)~~ 2 ¾ inches (70 mm) in height above the exterior deck, patio, or balcony for sliding doors or ~~4 ½ inches (114 mm)~~ 2 ½ inches (63) above the exterior deck, patio, or balcony for other doors.
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?

To coordinate with the Minnesota Accessibility Code, Section 1004.5.2.2.
2. Why is the proposed code change a reasonable solution?

The proposed change to this section will make it compatible with MBC Section 1010.1.5, Exception 5 which has been amended by Minnesota.
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, building owners.
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 over allowable threshold heights at exterior balconies and patios of Type B dwelling units.

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 considered by the TAG.