

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

*Author/requestor:* John Taylor

*Date:* 11-5-2024

*Email address:* jtaylor@cityoflakeelmo.gov

*Model Code:* MN IRC

*Telephone number:* 651-491-4723

*Code or Rule Section:* R310.1 Emergency  
Escape and Rescue Openings

*Firm/Association affiliation, if any:*

*Topic of proposal:* Added language

*Code or rule section to be changed:* R310.1

*Intended for Technical Advisory Group ("TAG"):* 1309 Residential Building Code

### 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 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).

R310.1 Emergency Escape and Rescue Openings

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

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

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

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

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

No

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

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.

R311.1 Means of egress

### **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 will create more uniformity with administrating and inspections.

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

Clearly clarifies that the opening created is what is being inspected and not the way a door or window swings or operates.

3. What other factors should the TAG consider?

Too many times I have heard inspectors say that egress windows must swing out but there isn't this type of wording in the section.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible. N/A, simply clarification

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

N/A

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

N/A

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

N/A

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.

N/A

### **Regulatory Analysis**

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

Building Inspection, insure a more uniform Interpretation of this section and section R311.1

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 on first question. They might suggest a shorter sentence.

No, currently the word "openings" can mean several things and this is open for multiple interpretations

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?  
This could leave some homeowners with high installation cost if a community only does final inspections and the inspector says the window needs to swing out and must be replaced.
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.

I am not aware.

\*\*\*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.

R310.1 Emergency escape and rescue opening required. Basements, habitable attics, and every sleeping room shall have not less than one operable emergency escape and rescue opening. Where basements contain one or more sleeping rooms, an emergency egress and window opening shall be required in each sleeping room, but not be required in adjoining areas of the basement. Emergency escape and rescue openings shall open directly into a public way, or to a yard or court that opens to a public way regardless of the way the door/window swings or operates to create the opening.