

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Greg Metz

Date: 7/19/2023

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

Model Code: 2024 IBC

Telephone number: 651-284-5884

Code or Rule Section: 1109.2.4.1

Firm/Association affiliation, if any: DLI/CCLD

Code or rule section to be changed:

Intended for Technical Advisory Group ("TAG"): Adult sized changing facilities

### 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).  
1109.2.4.1 Where required.

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.

1109.2.4.1 Where required. At least one adult changing station shall be provided in all of the following locations:

1. In assembly and mercantile occupancies, where ~~family or assisted use toilet or bathing rooms are required to comply with Section 1109.2.1~~ an aggregate of six or more male and female water closets is required. In buildings of mixed occupancy, only those water closets required for the assembly and mercantile occupancies shall be used to determine the adult changing station requirement.
  2. In Group B occupancies providing educational facilities for students above the 12<sup>th</sup> grade, where an aggregate of twelve or more male and female water closets are required to serve the classrooms and lecture halls.
  3. In Group E occupancies, where a room or space used for assembly purposes requires an aggregate of six or more male and female water closets for that room or space.
  4. In ~~highway rest stops and highway service plazas~~ Minnesota Department of Transportation Class I Rest Areas.
  5. State park campgrounds provided with plumbing and electricity at toileting locations.
  6. State park visitor centers provided with plumbing and electricity at toileting locations.
4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.  
No.

### **Need and Reason**

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

The change to Item 1 is necessary because changing facilities are directly associated with toileting and not with bathing. Section 1109.2.1 addresses both and may cause confusion as to when changing stations are required. In addition, there is an exception to 1109.2.1 which should not be applicable to the provision of changing facilities.

The change to Item 4 is necessary to avoid confusion regarding application of this code provision to every business location along the side of a highway that may provide restrooms for public customers. Focusing the scope on specific state-constructed Rest Areas with on-site facilities capable of supporting changing facilities will provide greater uniformity in the application of the code and meet the intent of the code.

The addition of Items 5 and 6 meet the intent of the code by providing changing facilities at public destination locations funded by the public and should provide toileting facilities for all of the public.

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

To prevent over-application of the requirement, and provide for uniform code enforcement. The proposed change also eliminates confusion regarding application of an exception to family or assisted use bathing rooms which may be mis-interpreted to be an exception for family assisted use toileting facilities.

The addition of State Park Campgrounds and State Park Visitor Centers ensures that state sponsored and funded facilities provide toileting with dignity for all citizens.

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.  
The proposed code change will decrease costs by focusing requirements on necessary facilities without expanding the scope to other types of facilities which may not be able to afford such an installation.  
  
The addition of requirements for State Park Campgrounds and State Park Visitor Centers will increase costs for those facilities. Those costs will be borne by the citizens of Minnesota at large and not targeted to individual groups.
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 for Items 1 and 4.  
  
The State of Minnesota will bear the costs for items 5 and 6.
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.  
No.

### **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, building owners, developers, the disabled public that require changing as part of toileting.
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?

The cost of not adopting the code change is that changing facilities requirements will be mis-applied in non-uniform ways costing building owners the installation and long-term real-estate costs of hosting a facility that goes beyond the intent of the minimum code.

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.

N/A

\*\*\*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:* 7/19/2023

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

*Model Code:* 2024 IBC

*Telephone number:* 651-284-5884

*Code or Rule Section:* 1109.2.4.3

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

*Code or rule section to be changed:*

*Intended for Technical Advisory Group ("TAG"): Adult sized changing facilities*

### 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).  
1109.2.4.3 Prohibited location.

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.

1109.2.4.3 Prohibited location. The accessible route from ~~separate-sex~~ public and employee toilet or bathing rooms required by Minnesota Rule 1305, Section 2902.3 to an accessible adult changing station shall not require travel through security checkpoints.

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.)

Adult sized changing facilities are about toileting, not bathing. An accessible route from bathing rooms to changing facilities for the purposes of toileting is not necessary.

More and more toileting facilities in Minnesota are being installed as single-user or multi-user non-gender-separated under alternative design approval. These types of toileting facilities are not separated by sex. If changing stations are provided on the same side of a security barrier where these types of toileting facilities are provided, the intent of the code is satisfied.

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

The proposed code change will ensure access to changing facilities equivalent to all toileting provided to the general public and not just where toileting is provided that is separated by sex.

3. What other factors should the TAG consider?  
None.

### **Cost/Benefit Analysis**

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

No. The proposed change addresses the intent of the code.

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

N/A

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

N/A

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

No

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

## **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, building owners, developers, the disabled public that require changing as part of toileting.
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.  
As an alternative, the code could require changing stations on each side of every security barrier rather than only on the sides of security barriers where public and employee toileting is provided. This would result in a large increase in the number of changing facilities required and would provide greater access to changing facilities than access to toilets. The proposed provides equal access to toileting.
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?  
The cost of not adopting the code change is that changing facilities will not be required where public toileting is provided in a form that is not separated by sex, such as single user toilets or multi-use non-gender separated toilets.
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.

N/A

\*\*\*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: 7/20/2023

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

Model Code: 2024 IBC

Telephone number: 651-284-5884

Code or Rule Section: 1109.2.4.4

Firm/Association affiliation, if any: DLI/CCLD

Code or rule section to be changed:

Intended for Technical Advisory Group ("TAG"): Adult sized changing facilities

### 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).  
1109.2.4.4 Travel Distance.

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.

**1109.2.4.4 Travel distance.** The adult changing station shall be located on an accessible route such that a person is no more than two stories above or below the story with the adult changing station and the path of travel shall not exceed ~~2000 feet~~ 1000 feet.

Exception: In A-4 and A-5 Occupancies the path of travel shall not exceed 2000 feet.

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

### **Need and Reason**

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

The change is necessary to provide more equitable toileting access to the disabled population requiring changing facilities as provided for all others in accordance with Minnesota Rule 1305, Section 2902.3.3 Location of Toilet Facilities other than malls.

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

Minnesota Rule 2902.3.3 requires all toileting facilities in buildings to be located within one story and 500 feet of any occupied location within the building. Minnesota Rule 2902.3.4 actually requires shorter travel distances to toilets in M Occupancy malls, than is allowed in all other occupancies.

Because an adult sized changing facility serves a small sector of the population, it is reasonable that they not be provided at the same frequency of other toileting facilities, but the disabled requiring these changing facilities may frequently also have mobility challenges and a 2000 foot travel distance coupled with a long wait for an elevator is inequitable. The model code travel distance applied to recreational event locations like A-4 and A-5 occupancies is more reasonable because people tend to be at these locations for leisure and have more discretionary time to locate toileting facilities and changing facilities.

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.

The proposed code change will potentially increase costs in very large facilities where travel distances exceed 1000 feet.

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.

The increased cost is necessary to provide more equitable access to toileting facilities for disabled individuals requiring changing. Proximity access will still be half that of toileting facilities for the able-bodied but not ¼ of the proximity access permitted by the model code language.

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

The costs will be borne by the owners or tenants of buildings requiring adult-sized changing facilities. When the owner is the state, then the citizens of Minnesota will bear the costs.

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. A small business or small city will not be of sufficient size to require installation of adult-sized changing facilities.

## **Regulatory Analysis**

1. What parties or segments of industry are affected by this proposed code change?  
Architects, engineers, building owners, developers, the disabled public that require changing as part of toileting.

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?

The cost of not adopting the code change is that access to adequate private and dignified toileting facilities for the disabled will still not be equitable.

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.

N/A

\*\*\*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:* Jason Zemke

*Date:* July 18, 2023

*Email address:* jasonzemke@threeriversparks.org  
*Code:* 2020 IBC

*Model*

*Telephone number:* 612-490-3317  
1341.0613 A117.1 Section 613 Adult-sized Changing Stations (proposed)

*Code or Rule Section:*

*Firm/Association affiliation, if any:* AIA

*Code or rule section to be changed:* 614.4.3 Height Adjustability

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

### General Information

**Yes**    **No**

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

### Proposed Language

1. The proposed code change is meant to:
  - change language contained the model code book? If so, list section(s).
  - change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - delete language contained in the model code book? If so, list section(s).
  - delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
  - add new language that is not found in the model code book or in Minnesota Rule.
2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

N/A

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.  
613.4.3 Height Adjustability. Exception: A fixed height changing surface shall be permitted and shall be mounted with the top of the changing surface 19 inches (483mm) minimum and 23 inches (584mm) maximum above the floor in lieu of an adjustable height when approved by the administrative authority due to concerns for security or safety.
4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.  
No

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)  
The proposed code requires an electrified, adjustable changing station, whenever the changing station is required by code. The changing stations that are currently on the market are relatively expensive pieces of equipment. This request assumes that these pieces of equipment will be targets of vandalism and/or frequent damage in unsupervised, public locations. Therefore, to prevent the need for an Owner to continually be obligated to repair/replace the equipment, this request is to provide an option for a fixed-height changing station in certain circumstances, in the same way of the MN exception to omit hand showers in locations with concerns for security or safety.
2. Why is the proposed code change a reasonable solution?  
If a fixed-height table is acceptable for locations where the changing station is not required by code, then the same should be acceptable for locations where required by code but are subject to concerns for security or safety.
3. What other factors should the TAG consider?  
Constant upkeep of this type of equipment if damaged/vandalized: what is expected of Owners when the equipment is out of service – What parts are available, how easily repaired, and how quickly must these be repaired/replaced and at what cost? These are not code issues, of course, but these will be an added burden on Owners moving forward under the new code.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.  
Decrease: a fixed-height changing station, without electricity, will be easier and cheaper to implement than a fully adjustable, electrified station, perhaps even easier to install in existing toilet/bathing rooms.
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?

Public agencies, perhaps Institutional and Educational agencies.

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 proposed change is to omit the requirement for an adjustable height changing surface with electricity, in certain circumstances. Understanding that a fixed-height surface does not serve the most users possible, an opposition party may accept a mechanically adjustable height surface, without electricity, if one exists in the market. If a mechanically adjustable changing station is available and cheaper and easier to repair than a fully electric model, it would be a reasonable compromise to be written in as a broader exception to the new code.

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?

Consequences include anticipated time and costs for frequent repair of the changing station equipment in locations with safety or security concerns.

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.

N/A

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