



## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Greg Metz

Date: 7/15/2022

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- Sidewalk, public

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 201 Definitions: Sidewalk, public

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.

**Sidewalk, public** . A sidewalk located in the public right-of-way and a sidewalk from a public entrance to the public right-of-way or passenger loading zone, or parking made available to the public.

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, Minnesota Rule 4715, the Minnesota Plumbing Code, Section 1101.2.

### **Need and Reason**

1. Why is the proposed code change needed?  
There has been confusion regarding the interpretation of what is a public sidewalk as implied in the building code section 3201.4 and the prohibition of storm water roof drainage onto a public sidewalk being interpreted as all sidewalks.
2. Why is the proposed code change a reasonable solution?  
Minnesota Rule 1305 only regulates roof discharge onto sidewalks in the public way. Minnesota does have seasons where roof discharge may freeze and create ice when coming into contact with the ground or sidewalks. The plumbing code strict interpretation would apply to all sidewalks that could be potentially used by the public, even if only during emergency situations. Since the building code does not address multiple hazards occurring simultaneously even when likely, such as earthquake and fire, it is reasonable to not regulate discharge onto sidewalks only intended for emergency means of egress or general maintenance. Furthermore, because of the potential icing condition, it is reasonable to be more restrictive than the model building code and prohibit storm water discharge onto both sidewalks in the public way and sidewalks used as a means to enter a building.
3. What other considerations should the TAG consider?  
None.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain.  
Since the prohibition of discharging roof storm water onto secondary sidewalks will be removed, the overall cost of construction should decrease.
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?  
Roof discharge for primary and secondary roof drainage systems will continue to need to be piped to approved discharge locations at increased expense to construction.
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:* Jon Nisja *Date:* 4/19/2018  
*Email address:* jon.nisja@state.mn.us *Model Code:* IBC 2018  
*Telephone number:* 651-201-7204 *Code or Rule Section:*  
*Firm/Association affiliation, if any:* State Fire Marshal *IBC 202 Definitions- Standpipe System, Classes of*  
*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?                            | <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).  
IBC Section 202- Definitions
  - 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.

**STANDPIPE SYSTEM, CLASSES OF.** Standpipe system classes are as follows:  
**Class I system.** A system providing 2 ½ -inch (64 mm) and 1 ½ - inch (38 mm) hose connections to supply water for use by fire departments and those trained in handling heavy fire streams.

**Class II system.** A system providing 1 ½ -inch (38 mm) hose stations to supply water for use primarily by the building occupants or by the fire department during initial response.

~~**Class III system.** A system providing 1 ½ -inch (38 mm) hose stations to supply water for use by building occupants and 2 ½ -inch (64 mm) hose connections to supply a larger volume of water for use by fire departments and those trained in handling heavy fire streams.~~

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?  
State Fire Marshal is eliminating Class III Standpipe Systems
2. Why is the proposed code change a reasonable solution?  
Eliminating the definition reduces confusion.
3. What other considerations should the TAG consider?  
Locations in the code where Class III Standpipe Systems are currently required.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain.  
Elimination of Class III standpipe systems will reduce cost. These systems are seldom used and costly to install.
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.

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?  
Not adopting the proposed change will result in continued installation of Class III sprinkler systems for which building occupants do not have the expertise to utilize.
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: 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 303.3.1 Dining accessory to places of worship

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 303.3.1 Dining accessory to places of worship

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.

**303.3.1 Dining accessory to places of religious worship.** Banquet halls and similar dining facilities (including associated kitchens) are not considered separate occupancies to A-3 places of religious worship.

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?  
Dining facilities are very frequently associated with places of worship. Since sprinkler thresholds for dining facilities are significantly lower than *places of religious worship* and occupant loads frequently double-count the occupants actually using the spaces, these types of facilities require sprinkling long before the practical occupant load would require sprinkling.
2. Why is the proposed code change a reasonable solution?  
The proposed change will enhance uniform construction standards since Minnesota Statute 326B.108 has been revised to not require sprinkling of *places of public accommodation* until there are 300 occupants. Since wedding venues are a primary type of *place of public accommodation* and *places of religious worship* provide similar functions, it is reasonable to modify code language so that they are treated similarly.
3. What other considerations should the TAG consider?  
None

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain.  
Will tend to decrease costs for places of religious worship that include banquet facilities because it will raise the sprinkler threshold from 100 to 300 occupants.
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, religious organizations that own buildings.

2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?  
None
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?  
No
4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.

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

5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?  
None.
6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?  
Discrepancy and non-uniformity in application of sprinkler requirements between secular wedding venues as a *place of public accommodation* and *places of religious worship*.
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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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 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?  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).  
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.

**310.4.2 Lodging houses.** ~~Owner-occupied lodging~~ Lodging houses with five or fewer guest rooms and ~~10 or fewer total occupants~~ shall be permitted to be constructed in accordance with 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.  
Yes, MBC section 201 Definition of Lodging house, section 310.2 Residential Group R-1, and 310.4 Residential Group R-3.

### **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 short term rental properties in homes. Since the term “owner-occupied” can be interpreted as a primary residence which is established at 180 days of residency annually, it does not make sense that a building is significantly less safe for building occupants the other 180 days of the year when the primary occupant is not in residence or in buildings that do not have a primary occupant. The change is needed to correct this discrepancy and clarify the requirements. Also, “owner-occupied” is discriminatory against renters who may not be able to afford to own property but could potentially provide the same function if such a function were necessary.
2. Why is the proposed code change a reasonable solution?  
The change should proceed in conjunction with similar changes to section 201 Definitions Lodging house. The change would allow renting of up to five guest rooms within a dwelling without a primary resident requirement and still comply with the Minnesota Residential Code.
3. What other considerations should the TAG consider?  
Sprinkler requirements, handicap accessibility requirements, application of the Minnesota Conservation Code for Existing Buildings for changes of occupancy.

### **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 change of use to a short-term rental property by eliminating building code requirements due to change of occupancy.
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 as an R-1 occupancy.
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: Greg Metz

Date: 7/26/2022

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 406.5.7 Means of Egress

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 406.5.7 Means of Egress

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.

**406.5.7 Means of egress.** Where persons other than parking attendants are permitted, open parking garages shall meet the *means of egress* requirements of Chapter 10. Where no persons other than parking attendants are permitted, there shall be on each level, 36-inch (914mm) doors entering not less than two 36-inch (914mm) wide exit stairways separated by not less than 1/3 the greatest diagonal distance of each floor plate.

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 ensure that there are two viable means of egress from any location in the parking structure. Current code language would allow a separated double helix exit stairway to suffice, satisfying the letter of the code, but effectively only providing one means of egress.
2. Why is the proposed code change a reasonable solution?  
It provides clarity for other basic tenants of the code, like exit separation, which are implied by requiring two exit stairways, but not explicitly identified. Travel distance to those exit stairways is still technically unlimited.
3. What other considerations should the TAG consider?  
If travel distance should be limited. If sprinklers should be required when using this provision.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain.  
No cost change. This is a very rarely used provision and the code change is more of a clarification.
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, commercial parking 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 governmental units, businesses, or individuals?  
May be leveraging of the amendment to construct a parking facility with unsafe exiting conditions even if only open to employees/ parking attendants.
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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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 408.9 Windowless Buildings

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 408.9 Windowless Buildings

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.

## **202 Definitions.**

**Smoke Compartment.** A space within a building enclosed by smoke barriers on all sides, including top and bottom. Smoke compartments may also be bounded by exterior walls and roof/ceiling assemblies which are not required to be rated for the passage of smoke because the opposite side is not part of the building interior.

**Windowless Smoke Compartment.** A smoke compartment with an occupant load greater than 50 and without openable fenestrations or louvers in the occupied spaces which when opened, satisfy the requirements for natural ventilation with not less than 40% and not more than 50% of the openings located in the top 3 feet of the smoke compartment. Windows within 7 feet of the floor may be breakable in order to open them for ventilation purposes.

~~**408.9 Windowless buildings.** For the purposes of this section, a windowless building or portion of a windowless building is one with non-openable or readily breakable windows or with skylights or exterior doors provided in all resident areas of the exit access with an occupant load greater than 50. Windowless buildings shall be provided with an engineered smoke control system to provide a tenable environment for exiting from the smoke compartment in the area of fire origin in accordance with Section 909 for each windowless smoke compartment.~~

**408.9 Windowless smoke compartment.** Windowless smoke compartments shall be provided with an engineered smoke control system in accordance with Section 909 to provide a tenable environment for exiting from the smoke compartment of fire origin to a separate smoke compartment.

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, changes current Minnesota Rule 1305, Section 408.9.

## **Need and Reason**

1. Why is the proposed code change needed?  
There are currently no parameters around how much opening is required in a windowless building or where those openings need to occur to make the building or smoke compartment non-windowless. The section as written includes a definition which belongs in the definitions section.
2. Why is the proposed code change a reasonable solution?  
The proposed uses natural ventilation requirements already included in the code as the basis for providing enough opening. The openings are divided into openings high in the space and low in the space similar to attic ventilation requirements found in Section 1202.2.1 to leverage stack-effect in order to purge smoke much like an attic uses stack effect to purge heat from the attic.
3. What other considerations should the TAG consider?  
If mechanical ventilation can be used in lieu of a smoke control system per section 909.

## **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain.  
No cost change. The opening requirements to avoid the windowless smoke compartment definition were previously ambiguous.

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, law enforcement officials and law enforcement building 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.  
  
The proposed change is the lowest impact option with the potential to produce desired results.
5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?  
None.
6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?  
Continued confusion over when a smoke compartment meets the criteria of a “windowless building”.
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: 8/31/2022

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 410.5.3.6 Technical production area: guards

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.  
IBC 410.5.3.6 Technical production area guards

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.

**410.5.3.6 Technical production area guards.** Guards shall be provided at all technical production areas where walking surfaces are located within 10 feet (3048 mm) of a fall hazard greater than 30 inches (762 mm) in vertical drop. Guards shall be designed such that a 21 inch (533 mm) diameter sphere shall not pass through. Guards may be partially demountable or removable in order to access and install technical equipment.

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 section is very specific to technical production areas and means of egress is specifically addressed, but guards are not. The implication is that in this specific application, no guard protection is required. Technical production areas are often high in a space and very dark. Guards are necessary to protect the safety of the technical production team, which may include students in schools.
2. Why is the proposed code change a reasonable solution?  
Application is consistent with guard protection required at other working locations in the building code such as factories and locations where workers are accessing other types of equipment.
3. What other considerations should the TAG consider?  
None.

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain.  
Yes. Since guards are not currently required, the material and installation cost for guards along technical production areas will increase the cost of construction.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.  
Yes. Technical production areas in theaters, playhouses, convention centers and similar venues tend to be very high and fall hazards great. The technical production areas are typically poorly lit so that they are not obtrusive to patrons. Guards will prevent the injury and potentially death of workers on catwalks and in fly galleries.
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?  
Potential falls of workers in technical production areas which may include students in these types of spaces located in schools.
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: Greg Metz

Date: 7/27/2022

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 Table 506.2 Allowable Area Factor

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 Table 506.2 Allowable Area Factor

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.

Occ Class	Sprink	Type of Construction											
		Type I		Type II		Type III		Type IV				Type V	
		A	B	A	B	A	B	A	B	C	HT	A	B
R-3	NS	UL	UL	24,000	16,000	24,000	16,000	61,500	41,000	25,625	20,500	12,000	7,000
	S13D												
	S13R												
	S1												
	SM												
				96,000	64,000	96,000	64,000	246,000	164,000	102,500	82,000	48,000	28,000
				72,000	48,000	72,000	48,000	184,500	123,000	76,875	61,500	36,000	21,000

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?

Minnesota amends the model code to not require sprinkling in R-3 occupancies. The model code presupposes that all residential occupancies are sprinkled, so the unlimited area allowance for R-3 is reasonable. But, in Minnesota, because R-3 is not required to be sprinkled, limits need to be placed on building size so that the fire load does not exceed that which fire fighters can reasonable manage.

Also, IBC 706.1.1 Exception 2 allows for the elimination of firewalls between buildings even when lot-lines exist as long as the building meets the requirements for unlimited height and area. If an R-3 dwelling unit can exist on a single lot with multiple R-3 units behind and to each side, and the allowable area is unlimited, then this creates a condition for an infinite number of single-family attached homes open on one side with no sprinkler system and no fire wall separations.

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

The proposal repeats the same allowable area limits for R-1, R-2, and R-4 occupancies for each construction type and sprinkler scenario.

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 will increase construction costs for very large single-family and two-family dwellings that are not for private use. These uses may include supervised living facilities, assisted living, hospice and congregate residences among others.

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

The cost is readily offset by the increase in safety by the addition of sprinkler systems for very large structures.

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?  
Mis-use of the R-3 occupancy classification in order to avoid sprinkling buildings that would otherwise be required to be sprinkled.
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: 8/18/2022

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 602.3 Type III Construction

Code or rule section to be changed: MR 1305

### General Information

**Yes**   **No**

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

### Proposed Language

1. The proposed code change is meant to:

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

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

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

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

add new language that is not found in the model code book or in Minnesota Rule.  
IBC 602.3 Type III

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.

**602.3 Type III.** Type III construction is that type of construction in which the exterior walls are of non-combustible materials and the interior building elements are of any material permitted by this code. Fire-retardant-treated wood framing and sheathing complying with Section 2303.2 shall be permitted within exterior wall assemblies of a 2-hour rating or less. Construction to the exterior side of exterior walls shall be non-combustible.

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?  
Because Section 602.3 Type III construction requires the exterior walls to be non-combustible and allows the interior of the building to be constructed of any materials allowed by the code, exterior construction other than that specific to exterior walls themselves such as exterior decks, and exterior exit stairways is not addressed.
2. Why is the proposed code change a reasonable solution?  
The exterior walls are intended to provide fire protection from building to building and to provide vertical integrity under fire conditions. If other exterior building components are contributing to a fire, it diminishes the protection afforded from building to building and also compromises the exterior wall by having fuel on both sides.
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. This is already a reasonable interpretation but has been cause for arguments between building officials and designers.
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 governmental units, businesses, or individuals?  
Non-uniform code enforcement and having some Type III buildings constructed with combustible exterior construction including decks and exterior stairways that compromise the building safety.
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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