

CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Chris Rosival

Date: 12/26/2024

Email address: chris.rosival@state.mn.us

Model Code: 2024 IRC

Telephone number: 651-284-5510

Code or Rule Section: R319.6

Firm/Association affiliation, if any: DLI

Code or rule section to be changed: 2024 IRC Section R319.6

Intended for Technical Advisory Group ("TAG"):

General Information

Yes No

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

Proposed Language

1. The proposed code change is meant to:

☒ change language contained the model code book? If so, list section(s).
[R319.6](#)

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

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

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

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

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

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.

R319.6 Dwelling additions. ~~Where dwelling unit additions contain sleeping rooms, an emergency escape and rescue opening shall be provided in each new sleeping room.~~ Where dwelling unit additions have basements, an emergency escape and rescue opening shall be provided in the new basement in accordance with R319.1.

Exceptions: ~~1. An emergency escape and rescue opening is not required in a new basement additions where all the following are met:~~

- ~~1. The existing that contains a sleeping room with an~~ emergency escape and rescue opening complies with Sections R319.1 through R319.4.
- ~~2. -b Basement additions not containing sleeping rooms.~~
- ~~3. where there is a~~ An emergency escape and rescue opening is located in an existing basement.
- ~~4. that is accessed from t~~ The new basement addition shall have access from the existing basement.
- ~~3 5. Shall be located on the same story as the existing basement. An operable window complying with Section R319.7.1 shall be acceptable as an emergency escape and rescue opening.~~

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

Need and Reason

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

The proposed code change is needed to provide clarity for basement additions. Model code language needs to be changed to only address basement additions. The first sentence currently creates confusion for the user of the code as this is required in Section R319.1. These changes will address different scenarios for when an emergency escape and rescue opening is required and not required.

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

This proposal will make for a more uniformed enforcement

3. What other factors should the TAG consider?

Cost/Benefit Analysis

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

No change

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
none
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.

Regulatory Analysis

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

[IRC builders, contractors and installers](#)
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.
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?
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.

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CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Nick Erickson

Date: 3/17/2025

Email address: nick@housingfirstmn.org

Model Code: 2024 IRC

Telephone number: 612-210-8332

Code or Rule Section: 1309

Firm/Association affiliation, if any: Housing First MN

Topic of proposal: Commissioning

Code or rule section to be changed: (1309) R325.8

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

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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input 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.

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.

R325.8.1 Commissioning: Heating, cooling and ventilation systems shall be designed in accordance with R325.8, with certification provided to the building official along with the building permit application. Installed heating systems shall be performance-tested to show compliance with design submitted at permit application. The system must perform within the manufacturer's specifications for Total External Static Pressure, Temperature Rise and airflow within plus or minus 20% or 25 CFM (whichever is greater) delivered to each room while on the heating setting, in accordance with R325.8. Documentation of testing results must be submitted to the building official prior to the issuance of the certificate of occupancy.

NOTE THIS REQUIRES THE ADOPTION OF THE CORRELATION CODE CHANGE SUBMITTED

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.

Possible connection to the administrative portions. But that will need to be determined by technical staff.

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.)
Minnesota's home designs are becoming more complex, and homebuilders and their energy raters have reported that with the adoption of the 2024 IECC and beyond, performance path utilization will increase dramatically in MN. As Minnesota moves beyond the IECC standard through 2038, the performance path will be critical in achieving and consideration of affordability in the energy code.

With performance path adoption increasing, there will be less predictability in the home design and code officials will need to know that these homes are built in accordance with their design. Much of this work is already being done in conjunction with the energy rater during their work in the home.

This proposal not only
2. Why is the proposed code change a reasonable solution?
This ensures that the system is installed and functioning as designed; the rater is most qualified to address this issue.
3. What other factors should the TAG consider?
The amount of training and re-inspections due to the proliferation of the performance path will place stress on the building officials and general contractors. This is the approach taken in several other markets and does function well. This language itself was inspired by Fort Collins.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.
This would eliminate the need for one inspection trip, so this cost savings estimate would be dependent on cities adjusting their fees accordingly. As the rater is already onsite performing this work, it should not increase costs on this e
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.
Cost decrease, see above point 1.
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?
Homebuilders, Energy Raters, Code Officials.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.
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?
Confusion as the performance path proliferates. Delays in permitting and inspections due to the varying approaches taken. Confusion around possible re-inspections and change orders caused by misinterpretation of the performance path design.
4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.
No

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

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

CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: C. Scott Anderson*Date:* 9/19/24*Email address:* c.scott.anderson@minneapolismn.gov*Model Code:* 2024 IRC*Telephone number:* 612-246-7303*Code or Rule Section:* R318.5.1*Firm/Association affiliation, if any:* City of Minneapolis*Topic of proposal:* footing frost
protection and Means of egress door*Code or rule section to be changed:* R318.5.1*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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Will the proposed change remedy a problem? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Proposed Language

1. The proposed code change is meant to:

- ☒ change language contained the model code book? If so, list section(s). R318.5.1
- ☐ change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- ☐ delete language contained in the model code book? If so, list section(s).
- ☐ delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- ☒ add new language that is not found in the model code book or in Minnesota Rule.
R318.5.1

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

Add new section

R318.5.1 Landing, deck, balcony and stair construction at required egress door.

Exterior landings, decks, balconies, stairs and similar facilities shall be supported on footings protected from frost by one or more of the following methods:

1. Extending below the frost line in accordance with 1303.1600.
2. Erecting on solid rock.
3. Other approved methods of frost protection

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

No

Need and Reason

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

This additional text clarifies the need for frost protection of the landing at the required egress door. Other doors

2. Why is the proposed code change a reasonable solution?
It addresses a life safety issue unique to cold weather climates.

3. What other factors should the TAG consider?

None

Cost/Benefit Analysis

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

This is an editorial change and should not impact the cost of construction.

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

No cost change

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

NA

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

No

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

No

Regulatory Analysis

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

no

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

CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Nathan Weber

Date: 11/14/2024

Email address: nweber@cityofdetroitlakes.com

Model Code: 2024 IRC

Telephone number: 218-846-7136

Code or Rule Section: R319.5

Firm/Association affiliation, if any:

Topic of proposal: Emergency Escape
Replacement Window

Code or rule section to be changed: R319.5

Intended for Technical Advisory Group ("TAG"):

General Information

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

Proposed Language

1. The proposed code change is meant to:

x change language contained the model code book? If so, list section(s).
R319.5

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

X delete language contained in the model code book? If so, list section(s).
R319.5

☐ delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
NO

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

R319.5 Replacement window for emergency escape and rescue openings. Replacement for emergency escape and rescue openings installed in buildings meeting the scope of this code shall be exempt from Sections 319.2 and 319.4.4, provided that the replacement window meets the following conditions:

1. The replacement window is the manufacturer's largest standard size window that will fit within the existing frame or existing rough opening. The replacement window shall be permitted to be of the same operating style as the existing window as long as it does not reduce the clear opening width or height by more than 2" or a style that provides for an equal or greater window opening than the existing window.
 2. The replacement window is not part of a change of occupancy.
4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.
NO

Need and Reason

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
Will prevent contractors/suppliers from significantly reducing emergency escape and rescue openings.
2. Why is the proposed code change a reasonable solution?
Yes
3. What other factors should the TAG consider?

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.
Potential cost increase
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.
Maintains the same level of Life, Health and Safety the home currently has.
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.
Contractor will pass any potential costs to homeowner
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.
I do not believe it will

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Building inspectors, Window replacement contractors
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.
NO
An individual opposed would like to see it left as is.
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?
Potential loss of life because someone is unable to evacuate a building in an emergency
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

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From: David McDonald (Warroad) <DavidMc@marvin.com>
Sent: Monday, February 3, 2025 4:37 PM
To: Spuckler, Amanda (DLI) <amanda.spuckler@state.mn.us>
Subject: (Marvin - Info for Replacement Window Tabled Code Change Proposal): MN Residential TAG

Good afternoon MN Residential TAG members,

I'm sorry but I had a busy last week of meetings and travel and wanted to send this to you ahead of the meeting. I thought I had until Wednesday this week but see it is scheduled for Tuesday. Based upon the information on the Tag website – I am planning to email this information to Amanda Spuckler with the hopes she can share this.

Here is what I will focus my comments on from the 2024 IRC and most importantly, the requirements in Section R319.5 and the two additional requirements in R319.5 (1).

2024 IRC:

R319.5 Replacement windows for emergency escape and rescue openings.
INSIGHTS

Replacement *for emergency escape and rescue openings* installed in *buildings meeting the scope of this code shall be exempt* from Sections R319.2 and R319.4.4, *provided that the replacement window meets the following conditions:*

1. The replacement window is the *manufacturer's largest standard size window* that will fit within the existing frame or existing rough opening. The replacement window *shall be permitted to be of the same operating style as the existing window or a style that provides for an equal or greater window opening area than the existing window.*
2. The replacement window is not part of a *change of occupancy.*

INSIGHTS (2)

Code Change Details
Hearing Videos

If you meet the requirements in R319.5 (1), the applicant is exempt from the minimum dimension requirements in Section R319.2 and there should be no questions or additional points made about 'egress hardware', etc. Exempt if the replacement window meets –

- **'manufacturer's largest standard size window that will fit within the existing frame OR existing rough opening'**
- **'shall be permitted to be on the same operating style as the existing window OR a stile that provides for an equal or greater window opening area than the existing window'**

If so, then if the replacement window is determined to meet the 2 requirements above, that replacement window is exempt from EERO minimum dimension requirements:

R319.2 Emergency escape and rescue openings.
Emergency escape and rescue openings shall have minimum dimensions in accordance with Sections R319.2.1 through R319.2.4.

I don't think that one picture provided demonstrates a clear need for the existing Code to be changed and I think that after looking it closer, I felt like I had more questions, such as:

- What operator type was the existing window?
 - If it was a single hung/double hung or glider – I am fairly confident that the casement replacement window has an equal to or greater window opening area than what previously existed.
- If the contractor/window installer was questioned about Code compliance, did they have an opportunity to prove that their replacement window had an 'equal to or greater window opening area than the existing window'?

However, if the code change proposer had more information maybe this could be discussed further.

The Code also provides some leeway to the type of product designed and offered by the manufacturer (**manufacturer's largest standard size window**) which was chosen by the architect, builder, or homeowner. It is very possible that the example in the photographs allowed the consumer to go from a slider/glider product (perhaps dual pane), to a casement which is more efficient than the other operator types but also perhaps upgrade to tripane performance. If you zoom in on the photograph, that may be a tripane product but I'm not totally sure as it could be a reflection in the photograph.

If the product meets the following 2 requirements – you cannot even get into the questions of EERO, 'egress hardware', etc. since that replacement product would be exempt.

- **manufacturer's largest standard size window that will fit within the existing frame OR existing rough opening'**

'shall be permitted to be on the same operating style as the existing window OR a stile that provides for an equal or greater window opening area than the existing window'

Maybe some of these website will provide some additional information for consideration. I could not find that these cities or others have to go into greater detail for replacement windows, other than referencing the existing Code requirements.

City of Hutchinson: [Microsoft Word - Residential Window Replacement Information.doc](#)

City of Arden Hills: [Egress Windows | Arden Hills, MN - Official Website](#)

City of Eagan: [Handout_Windows2023.pdf](#)

I do think that the main issue regarding establishing the new requirement will result in requiring much more detailed replacement window handout, replacement window permit application information or require more inspections for replacement windows than what is typically needed. I'm not sure that most cities feel this way because I have had so few questions on this issue in my 10.5 years with Marvin.

I am opposed to the Code change as presented.

I hope to be on the call and perhaps can answer some additional questions, if needed.

Thanks

David McDonald | Code and Regulatory Affairs
218-242-4150 | marvin.com



From: Johnson, Michael <MichaelAJohnson@AndersenCorp.com>
Sent: Tuesday, February 4, 2025 10:41 AM
To: Spuckler, Amanda (DLI) <amanda.spuckler@state.mn.us>
Subject: Andersen Windows Feedback - Residential TAG CCP to R319.5

Amanda,

Can you please forward this to the appropriate people on the Residential TAG? We ran out of time in the 1/22 meeting to discuss this CCP, so the topic was tabled. I thought it was being tabled until the next session (today – 2/4) and I was prepared to speak, but then they said they were waiting on written submissions/responses? Here is the proposed language change from Nathan Weber’s CCP (underlined language is what’s proposed to add):

<p>R319.5 Replacement window for emergency escape and rescue openings. Replacement for emergency escape and rescue openings installed in buildings meeting the scope of this code shall be exempt from Sections 319.2 and 319.4.4, provided that the replacement window meets the following conditions:</p> <ol style="list-style-type: none">1. The replacement window is the manufacturer's largest standard size window that will fit within the existing frame or existing rough opening. The replacement window shall be permitted to be of the same operating style as the existing window <u>as long as it does not reduce the clear opening width or height by more than 2"</u> or a style that provides for an equal or greater window opening than the existing window.2. The replacement window is not part of a change of occupancy.
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Below are the key points I had planned on speaking to:

- Thanks for the opportunity to respond!
- While I appreciate the concern that led to the CCP, I think it’s trying to implement a solution in search of a problem...and I also worry about creating additional hurdles for homeowners to replace existing windows with more efficient products.
- Some brief history:
 - Well over a decade ago, my predecessor Mark Mikkelsen worked closely with folks to get the current language into MN code. The concept of a dimensional limit was raised at that time too. It was considered, debated, and ultimately *not* adopted in favor of the language already in the code.
 - It’s also worth noting that this language was added to the IRC model code in the 2015 cycle, and has remained (unchanged) ever since. This means that at a national level there have been no concerns with this wording and no changes were made during the 2018 IRC code cycle, the 2021 code cycle, the 2024 code cycle, and (as far as I’m aware) there is no active move to amend this section in

the current 2027 IRC code cycle.

- This is a clear indication that the current code language is working.
- Furthermore, the inclusion of a dimensional limit would only raise numerous questions and complications that would all need to be addressed in code.
- Lastly, I would argue that if the existing code language is followed under item #1, there shouldn't be situations where these openings are "significantly" reduced (as raised in the CCP).
- We recommend that the current language be retained and unamended.
- If there are desires to better communicate this language (or educate) code officials, that would be fine. Perhaps a white paper could be distributed. Another option might be to include a copy of this code language with permits associated with this kind of replacement work (if it isn't already). That way, contractors, installers, homeowners, and code officials should have a clear understanding of what's required for replacement fenestration in these openings.

I happy to respond to questions as well – just send them my way.

Thanks!

MICHAEL JOHNSON
MANAGER
CODE & REGULATORY AFFAIRS
ANDERSEN CORPORATION



CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Nick Erickson

Date: 1/28/2025

Email address: nick@housingfirstmn.org

Model Code: IECC

Telephone number: 612-210-8332

Code or Rule Section: 1309

Firm/Association affiliation, if any: Housing First MN

Topic of proposal: Commissioning

Code or rule section to be changed: (1309) R325.8

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

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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input 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.

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.

Installed heating, cooling and ventilation systems shall be performance-tested, in accordance with R.325.8 . Documentation of results must be submitted to the building official prior to the issuance of the certificate of occupancy.

NOTE THIS REQUIRES THE ADOPTION OF THE CORRELATION CODE CHANGE SUBMITTED

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.
Possible connection to the administrative portions. But that will need to be determined by technical staff.

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.)
Minnesota's home designs are becoming more complex, and homebuilders and their energy raters have reported that with the adoption of the 2024 IECC and beyond, performance path utilization will increase dramatically in MN. As Minnesota moves beyond the IECC standard through 2038, the performance path will be critical in achieving and consideration of affordability in the energy code.

With performance path adoption increasing, there will be less predictability in the home design and code officials will need to know that these homes are built in accordance with their design. Much of this work is already being done in conjunction with the energy rater during their work in the home.

This proposal not only

2. Why is the proposed code change a reasonable solution?
This ensures that the system is installed and functioning as designed; the rater is most qualified to address this issue.
3. What other factors should the TAG consider?
The amount of training and reinspections due to the proliferation of the performance path will place stress on the building officials and general contractors. This is the approach taken in several other markets and does function well. This language itself was inspired by Fort Collins.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.
This would eliminate the need for one inspection trip, so this cost savings estimate would be dependent on cities adjusting their fees accordingly. As the rater is already onsite performing this work, it should not increase costs on this e

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.
Cost decrease, see above point 1.
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?
Homebuilders, Raters, Code Officials.
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.
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?
Confusion as the performance path proliferates. Delays in permitting and inspections due to the varying approaches taken. Confusion around possible re-inspections and change orders caused by misinterpretation of the performance path design.
4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.
No

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

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



CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: C. Scott Anderson

Date: 02/24/25

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

Model Code: 2024 IRC

Telephone number: 612-246-7303

Code or Rule Section: R319.5, R309.7 and R319.7.1

Firm/Association affiliation, if any: City of Minneapolis

Topic of proposal: EERO

Code or rule section to be changed: R319.5, R319.6, R309.7 and R319.7.1

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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Will the proposed change remedy a problem? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Proposed Language

1. The proposed code change is meant to:

- ☒ change language contained the model code book? If so, list section(s). R319.5, R309.7 and R319.7.1
- ☐ change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- ☒ delete language contained in the model code book? If so, list section(s). R319.5, R309.7 and R319.7.1
- ☐ delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- ☒ add new language that is not found in the model code book or in Minnesota Rule. R319.5, R309.7 and R319.7.1

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

No

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

R319.5 Replacement windows for emergency escape and rescue openings.

Replacement for *emergency escape and rescue openings* installed in *buildings* meeting the scope of this code shall be exempt from Sections R319.2 and ~~R319.4.4~~, provided that the replacement window meets the following conditions:

1. The replacement window is the manufacturer's largest standard size window that will fit within the existing frame or existing rough opening. The replacement window shall be permitted to be of the same operating style as the existing window or a style that provides for an equal or greater window opening area than the existing window.
2. The replacement window is not part of a *change of occupancy, or an alteration to an existing space that requires and emergency escape and rescue opening.*

R319.7 Alterations or repairs of existing ~~basements~~ spaces.

~~New sleeping rooms created in an existing basement~~ Alterations of existing spaces required be provided with emergency escape and rescue openings by section R319.1 shall be provided with emergency escape and rescue openings in accordance with Section R319.1. R319.2. Other than new sleeping rooms, where existing basements undergo alterations or repairs, an emergency escape and rescue opening is not required.

~~**Exception:** An operable window complying with Section R319.7.1 shall be acceptable as an emergency escape and rescue opening.~~

Exceptions:

1. Existing basements or habitable attics that do not include a sleeping room.
2. Where the cost to install an emergency escape and rescue opening in accordance with R319.2 exceeds 20% of the value of the alteration an existing or replacement operable window complying with the following shall be acceptable:
 - 2.1 The window shall have a net clear opening of not less than 5.0 square feet
 - 2.2 The minimum clear opening height dimension shall be 22 inches.
 - 2.3 The minimum net clear opening width dimension shall be 20 inches.
 - 2.4 The minimum sill height shall be not less than 48 inches.

~~R319.7.1 Existing emergency escape and rescue openings.~~

~~Where a change of occupancy would require an emergency escape and rescue opening in accordance with Section R319.1, operable windows serving as the emergency escape and rescue opening shall comply with the following:~~

- ~~1.—An existing operable window shall provide a minimum net clear opening of 4 square feet (0.38 m²) with a minimum net clear opening height of 22 inches (559 mm) and a minimum net clear opening width of 20 inches (508 mm).~~
- ~~2.—A replacement window where such window complies with both of the following:~~
 - ~~2.1.—The replacement window meets the size requirements in Item 1.~~
 - ~~2.2.—The replacement window is the manufacturer's largest standard size window that will fit within the existing frame or existing rough opening. The replacement window shall be permitted to be of the same operating style as the existing window or a style that provides for an equal or greater window opening area than the existing window.~~

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 current code language only addresses new sleeping rooms in existing basements. Because EERO's were not required in Minnesota until 1972 the current language allows for existing unsafe conditions to be continued when there are reasonable options for correcting them.

R319.5 This section has been renamed slightly but has been the general section that addresses requirements for replacement windows. The new title is slightly misleading as prior to 1972 Mn did not have a universal requirement for EEROs in residential construction. Two modifications to this section are proposed.

First the exemption from R310.4.4 is deleted. This exemption was added in 2021 and I have been unable to locate any justification or reason as to why allowing exemption from this section is appropriate. R319.4.4 governs the use of bars, grilles, covers, screens and similar devices placed over EEROs.

Second an additional qualification is added to condition 2 addressing remodeling's that are not a change in occupancy. This additional qualification addresses projects that are more extensive than a window replacement project. It also qualifies that the EERO requirements would only apply if the remodeling affects a space that requires an EERO. A kitchen remodeling that also includes general window replacement in other rooms for example would not trigger the EERO requirements.

R319.7 This entire section is revised. The Model code language only addresses new sleeping rooms in existing basements. New sleeping rooms can be created in any location within an existing residential structure. If they are not in a basement are they therefore exempt from the EERO requirements? This change addresses alterations in general separately from additions.

First The section now addresses any space that is altered and is a space that requires and EERO must meet the EERO requirements regardless of the location of the space.

Second the text relating to basements without sleeping rooms is deleted as it is actually an exception and not a charging requirement. Further it is a space that requires an EERO so it should be addressed.

Third The model code exception is deleted. R319.7.1 is also deleted in its entirety see below for explanation.

Fourth Exception 1 addresses remodeling's to existing basements or habitable attics that do not include a sleeping room. While these are both spaces that require an EERO remodeling an existing space does not alter the current life safety hazards so imposing an additional requirement is unwarranted.

Fifth Exception 2 sets a limit on the cost of installing a fully compliant EERO as not more than 20% of the value of the work. This is intended to ensure that the cost of installing an EERO is not overly burdensome to the project. The size limitations noted are consistent with the historic requirements of EEROs so an EERO that meet the code requirements post 1972 and prior to the current requirements would be considered acceptable. The basic concept here is that if the homeowner is planning on a renovation of a space that requires an EERO and has a budget for that work of \$17,000 it is not unreasonable to address a critical life safety issue if the cost of that work is under \$3,400.

This issue only comes into play if the remodeling affects a space that requires and EERO. A project that is siding and window replacement would not trigger this requirements. A kitchen or bathroom remodeling would not trigger this requirement unless that also included the reconfiguration of a space that requires an EERO.

R319.7.1. This entire section is deleted.

First, the title is misleading. This section does not address existing EERO's. condition 1 introduces a new, third set of requirements for EERO's that are substantially reduced from current requirements. Condition 2 addresses replacement windows.

Second, the concept of change in occupancy is not really common in residential construction. The 2024 code definition for change in occupancy does not require a change in occupancy classification as is commonly understood. Rather it applies anytime a change in the application of the code provisions occur.

Third, even if the change in occupancy is a concept that can be evenly applied the reduction in the size requirements for the EERO are not logical. If an existing window does not meet the minimum requirements noted in this section then the opening must be enlarged to meet them. If the opening must be enlarged then why is it not reasonable to enlarge it to the current code requirement. While some size requirement is better than none, there is no real justification as to why the current code requirement should not be applied.

Fourth, this entire section comes from the IEBC which does not apply to residential structures in Mn.

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

It addresses the opportunities for correcting unsafe conditions while taking into consideration the cost of the construction on the project budgets. It also removes a new and confusing third set of requirements for EEROs.

3. What other factors should the TAG consider?

The potential conflict between local statues requiring licensing and truth in sale reporting to identify sleeping rooms. The way the current code is constructed a space would be considered a sleeping or bed room under the building code but could not be licensed as such.

Cost/Benefit Analysis

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

This change would not impact projects which are solely window replacement and would only marginally increase the cost of remodeling projects. The increased cost is limited to 20% of the value of the total project.

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 will improve public safety by providing code compliant EEROs were none previously existed.

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

Home owners would bear the cost.

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

No

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

No

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Architects, Contractors, Developers, Building Owners, Contractors, Building Officials
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.
No
3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?
There are a couple of conflicts in the existing code language as well as conflicts between language defining sleeping or bedrooms in many municipal ordinances.
4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.
no

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



CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: C. Scott Anderson

Date: 02/24/25

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

Model Code: 2024 IRC

Telephone number: 612-246-7303

Code or Rule Section: R319.6

Firm/Association affiliation, if any: City of Minneapolis

Topic of proposal: EERO additions

Code or rule section to be changed: R319.6

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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Will the proposed change remedy a problem? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Proposed Language

1. The proposed code change is meant to:

- ☐ change language contained the model code book? If so, list section(s).
- ☐ change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- ☒ delete language contained in the model code book? If so, list section(s).
R319.6
- ☐ 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.

R319.6 Dwelling additions.

Where *dwelling unit additions* contain sleeping rooms, an *emergency escape and rescue opening* shall be provided in each new sleeping room. Where *dwelling unit additions* have *basements*, an *emergency escape and rescue opening* shall be provided in the new *basement*.

Exceptions:

1. An *emergency escape and rescue opening* is not required in a new *basement* that contains a sleeping room with an *emergency escape and rescue opening*.
2. An *emergency escape and rescue opening* is not required in a new *basement* where there is an *emergency escape and rescue opening* in an existing *basement* that is *accessed* from the new *basement*.
3. ~~An operable window complying with Section R319.7.1 shall be acceptable as an *emergency escape and rescue opening*.~~

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.)

319.6 Delete exception 3 which was added in the 2021 code.

This exception makes now logical sense as additions are new construction and there is no logical justification for not requiring an addition to meet new construction standards.

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

New construction should always conform to the requirements for new construction

3. What other factors should the TAG consider?

Accepting the model code language introduces a new EERO size for some projects that would not be acceptable on others.

Cost/Benefit Analysis

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

This change will not change the cost of construction as it makes no change in existing code requirements.

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

NA

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.
NA
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
No
5. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city ([Minn. Stat. § 14.127](#))? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.
No

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Architects, Contractors, Developers, Building Owners, Contractors, Building Officials
2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.
No
3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?
Accepting the model code language introduces a new EERO size for some projects that would not be acceptable on others.
4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.
no

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

CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Chris Rosival

Date: 12/26/2024

Email address: chris.rosival@state.mn.us

Model Code: 2024 IRC

Telephone number: 651-284-5510

Code or Rule Section: R302.3.1

Firm/Association affiliation, if any: DLI

Code or rule section to be changed: 2024 IRC Section R302.3

Intended for Technical Advisory Group ("TAG"):

General Information

Yes **No**

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

Proposed Language

1. The proposed code change is meant to:

- ☐ change language contained the model code book? If so, list section(s).
- ☐ change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- ☐ delete language contained in the model code book? If so, list section(s).
- ☐ delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- ☒ add new language that is not found in the model code book or in Minnesota Rule.
R302.3.1

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

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and ~~striketrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.
R302.3.1 Dwelling unit separation. The two dwelling units shall be separated by fire-resistance rated assemblies that are vertical, horizontal, or a combination thereof. A forced air duct system shall not penetrate the walls, floors or ceilings separating two-family dwelling units.
4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.

Need and Reason

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
M1602.2 has language that does not allow forced air ducts systems to be shared in two-family dwellings.

[MP] DUCT SYSTEM. A continuous passageway for the transmission of air that, in addition to ducts, includes duct fittings, dampers, plenums, fans and accessory air-handling equipment and appliances. For the definition applicable in Chapter 11, see Section N1101.6

[RB] DWELLING UNIT. A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. For the definition applicable in Chapter 11, see Section N1101.6. For the definition applicable in Chapter 24, see Section G2403.

M1602.2 Return air openings. Return air openings for heating, ventilation and air-conditioning systems shall comply with all of the following:

10. Return air from one dwelling unit shall not be discharged into another dwelling unit.

2. Why is the proposed code change a reasonable solution?
This will keep ducts from penetrating separation walls in two-family dwellings
3. What other factors should the TAG consider?

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.
No change
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.

4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
none
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.

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
IRC builders, contractors and installers
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.
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?
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.

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