

1.1 **Department of Labor and Industry**1.2 **Proposed Permanent Rules ~~Adopting the International Existing Building Code~~**1.3 **1311.0010 ADOPTION BY REFERENCE OF THE GUIDELINES FOR THE**  
1.4 **REHABILITATION OF EXISTING BUILDINGS INTERNATIONAL EXISTING**  
1.5 **BUILDING CODE.**

1.6 Subpart 1. General. Chapters one to six of the 2000 Guidelines for the Rehabilitation  
1.7 of Existing Buildings (GREB) as promulgated by the International Conference of Building  
1.8 Officials, Whittier, California, are incorporated by reference and made a part of the  
1.9 Minnesota State Building Code, as amended in this chapter. Appendices 2, 3, and 4 of the  
1.10 GREB are deleted and are not made a part of the Minnesota State Building Code. The  
1.11 guidelines, which include Resources 1 through 6, are provided as useful information  
1.12 intended to assist the code user and shall not be adopted as part of this code, except for  
1.13 GREB Resource 2, as referenced in GREB Section 504.1. The 2000 Guidelines for the  
1.14 Rehabilitation of Existing Buildings is not subject to frequent change and a copy of the  
1.15 2000 Guidelines for the Rehabilitation of Existing Buildings, with amendments for use in  
1.16 Minnesota, is available in the office of the commissioner of labor and industry. For the  
1.17 purposes of this chapter, "IEBC" means the 2012 edition of the International Existing  
1.18 Building Code as promulgated by the International Code Council (ICC), Washington, D.C.  
1.19 The IEBC is incorporated by reference and made a part of the Minnesota State Building  
1.20 Code, except as qualified by the applicable provisions in Minnesota Rules, chapter 1300,  
1.21 and as amended in this chapter. Portions of this publication reproduce excerpts from  
1.22 the 2012 IEBC, International Code Council (ICC), Washington, D.C., reproduced with  
1.23 permission, all rights reserved. The 2012 IEBC is not subject to frequent change and a  
1.24 copy of the 2012 IEBC, with amendments for use in Minnesota, is available in the office  
1.25 of the commissioner of labor and industry.

2.1 Subp. 2. **Mandatory chapters.** IEBC chapters 2 to 16 are required and are  
2.2 incorporated into the Minnesota Building Code, except as qualified by the applicable  
2.3 provisions in Minnesota Rules, chapter 1300, and as amended by this chapter.

2.4 Subp. 3. **Replacement chapters and provisions.** The following IEBC chapters or  
2.5 sections are deleted and replaced with the provisions listed in items A to E:

2.6 A. **Accessibility for existing buildings.** Accessibility provisions found in  
2.7 IEBC sections 410, 605, 705, 801.1 exception, 806, 901.2 exception, 906, 1006, 1012.8,  
2.8 1101.2, 1105, 1204, 1205.15, and 1401.2.5 are deleted in their entirety. Requirements for  
2.9 accessibility are found in Minnesota Rules, chapter 1341, Accessibility for Buildings  
2.10 and Facilities.

2.11 B. **Administration.** Chapter 1 of the 2012 IEBC and any references to code  
2.12 administration in this code are deleted and replaced with Minnesota Rules, chapter 1300,  
2.13 Administration of the State Building Code.

2.14 C. **Elevators and platform lift provisions.** Reference to elevator and platform  
2.15 lift provisions in the IEBC mean Minnesota Rules, chapter 1307, Minnesota Elevators and  
2.16 Related Devices, adopted pursuant to Minnesota Statutes, section 326B.106, subdivision 1.

2.17 D. **Flood hazard or floodproofing provisions.** Any flood hazard or  
2.18 floodproofing provisions in the IEBC and any reference to those provisions are deleted in  
2.19 their entirety. Requirements for floodproofing are located in Minnesota Rules, chapter  
2.20 1335, Floodproofing Regulations.

2.21 E. **Construction safeguards.** IEBC chapter 15, Construction Standards,  
2.22 is deleted and replaced with IBC chapter 33 as adopted and amended in chapter 1305,  
2.23 Safeguards During Construction.

2.24 F. **Seismic or earthquake provisions.** Any seismic or earthquake provisions of  
2.25 the IEBC and any references to them are deleted and are not made a part of this code.

3.1 **1311.0020 REFERENCES TO OTHER INTERNATIONAL CODE COUNCIL**  
3.2 **CODES.**

3.3 Subpart 1. **General.** References to other codes and standards promulgated by the  
3.4 International Code Council in the IEBC are modified as established in this part.

3.5 Subp. 2. **Building code.** References to the "building code," the "International  
3.6 Building Code," or "IBC" in this code mean Minnesota Rules, chapter 1305, Adoption  
3.7 of the International Building Code, adopted pursuant to Minnesota Statutes, section  
3.8 326B.106, subdivision 1.

3.9 Subp. 3. **Fire code.** References to the "International Fire Code" do not apply and  
3.10 are deleted.

3.11 Subp. 4. **Property maintenance code.** References to the "property maintenance  
3.12 code" or the "International Property Maintenance Code" in this code do not apply and  
3.13 are deleted.

3.14 Subp. 5. **Fuel gas code.** References to the "fuel gas code" or the "International Fuel  
3.15 Gas Code" in this code mean Minnesota Rules, chapter 1346, Minnesota Mechanical and  
3.16 Fuel Gas Codes, adopted pursuant to Minnesota Statutes, section 326B.106, subdivision 1.

3.17 Subp. 6. **Mechanical code.** References to the "mechanical code" or the  
3.18 "International Mechanical Code" in this code mean Minnesota Rules, chapter 1346,  
3.19 Minnesota Mechanical and Fuel Gas Codes, adopted pursuant to Minnesota Statutes,  
3.20 section 326B.106, subdivision 1.

3.21 Subp. 7. **Plumbing code.** References to the "plumbing code" or the "International  
3.22 Plumbing Code" in this code mean Minnesota Rules, chapter 4715, Plumbing Code,  
3.23 adopted pursuant to Minnesota Statutes, section 326B.43.

3.24 Subp. 8. **Energy conservation code.** References to the "energy conservation code"  
3.25 or the "International Energy Conservation Code" in this code mean Minnesota Rules,

4.1 chapters 1322 and 1323, Minnesota Residential and Commercial Energy Codes, adopted  
4.2 pursuant to Minnesota Statutes, section 326B.106, subdivision 1.

4.3 Subp. 9. **Residential code.** References to the "residential code" or the "International  
4.4 Residential Code" in this code do not apply and are deleted.

4.5 Subp. 10. **Private sewage disposal code.** References to the "private sewage disposal  
4.6 code" or the "International Private Sewage Disposal Code" in this code mean Minnesota  
4.7 Rules, chapter 7080, the Minnesota Pollution Control Agency's minimum standards and  
4.8 criteria for individual sewage treatment systems adopted pursuant to Minnesota Statutes,  
4.9 chapters 103F, 103G, 115, and 116.

4.10 Subp. 11. **Electrical code.** References to the "electrical code" or NFPA 70's  
4.11 "National Electrical Code" in this code mean Minnesota Rules, chapter 1315, Minnesota  
4.12 Electrical Code, adopted pursuant to Minnesota Statutes, section 326B.35.

4.13 **1311.0202 SECTION 202, PERMITS REQUIRED GENERAL DEFINITIONS.**

4.14 ~~GREB Section 202 is deleted in its entirety and replaced with the following:~~

4.15 ~~SECTION 202~~

4.16 ~~PERMITS REQUIRED~~

4.17 ~~Permits are required as specified in Minnesota Rules, chapter 1300.~~

4.18 Subpart 1. **Section 202, General definitions; added.** The following definitions  
4.19 are added to IEBC section 202 as follows:

4.20 **APPROVED.** "Approved" means approval by the building official, pursuant to the  
4.21 Minnesota State Building Code, by reason of: inspection, investigation, or testing;  
4.22 accepted principles; computer simulations; research reports; or testing performed by either  
4.23 a licensed engineer or by a locally or nationally recognized testing laboratory.

4.24 **CODE.** For purposes of this chapter, "the code" or "this code" means Minnesota Rules,  
4.25 chapter 1311, Adoption of the International Existing Building Code.

5.1 Subp. 2. **Section 202, General definitions; amended.** The following definitions in  
5.2 IEBC section 202 are amended to read as follows:

5.3 **EXISTING BUILDING.** A building erected prior to the effective date of this code, or  
5.4 one for which a legal building permit has been issued.

5.5 **HISTORIC BUILDING.** Any building or structure that is listed in the National Register  
5.6 of Historic Places; designated as a historic property under local or state designation law;  
5.7 certified as a contributing resource within a national register listed or locally designated  
5.8 historic district; or with an opinion or certification that the property is eligible to be  
5.9 listed on the National Register of Historic Places or State Register of Historic Places  
5.10 either individually or as a contributing building to a historic district by the State Historic  
5.11 Preservation Officer or the Keeper of the National Register of Historic Places.

5.12 **TECHNICALLY INFEASIBLE, ACCESSIBILITY.** An alteration of a building that has  
5.13 little likelihood of being accomplished because the existing structural conditions require  
5.14 the removal or alteration of a load-bearing member that is an essential part of the structural  
5.15 frame, or because other physical or site constraints prohibit modification or addition of  
5.16 elements, spaces, or features which are in full and strict compliance with the minimum  
5.17 requirements for new construction and which are necessary to provide accessibility.

5.18 **TECHNICALLY INFEASIBLE, STAIR CONSTRUCTION.** An alteration of a  
5.19 building that has little likelihood of being accomplished because the existing structural  
5.20 conditions require the removal or alteration of a load-bearing structural element that is an  
5.21 essential part of the structural frame, or because other existing physical or site constraints  
5.22 prohibit modification or addition of elements, spaces, or features which are in full and  
5.23 strict compliance with the minimum requirements for stair construction.

5.24 **1311.0301 SECTION 301, DEFINITIONS COMPLIANCE METHODS.**

5.25 Subpart 1. ~~Section 301, amending definitions~~ **Section 301.1.1 Prescriptive**  
5.26 **compliance methods.** ~~GREB Section 301 is amended by modifying definitions as~~  
5.27 follows: IEBC section 301.1.1 is amended to read as follows:

6.1 **301.1.1 Prescriptive compliance methods.** Repairs, alterations, additions, or changes  
6.2 of occupancy complying with chapter 4 of this code shall be considered in compliance  
6.3 with the provisions of this code.

6.4 A. ~~The definition of "ALTER OR ALTERATION" is replaced with the following:~~  
6.5 ~~**ALTERATION.** Any construction or renovation to an existing structure other than~~  
6.6 ~~repair or addition.~~

6.7 B. ~~The definition of "BUILDING OFFICIAL" is amended to read as follows:~~  
6.8 ~~**BUILDING OFFICIAL.** The municipal building code administrative authority certified~~  
6.9 ~~under Minnesota Statutes, section 326B.133, subdivisions 2 and 3.~~

6.10 C. ~~The definition of "HISTORIC BUILDING" is replaced with the following:~~  
6.11 ~~**CERTIFIED HISTORIC STRUCTURE.** A building and its structural components that:~~

6.12 ~~(1) is listed on the National Register of Historic Places, or determined eligible for~~  
6.13 ~~listing in the National Register of Historic Places by the State Historic Preservation~~  
6.14 ~~Officer, or designated by a certified local government; or~~

6.15 ~~(2) is located in a registered historic district and determined to be a contributing~~  
6.16 ~~building as defined by the State Historic Preservation Officer or the certified local~~  
6.17 ~~government.~~

6.18 ~~As used in this definition: "Registered historic district" means a district listed on the~~  
6.19 ~~National Register of Historic Places, or determined eligible for listing on the National~~  
6.20 ~~Register of Historic Places by the State Historic Preservation Officer or designated by a~~  
6.21 ~~certified local government; and~~

6.22 ~~"Certified local government" means an agency of government meeting the standards~~  
6.23 ~~administered by the United States Secretary of the Interior through the State of Minnesota~~  
6.24 ~~Historic Preservation Officer.~~

6.25 D. ~~In the definition of "WORK AREA," the term "reconstruction" in the last~~  
6.26 ~~sentence of the definition is replaced with the term "rehabilitation."~~

7.1 Subp. 2. ~~Section 301, adding definitions~~ Section 301.2 Additional codes. GREB  
7.2 Section 301 is amended by adding the following definitions: IEBC section 301 is amended  
7.3 by adding a subsection to read as follows:

7.4 ~~ACCESSIBILITY CODE~~ means Minnesota Rules, chapter 1341, Minnesota  
7.5 Accessibility Code.

7.6 ~~BUILDING CODE~~ means Minnesota Rules, chapter 1305, Minnesota Building Code.

7.7 ~~CHANGE IN USE~~ or ~~CHANGE IN OCCUPANCY~~ means a change in the character  
7.8 or use of an existing building or portion of a building that would place it in a different  
7.9 division of the same group of occupancy or in a different group of occupancies.

7.10 ~~ELECTRICAL CODE~~ means Minnesota Rules, chapter 1315, Minnesota Electrical Code.

7.11 ~~ELEVATOR CODE~~ means Minnesota Rules, chapter 1307, Minnesota Elevator Code.

7.12 ~~ENERGY CODE~~ means Minnesota Statutes, section 326B.115, Minnesota Energy Code.

7.13 ~~FIRE CODE~~ means the Minnesota State Fire Code adopted pursuant to Minnesota Rules,  
7.14 chapter 7511, and Minnesota Statutes, chapter 299F.

7.15 ~~MECHANICAL CODE~~ means Minnesota Rules, chapter 1346, Minnesota Mechanical  
7.16 Code.

7.17 ~~PLUMBING CODE~~ means Minnesota Rules, chapter 4715, of the Minnesota State  
7.18 Building Code.

7.19 301.2.1 Window cleaning anchors. Building anchors for window cleaning safety shall  
7.20 comply with the Minnesota Building Code.

7.21 301.3 Replacement windows. Replacement windows shall comply with the Minnesota  
7.22 Building Code.

7.23 **1311.0401 SECTION 401, GENERAL.**

7.24 ~~Section 401.2.7.~~ GREB Section 401.2.7 is amended by modifying the following  
7.25 subsections:

7.26 A. Subsection 401.2.7, Exception 3, is amended to read as follows:

8.1 ~~3. If a grounding means exists in the receptacle enclosure or a grounding connection~~  
 8.2 ~~is made to the grounding electrode system of the premises, receptacles shall be~~  
 8.3 ~~replaced with a grounding-type receptacle.~~

8.4 ~~B. Subsection 401.2.7, Exception 4, is amended to read as follows:~~

8.5 ~~4. If a grounding means does not exist in the receptacle enclosure, nongrounding-type~~  
 8.6 ~~receptacles shall be permitted to be installed.~~

8.7 ~~C. Subsection 401.2.7, Exception 5, is amended to read as follows:~~

8.8 ~~5. If a grounding means does not exist in the receptacle enclosure, a ground-fault~~  
 8.9 ~~circuit-interrupter-type receptacle outlet shall be permitted to be installed. Other~~  
 8.10 ~~grounding-type receptacle outlets shall be permitted to be supplied through a~~  
 8.11 ~~ground-fault circuit-interrupter-type receptacle. An equipment grounding connection~~  
 8.12 ~~shall not be made between equipment grounding connections of any receptacles that~~  
 8.13 ~~are not connected to an equipment grounding conductor. Grounding-type receptacles~~  
 8.14 ~~that do not provide grounding connections shall be marked "No Equipment Ground."~~

8.15 Section 401.1 Scope. IEBC section 401.1 is amended to read as follows:

8.16 401.1 Scope. The provisions of this chapter shall apply to the alteration, repair, addition,  
 8.17 and change of occupancy or relocation of existing buildings and structures, including  
 8.18 historic buildings and structures as referenced in IEBC section 301.1.1.

8.19 Exception: Existing bleachers, grandstands, and folding and telescoping seating shall  
 8.20 comply with Minnesota Statutes, section 326B.112.

8.21 **1311.0402 SECTION 402, ADDITIONS.**

8.22 Subpart 1. Section 402.3 Existing structural elements carrying gravity load.

8.23 IEBC section 402.3 is amended to read as follows:

8.24 402.3 Existing structural elements carrying gravity load. Any existing gravity  
 8.25 load-carrying structural element for which an addition and its related alterations cause an  
 8.26 increase in design gravity load of more than 5 percent shall be evaluated by a licensed  
 8.27 design professional and modified, if necessary, to ensure it is designed to carry the

9.1 increased gravity load required by the International Building Code for new structures. Any  
9.2 existing gravity load-carrying structural element whose gravity load-carrying capacity  
9.3 is decreased shall be considered an altered element subject to the requirements of IEBC  
9.4 section 403.3. Any existing element that will form part of the lateral load path for any  
9.5 part of the addition shall be considered an existing lateral load-carrying structural element  
9.6 subject to the requirements of IEBC section 402.4.

9.7 Subp. 2. Section 402.5 Smoke alarms in existing portions of a building. IEBC  
9.8 section 402.5 is amended to read as follows:

9.9 402.5 Smoke alarms in existing portions of a building. Where an addition is made to a  
9.10 building or structure of a Group R or I-1 occupancy, the existing building shall be provided  
9.11 with smoke alarms in accordance with the Minnesota Building Code, chapter 1305.

9.12 **1311.0403 SECTION 403, LIFE SAFETY ALTERATIONS.**

9.13 Subpart 1. ~~Section 403~~ Section 403.1 General. ~~GREB Section 403 is amended by~~  
9.14 ~~deleting the phrase "(Supplemental requirement)" from the following sections: 403.11.2;~~  
9.15 ~~403.11.3; 403.12.2; 403.12.3; and (Supplemental requirements) from sections 403.14.1.4.1;~~  
9.16 ~~and 403.16.2.~~ IEBC section 403.1, the exceptions, are amended to read as follows:

9.17 **Exceptions:**

- 9.18 1. An existing stairway shall not be required to comply with the requirements of the  
9.19 International Building Code provided the existing or replacement stairway complies  
9.20 with the following: Existing stairs in buildings shall be permitted to remain if the rise  
9.21 does not exceed 8.25 inches (210 mm) and the run is not less than 9 inches (229 mm).  
9.22 Existing stairs are permitted to have a minimum width of 36 inches (914 mm), but not  
9.23 less than the width required for the number of occupants served, as determined by  
9.24 the International Building Code.
- 9.25 2. The replacement of an existing stairway may maintain its original rise and run if  
9.26 compliance with exception 1 is technically infeasible.

10.1 3. Handrails otherwise required to comply with chapter 10 of the IBC shall not be  
 10.2 required to comply with handrail extension requirements if the handrail extensions  
 10.3 hinder the required means of egress.

10.4 Subp. 2. ~~Section 403.1~~ **Section 403.3 Existing structural elements carrying**  
 10.5 **gravity load.** ~~GREB Section 403.1 is amended by adding a subsection: IEBC section~~  
 10.6 403.3 is amended to read as follows:

10.7 ~~**403.1.1 Accessibility requirements.** Buildings undergoing alterations as defined in~~  
 10.8 ~~chapter 3 shall comply with the applicable requirements specified in Minnesota Rules,~~  
 10.9 ~~part 1341.0409, ADAAG 4.1.5; Accessible Buildings; Additions, and part 1341.0411,~~  
 10.10 ~~ADAAG 4.1.6; Accessible Buildings; Alterations; subparts 1, 2, and 3.~~

10.11 ~~For change of occupancy requirements, see Chapter 5.~~

10.12 **403.3 Existing structural elements carrying gravity load.** Any existing gravity  
 10.13 load-carrying structural element for which an alteration causes an increase in design  
 10.14 gravity load of more than 5 percent, shall be evaluated by a licensed design professional  
 10.15 and modified, if necessary, to ensure it is designed to carry the increased gravity load as  
 10.16 required by the International Building Code for new structures. Any existing gravity  
 10.17 load-carrying structural element whose gravity load-carrying capacity is decreased as a  
 10.18 part of the alteration shall be shown to have the capacity to resist the applicable design  
 10.19 gravity loads required by the International Building Code for new structures.

10.20 (IEBC subsection 403.3.1 remains unchanged.)

10.21 Subp. 3. [See repealer.]

10.22 Subp. 4. [See repealer.]

10.23 Subp. 5. [See repealer.]

10.24 Subp. 6. [See repealer.]

10.25 Subp. 7. [See repealer.]

11.1 Subp. 8. Section 403.6 Smoke alarms. IEBC section 403.6 is amended to read  
11.2 as follows:

11.3 **403.6 Smoke alarms.** Individual sleeping units and individual dwelling units in Group  
11.4 R and I-1 occupancies shall be provided with smoke alarms in accordance with the  
11.5 Minnesota Building Code, chapter 1305.

11.6 **1311.0404 SECTION 404, ~~INTERIOR FINISH REPAIRS.~~**

11.7 **Section 404.3 Substantial structural damage to gravity load-carrying**  
11.8 **components.** ~~GREB Sections 404.1, 404.1.1, and 404.1.2 are amended by deleting the~~  
11.9 reference to "(Supplemental requirements)." IEBC section 404.3 is amended to read  
11.10 as follows:

11.11 **404.3 Substantial structural damage to gravity load-carrying components.** Gravity  
11.12 load-carrying components that have sustained substantial structural damage shall be  
11.13 rehabilitated to comply with the applicable provisions of the International Building Code  
11.14 for all gravity loads. Existing gravity load-carrying structural elements shall be permitted  
11.15 to be designed for live loads approved prior to the damage. Nondamaged gravity  
11.16 load-carrying components that receive gravity loads from rehabilitated components  
11.17 shall also be rehabilitated or shown to have the capacity to carry the design loads of  
11.18 the rehabilitation design. New structural members and connections required by this  
11.19 rehabilitation design shall comply with the detailing provisions of the International  
11.20 Building Code for new buildings of similar structure, purpose, and location.  
11.21 (IEBC subsection 404.3.1 and the exceptions remain unchanged.)

11.22 **1311.0405 SECTION 405, ~~SHAFT ENCLOSURES FIRE ESCAPES.~~**

11.23 Subpart 1. ~~Section 405.1.~~ ~~GREB Section 405.1 is amended to read as follows:~~  
11.24 ~~**405.1** In any work area, newly constructed vertical openings through a floor-ceiling~~  
11.25 ~~assembly shall comply with the requirements of the Minnesota State Building Code.~~

11.26 Subp. 2. ~~Section 405.2.~~ ~~GREB Section 405.2 is amended to read as follows:~~

12.1 ~~405.2~~ In any work area, all existing interior vertical openings through a floor-ceiling  
 12.2 assembly shall be enclosed with approved assemblies having a fire-resistance rating of  
 12.3 not less than one hour with approved opening protection.

12.4 (The exceptions are included and remain unchanged.)

12.5 Subp. 3. ~~Sections 405.3, 405.4, and 405.5.~~ GREB Sections 405.3, 405.4, and 405.5  
 12.6 are amended to delete the reference to "(Supplemental requirements)."

12.7 Section 405.4 Dimensions. IEBC section 405.4 is amended to read as follows:

12.8 405.4 Dimensions. Existing and replacement fire escape stairs shall meet the minimum  
 12.9 width, capacity, riser height, and tread depth as specified in Table 405.4.

12.10 TABLE 405.4

12.11 DIMENSIONS FOR EXISTING AND REPLACEMENT FIRE ESCAPE STAIRS

<u>Feature</u>	<u>Serving More Than 10 Occupants</u>	<u>Serving 10 or Fewer Occupants</u>
<u>Minimum Width</u>	<u>22 inches</u>	<u>18 inches</u>
<u>Maximum Riser Height</u>	<u>9 inches</u>	<u>12 inches</u>
<u>Minimum Tread Depth</u>	<u>9 inches</u>	<u>6 inches</u>

12.18 1311.0407 SECTION 407, FIRE SUPPRESSION SYSTEMS CHANGE OF  
 12.19 OCCUPANCY.

12.20 Subpart 1. Section 407.1 Conformance. IEBC section 407.1 is amended to read  
 12.21 as follows:

12.22 ~~GREB Section 407.1 is amended to read as follows:~~

12.23 ~~407.1~~ All work areas in any building or portion of a building that is required to have a  
 12.24 fire-extinguishing system in accordance with the Minnesota Rules, chapters 1305 and  
 12.25 1306, if specifically adopted by the jurisdiction, shall be provided with an automatic  
 12.26 fire-suppression system.

13.1 ~~**Exception:** In other than high-rise structures, where an automatic water supply for~~  
 13.2 ~~sprinkler protection is not available at that floor level, the building official shall be~~  
 13.3 ~~permitted to accept alternative protection.~~

13.4 **407.1 Conformance.** Changes in the use or occupancy of any building that would place  
 13.5 the building in a different division of the same group of occupancy or in a different  
 13.6 group of occupancies shall be permitted if such building is made to comply with the  
 13.7 requirements of the International Building Code for such division or group of occupancy.  
 13.8 Subject to the approval of the building official, the use or occupancy of existing buildings  
 13.9 shall be permitted to be changed and the building is allowed to be occupied for purposes in  
 13.10 other groups without conforming to all of the requirements of this code for those groups,  
 13.11 provided the new or proposed use is equally or less hazardous, based on life and fire risk,  
 13.12 than the existing use based on Table 407.1.

13.13 Subp. 2. **Table 407.1 Life safety and fire risk.** IEBC section 407.1 is amended by  
 13.14 adding a table to read as follows:

13.15 TABLE 407.1 LIFE SAFETY AND FIRE RISK

13.16	<u>RELATIVE HAZARD</u>	<u>OCCUPANCY CLASSIFICATION</u>
13.17	<u>1 (Highest Hazard)</u>	<u>H, I-2, I-3</u>
13.18	<u>2</u>	<u>I-4, A-1</u>
13.19	<u>3</u>	<u>E, 1-1, R-1, R-2, A-2, A-3, A-4</u>
13.20	<u>4</u>	<u>B, F-1, R-3, R-4, S-1, M, A-5</u>
13.21	<u>5 (Lowest Hazard)</u>	<u>F-2, S-2, U</u>

13.22 Subp. 3. **Section 407.1.1 Small assembly spaces.** IEBC section 407.1 is amended  
 13.23 by adding a subsection to read as follows:

13.24 **407.1.1 Small assembly spaces.** The following rooms and spaces shall not be classified  
 13.25 as assembly occupancies:

14.1 1. A room or space used for assembly purposes with an occupant load of less than 50  
14.2 persons and accessory to another occupancy shall be classified as part of that occupancy or  
14.3 as a Group B occupancy.

14.4 2. A room or space used for assembly purposes that is less than 750 square feet (70 m<sup>2</sup>) in  
14.5 area and accessory to another occupancy shall be classified as part of that occupancy or  
14.6 as a Group B occupancy.

14.7 **1311.0502 SECTION 502, FIRE AND LIFE-SAFETY REPAIRS.**

14.8 ~~GREB Section 502.1.1 is amended by deleting the exception in its entirety.~~ **Section**  
14.9 **502.1 Scope.** IEBC section 502.1 is amended to read as follows:

14.10 **502.1 Scope.** Repairs, as defined in IEBC chapter 2, include the patching, restoration,  
14.11 or replacement of worn or damaged materials, elements, equipment, or fixtures for the  
14.12 purpose of maintaining such components in good or sound condition with respect to  
14.13 existing loads or performance requirements.

14.14 **1311.0606 SECTION 606, STRUCTURAL.**

14.15 **Section 606.2.3 Substantial structural damage to gravity load-carrying**  
14.16 **components.** IEBC section 606.2.3 is amended to read as follows:

14.17 **606.2.3 Substantial structural damage to gravity load-carrying components.** Gravity  
14.18 load-carrying components that have sustained substantial structural damage shall be  
14.19 rehabilitated to comply with the applicable provisions for all gravity loads in the  
14.20 International Building Code. Undamaged gravity load-carrying components that receive  
14.21 gravity loads from rehabilitated components shall also be rehabilitated if required to  
14.22 comply with the design loads of the rehabilitation design.

14.23 (IEBC subsection 606.2.3.1 and the exceptions remain unchanged.)

14.24 **1311.0704 SECTION 704, MEANS OF EGRESS.**

14.25 **Section 704.1 General.** IEBC section 704.1 is amended to read as follows:

15.1 **704.1 General.** Alterations shall be done in a manner that maintains the level of fire  
15.2 protection provided for the means of egress.

15.3 **1311.0706 SECTION 706, STRUCTURAL.**

15.4 **Section 706.2 Addition or replacement of roofing or replacement of equipment.**

15.5 IEBC section 706.2 is amended to read as follows:

15.6 **706.2 Addition or replacement of roofing or replacement of equipment.** Where  
15.7 addition or replacement of roofing or replacement of equipment results in additional dead  
15.8 loads, structural elements supporting such reroofing or equipment shall comply with the  
15.9 gravity load requirements of the International Building Code.

15.10 **Exceptions:**

15.11 1. Structural elements where the additional dead load from the roofing or equipment  
15.12 does not increase the demand-capacity ratio for the element by more than 5 percent.

15.13 Additional loads due to snow retention as a result of a change in roof insulation shall  
15.14 be included in the evaluation.

15.15 2. Buildings constructed in accordance with the conventional light frame construction  
15.16 methods of the International Building Code and where the dead load from the roofing  
15.17 equipment is not increased by more than 5 percent.

15.18 3. Addition of a second layer of roof covering weighing 3 pounds per square foot  
15.19 (0.1437 kN/m<sup>2</sup>) or less over an existing single layer of roof covering.

15.20 **1311.0707 SECTION 707, ENERGY CONSERVATION.**

15.21 **Section 707 Energy conservation.** IEBC section 707 is amended by deleting the  
15.22 section in its entirety and replacing it with the following:

15.23 **707 Energy conservation.** For energy conservation requirements, see Minnesota Rules,  
15.24 chapters 1322 and 1323, as applicable.

16.1 **1311.0801 SECTION 801, GENERAL.**

16.2 **Section 801.1 Scope.** IEBC section 801.1 is amended by deleting the exception  
16.3 and amending the section to read follows:

16.4 **801.1 Scope.** Level 2 alterations as described in IEBC section 504 shall comply with  
16.5 the requirements of this chapter.

16.6 (The exception pertaining to accessibility requirements is deleted.)

16.7 **1311.0802 SECTION 802, SPECIAL USE AND OCCUPANCY.**

16.8 **Section 802.1 General.** IEBC section 802.1 is amended to read as follows:

16.9 **802.1 General.** Alteration of buildings classified as special use and occupancy as  
16.10 described in chapter 4 of the International Building Code shall comply with the  
16.11 requirements of IEBC section 801.1.

16.12 **1311.0803 SECTION 803, BUILDING ELEMENTS AND MATERIALS.**

16.13 **Section 803.3.2 Fire-resistance rating.** IEBC section 803.3.2 is amended to read  
16.14 as follows:

16.15 **803.3.2 Fire-resistance rating.** The smoke barriers shall be fire-resistance rated for 1  
16.16 hour and constructed in accordance with the International Building Code.

16.17 **1311.0805 SECTION 805, MEANS OF EGRESS.**

16.18 Subpart 1. **Section 805.2 General.** IEBC section 805.2 is amended to read as follows:

16.19 **805.2 General.** The means of egress shall comply with the requirements of IEBC section  
16.20 805.

16.21 **Exception:** Means of egress conforming to the requirements of the Minnesota  
16.22 Building Code chapter under which the building was constructed shall be considered  
16.23 compliant means of egress if, in the opinion of the code official, they do not constitute  
16.24 a distinct hazard to life.

17.1 Subp. 2. Section 805.3.1.1 Single-exit buildings. IEBC section 805.3.1.1 is  
17.2 amended by deleting subitem (4) pertaining to community residences from the list of  
17.3 occupancies requiring only one exit.

17.4 **1311.0807 SECTION 807, STRUCTURAL.**

17.5 Section 807.4 Existing structural elements carrying gravity loads. IEBC section  
17.6 807.4 is amended to read as follows:

17.7 **807.4 Existing structural elements carrying gravity loads.** Alterations shall not reduce  
17.8 the capacity of existing gravity load-carrying structural elements unless it is demonstrated  
17.9 that the elements have the capacity to carry the applicable design gravity loads required by  
17.10 the International Building Code. Existing structural elements supporting any additional  
17.11 gravity loads as a result of the alterations, including the effects of snow drift, shall comply  
17.12 with the International Building Code.

17.13 **Exceptions:**

- 17.14 1. Structural elements whose demand-capacity ratio is not increased by more than  
17.15 5 percent. Additional loads due to snow retention as a result of a change in roof  
17.16 insulation shall be included in the evaluation.
- 17.17 2. Buildings of Group R occupancy with not more than five dwelling or sleeping  
17.18 units used solely for residential purposes where the existing building and its alteration  
17.19 comply with the conventional light frame construction methods of the International  
17.20 Building Code.

17.21 **1311.0808 SECTION 808, ELECTRICAL.**

17.22 Subpart 1. Section 808.1 New installations. IEBC section 808.1 is amended to  
17.23 read as follows:

17.24 **808.1 New installations.** All newly installed electrical equipment and wiring relating to  
17.25 work done in any work area shall comply with the materials and methods requirements of  
17.26 NFPA 70.

18.1 Subp. 2. Section 808.2 Existing installations. IEBC section 808.2 is amended  
18.2 to read as follows:

18.3 808.2 Existing installations. Existing wiring in all work areas in Group A-1, A-2, A-5, H,  
18.4 and I occupancies shall be upgraded to meet the materials and methods requirements of  
18.5 NFPA 70.

18.6 **1311.0810 SECTION 810, PLUMBING.**

18.7 Section 810.1 Minimum fixtures. IEBC section 810.1 is amended to read as follows:

18.8 810.1 Minimum fixtures. Where the occupant load of the story is increased by more than  
18.9 20 percent, plumbing fixtures for the story shall be provided in quantities specified in  
18.10 Minnesota Rules, chapter 1305, based on the increased occupant load.

18.11 **1311.0811 SECTION 811, ENERGY CONSERVATION.**

18.12 Section 811 Energy conservation. IEBC Section 811 is amended by deleting the  
18.13 section in its entirety and replacing it with the following:

18.14 811 Energy conservation. For energy conservation requirements, see Minnesota Rules,  
18.15 chapters 1322 and 1323, as applicable.

18.16 **1311.0903 SECTION 903, BUILDING ELEMENTS AND MATERIALS.**

18.17 Section 903.2.1 Separation required. IEBC section 903.2.1 is amended to read  
18.18 as follows:

18.19 903.2.1 Separation required. Where the work area is in any attached dwelling unit in  
18.20 Group R-3 occupancies, walls separating the dwelling units that are not continuous from  
18.21 the foundation to the underside of the roof sheathing shall be constructed to provide  
18.22 continuous fire separation using construction materials consistent with the existing wall or  
18.23 complying with the requirements for new structures. All work shall be performed on the  
18.24 side of the dwelling unit wall that is part of the work area.

19.1 **Exception:** Where alterations or repairs do not result in the removal of wall or ceiling  
19.2 finishes exposing the structure, walls are not required to be continuous through  
19.3 concealed floor spaces.

19.4 **1311.0908 SECTION 908, ENERGY CONSERVATION.**

19.5 **Section 908 Energy conservation.** IEBC section 908 is amended by deleting the  
19.6 section in its entirety and replacing it with the following:

19.7 **908 Energy conservation.** For energy conservation requirements, see Minnesota Rules,  
19.8 chapters 1322 and 1323, as applicable.

19.9 **1311.1007 SECTION 1007, STRUCTURAL.**

19.10 **Section 1007.1 Gravity loads.** IEBC section 1007.1 is amended to read as follows:

19.11 **1007.1 Gravity loads.** Buildings or portions thereof subject to a change of occupancy  
19.12 where such change in the nature of occupancy results in higher uniform or concentrated  
19.13 loads based on Table 1607.1 of the International Building Code shall comply with the  
19.14 gravity load provisions of the International Building Code.

19.15 **Exception:** Structural elements whose demand-capacity ratio is not increased by  
19.16 more than 5 percent. Additional loads due to snow retention as a result of a change  
19.17 in roof insulation shall be included in the evaluation.

19.18 **1311.1010 SECTION 1010, PLUMBING.**

19.19 **Section 1010.1 Increased demand.** IEBC section 1010.1 is amended to read as  
19.20 follows:

19.21 **1010.1 Increased demand.** Where the occupancy of an existing building or part of an  
19.22 existing building is changed such that the new occupancy is subject to increased or  
19.23 different plumbing fixture requirements in accordance with Minnesota Rules, chapter  
19.24 1305, or to increased water supply requirements in accordance with Minnesota Rules,  
19.25 chapter 4715, the new occupancy shall comply with Minnesota Rules, chapter 4715.

20.1 **1311.1012 SECTION 1012, CHANGE OF OCCUPANCY CLASSIFICATION.**

20.2 **Section 1012.2.1 Fire sprinkler system.** IEBC section 1012.2.1 is amended to  
20.3 read as follows:

20.4 **1012.2.1 Fire sprinkler system.** Where a change in occupancy classification occurs that  
20.5 requires an automatic fire sprinkler system to be provided based on the new occupancy in  
20.6 accordance with Minnesota Rules, chapter 1305, such system shall be provided throughout  
20.7 the area where the change of occupancy occurs.

20.8 **1311.1103 SECTION 1103, STRUCTURAL.**

20.9 **Subpart 1. Section 1103.2 Additional gravity loads.** IEBC section 1103.2 is  
20.10 amended to read as follows:

20.11 **1103.2 Additional gravity loads.** Existing structural elements supporting any additional  
20.12 gravity loads as a result of additions shall comply with the International Building Code.

20.13 **Exceptions:**

20.14 **1. Structural elements whose demand-capacity ratio is not increased by more than**  
20.15 **5 percent. Additional loads due to snow retention as a result of a change in roof**  
20.16 **insulation shall be included in the evaluation.**

20.17 **2. Buildings of Group R occupancy with no more than five dwelling units or sleeping**  
20.18 **units used solely for residential purposes where the existing building and the addition**  
20.19 **comply with the conventional light frame construction methods of the International**  
20.20 **Building Code.**

20.21 **Subp. 2. Section 1103.3 Lateral force-resisting systems.** IEBC section 1103.3  
20.22 is amended to read as follows:

20.23 **1103.3 Lateral force-resisting system.** The lateral force-resisting system of existing  
20.24 buildings to which additions are made shall comply with sections 1103.3.1, 1103.3.2,  
20.25 and 1103.3.3.

20.26 **Exceptions:**

21.1 1. Buildings of Group R occupancy with no more than five dwelling or sleeping units  
21.2 used solely for residential purposes where the existing building and the addition  
21.3 comply with the conventional light-frame construction methods of the IBC.

21.4 2. Other existing buildings where the lateral-force story shear in any story is not  
21.5 increased by more than ten percent cumulative.

21.6 Subp. 3. **Section 1103.4 Snow drift loads.** IEBC section 1103.4 is amended to  
21.7 read as follows:

21.8 **1103.4 Snow drift loads.** Any structural element of an existing building subjected to  
21.9 additional loads from the effects of snow drift as a result of an addition shall comply with  
21.10 the International Building Code.

21.11 **Exceptions:**

21.12 1. Structural elements whose demand-capacity ratio is not increased by more than  
21.13 5 percent. Additional loads due to snow retention as a result of a change in roof  
21.14 insulation shall be included in the evaluation.

21.15 2. Buildings of Group R occupancy with no more than five dwelling units or sleeping  
21.16 units used solely for residential purposes where the existing building and the addition  
21.17 comply with the conventional light frame construction methods of the International  
21.18 Building Code.

21.19 **1311.1201 SECTION 1201, GENERAL.**

21.20 **Section 1201.2 Report.** IEBC section 1201.2 is amended to read as follows:

21.21 **1201.2 Report.** A historic building undergoing repair, alteration, or change of occupancy  
21.22 shall be investigated and evaluated. A written report shall be prepared and filed with the  
21.23 code official by a registered design professional when such a report is necessary in the  
21.24 opinion of the code official. The report shall identify each required safety feature that is in  
21.25 compliance with this chapter and where compliance with provisions of this chapter would  
21.26 be damaging to the contributing historic features.

22.1 **1311.1203 SECTION 1203, FIRE SAFETY.**

22.2 **Section 1203.10.1 Height.** IEBC section 1203.10.1 is amended to read as follows:

22.3 **1203.10.1 Height.** Existing guards shall comply with the requirements of IEBC section  
22.4 **805.**

22.5 **1311.1301 SECTION 1301, GENERAL.**

22.6 **Section 1301.2 Conformance.** IEBC section 1301.2 is amended to read as follows:

22.7 **1301.2 Conformance.** Buildings that are unsafe, as provided in Minnesota Rules, part  
22.8 **1300.0180,** shall not be moved. Any repair, alteration, or change of occupancy undertaken  
22.9 **within the moved structure shall comply with the requirements of this code applicable**  
22.10 **to the work being performed. Any field-fabricated elements shall comply with the**  
22.11 **requirements of the International Building Code.**

22.12 **1311.1302 SECTION 1302, REQUIREMENTS.**

22.13 **Section 1302.3 Wind loads.** IEBC section 1302.3 is amended to read as follows:

22.14 **1302.3 Wind loads.** Buildings shall comply with International Building Code wind  
22.15 **provisions, as applicable.**

22.16 **Exceptions:**

22.17 **1. Detached one- and two-family dwellings and Group U occupancies where wind**  
22.18 **loads at the new location are not higher than those at the previous location.**

22.19 **2. Structural elements whose demand-capacity ratio is not increased by more than 10**  
22.20 **percent.**

22.21 **1311.1401 SECTION 1401, GENERAL.**

22.22 **Subpart 1. Section 1401.2 Applicability.** IEBC section 1401.2 is amended to read  
22.23 **as follows:**

22.24 **1401.2 Applicability.** Structures existing prior to the effective date of this code, in which  
22.25 **there is work involving additions, alterations, or change of occupancy shall be made to**  
22.26 **conform to the requirements of IEBC chapter 14 or the provisions of IEBC chapters 5 to**

23.1 13. The provisions of sections 1401.2.1 to 1401.2.5 shall apply to existing occupancies  
23.2 that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, and S. These  
23.3 provisions shall not apply to buildings with occupancies in Group H or I.  
23.4 (IEBC subsections 1401.2.1, 1401.2.2, 1401.2.3, 1401.2.4, and 1401.2.5 remain  
23.5 unchanged.)

23.6 Subp. 2. **Section 1401.3.1 Hazards.** IEBC section 1401.3.1 is amended to read  
23.7 as follows:

23.8 **1401.3.1 Hazards.** Where the code official determines that an unsafe condition or  
23.9 hazardous building, as defined in Minnesota Statutes, section 463.15, exists as provided  
23.10 for in Minnesota Rules, part 1300.0180, such unsafe condition or hazard shall be abated in  
23.11 accordance with Minnesota Statutes, sections 463.15 to 463.26.

23.12 Subp. 3. **Section 1401.3.2 Compliance with other codes.** IEBC section 1401.3.2  
23.13 is amended to read as follows:

23.14 **1401.3.2 Compliance with other codes.** Compliance with other codes is deleted in its  
23.15 entirety.

23.16 **REPEALER.** Minnesota Rules, parts 1311.0103; 1311.0109; 1311.0110; 1311.0201;  
23.17 1311.0203; 1311.0205; 1311.0206; 1311.0403, subparts 3, 4, 5, 6, and 7; 1311.0408;  
23.18 1311.0409; 1311.0410; 1311.0411; 1311.0413; 1311.0501; 1311.0503; 1311.0505;  
23.19 1311.0601; 1311.0603; and 1311.0604, are repealed.

# Office of the Revisor of Statutes

## Administrative Rules



**TITLE:** Proposed Permanent Rules Adopting the International Existing Building Code

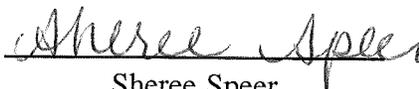
**AGENCY:** Department of Labor and Industry

**MINNESOTA RULES:** Chapter 1311

**INCORPORATIONS BY REFERENCE:**

Part 1311.0010: "IEBC" means the 2012 edition of the International Existing Building Code as promulgated by the International Code Council (ICC), Washington, D.C. and is available in the office of the commissioner of labor and industry.

The attached rules are approved for  
publication in the State Register



Sheree Speer  
Senior Assistant Revisor