

CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

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Code or rule section to be changed: IRC R319.7.1

Date: 09/02/25

Model Code: 2024 IRC

Code or Rule Section: IRC R319.7.1

Topic of proposal: Occupancy EERO

Intended for Technical Advisory Group ("TAG"):

General Information**Yes No**

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

Proposed Language

1. The proposed code change is meant to:

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

☐ 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.
R319.7.1

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.

R319.7.1 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 4.5 square feet (0.28 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 all both of the following:
 - 2.1 The replacement window meets the size requirement in Item 1.
 - 2.2 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.
 - 2.3 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.
Yes, if approved, we would support the same changes, for consistency, in the 2024 IEBC and for the IEBC TAG group to consider in Sections 702.5 (makes a reference correction as well) and Section 1011.5.6. (see attached supplemental for IRC 319.5 which outlines those changes in the IEBC).

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.)

Andersen and Marvin only feel that this Co-CCP is needed if the Andersen and Marvin Co-CCP is approved by the TAG on IRC Section 319.5. Andersen and Marvin will withdraw this Co-CCP if it is not approved by the TAG.

The TAG approved CCP (April 8) failed to address similar allowances that exist in the 2024 IRC for replacement windows in a *change of occupancy* in Section R319.7.1 Existing emergency escape and rescue openings, that will still allow the same requirements for the replacement window to have an equal or greater window opening area. So generally, the Andersen and Marvin Co-CCP is more in-depth and addresses the section that the TAG approved CCP did not. Additionally, the approved TAG CCP is insufficient because it failed to address similar language in the following Code(s) and sections:

- 2024 IRC – Section 319.5 Replacement windows for emergency and escape rescue openings (Addresses in a separate Andersen and Marvin Co-CCP)
- 2024 IRC - Section R319.7.1 Existing emergency escape and rescue openings (addressed in this Andersen and Marvin Co-CCP)
- 2024 IEBC Section 702.5 Replacement window for emergency escape and rescue
- 2024 IEBC Section 1011.5.6 Existing emergency escape and rescue openings

- Would consider submitting future Co-CCPs if the previous Co-CCPs are approved.
2. Why is the proposed code change a reasonable solution?
This Co-CCP makes sense if the other Andersen and Marvin Co-CCP is approved as it reorders the requirements for replacement windows that are consistent in IRC Section 319.5 and would also correct the 4.5 sq. ft. requirement that Minnesota already has in place. This Co-CCP provides a different order and clarification of language in this section which will continue to allow for consumers to provide replacement windows with an equal or greater window opening than the existing product types without additional conflicting requirements established in the approved TAG CCP (April 8) in regards to IRC Section 319.5.
 3. What other factors should the TAG consider?
Without this Co-CCP the language between IRC Section 319.5 and IRC Section 319.7.1 would be inconsistent.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.
This CCP will not increase the cost of construction because it closely aligns with existing Code language and more clearly outlines the 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.
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.
There should be no increase in cost and builders and installers can continue to operate as they have in the State of Minnesota with the existing Code with additional language clarifications that may help them understand this section more clearly.
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?
With this code change, I would not expect segments of industry to be affected since it more clearly outlines existing requirements and does not place additional enforcement or complex requirements for contractors/installers, or inspector of replacement EERO windows.

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.
Yes – the accompanying Co-CCP from Andersen and Marvin regarding IRC Section 319.5 outlines those alternatives more clearly for the overall change but this Co-CCP seeks to align that changed language, if approved by the TAG.
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?
As outlined above, if the TAG does not approve the accompanying Andersen and Marvin CCP, there will be confusion on this issue. However, this Andersen and Marvin Co-CCP aligns the language between IRC Section 319.5 which points to IRC Section 319.7.1 for consistency.
- If the MN TAG approves this competing Co-CCP, I would not expect additional costs or consequences as this CCP clearly aligns with existing code language and improves existing Code language 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: 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.