

## Division Opinion

**Inquiry:** # 2011-01

**Subject:** Window Opening Control Devices

**Codes:** Minnesota Rule part 1303.2300 – Window Fall Prevention Provisions  
2006 International Residential Code (IRC), R613.2 - Window Sills and R310.1.4 - Operational Constraints

**Submitted By:** Bryan Horton/Renewal by Andersen

**Approved By:** Stephen Hernick

**Issue Date:** October 17, 2011

**Question:** Can ASTM approved window opening control devices be installed on emergency escape and rescue openings in residential dwellings without violating IRC R310.1.4?

**Answer:** Yes. Window opening control devices complying with ASTM F 2006 or ASTM F 2090 requirements can be installed on residential dwelling emergency escape and rescue openings.

**Discussion:** The provisions of part 1303.2300 address specific uses (apartment houses, condominiums, hotels, and motels) that shall provide window fall prevention compliance methods when required. Part 1303.2300 provisions were never intended to prevent homeowners from installing ASTM approved window fall prevention devices to protect their family. The devices shall comply with ASTM requirements and be installed in accordance with the manufactures installation instructions.

In some cases homeowners have been denied permission to install ASTM approved devices based on IRC Section R310.1.4. - Operational Constraints. This section identifies that emergency escape and rescue openings shall be operational without the use of keys, tools or special knowledge.

The ASTM approved window opening control device submitted for review pertained to Eagle® and Renewal by Andersen® double-hung windows. The device provides a method to limit the window opening height (less than 4-inches) or to full open height by manually pushing two devices for either operation. These devices appear to require the same knowledge skills as required to open the window and, in our opinion, would not be considered as special knowledge.

**Background Information:** The window sill requirements of the 2006 International Building Code or 2006 International Residential Code were not adopted with the 2007 Minnesota State Building Code. The Department of Labor and Industry addressed window fall prevention provisions in part 1303.2300 in lieu of IRC Section R613.2 and International Building Code Section 1405.12.1. Minnesota Rule language established window fall provisions to address apartment houses, condominiums, hotels, and motels.