



ADVISORY COMMITTEE COMMENT FORM FOR PROPOSED CODE CHANGES

(This form must be submitted electronically)

IRC-84, MR 1309.0305 (REV 1-25-2012)

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Proposed Code Change - Language

1309.0305 SECTION R305, CEILING HEIGHT.

IRC Section R305.1 is amended to read as follows:

R305.1 Minimum height. *Habitable space*, hallways, bathrooms, toilet rooms, laundry rooms and portions of *basements* containing these spaces shall have a ceiling height of not less than 7 feet (2134 mm).

Exceptions:

1. For rooms with sloped ceilings, at least 50 percent of the required floor area of the room must have a ceiling height of at least 7 feet (2134 mm) and no portion of the required floor area may have a ceiling height of less than 5 feet (1524 mm).
2. Bathrooms shall have a minimum ceiling height of 6 feet 8 inches (2032 mm) at the center of the front clearance area for water closets or bidets, fixtures shown in Figure R307.1. The ceiling height above fixtures shall be such that the fixture is capable of being used for its intended purpose. A shower or tub equipped with a showerhead shall have a minimum ceiling height of 6 feet 8 inches (2032 mm) above a minimum area 30 inches (762 mm) by 30 inches (762 mm) at the showerhead.
3. Basement alterations shall have a ceiling height of not less than 6 feet 4 inches (1931 mm).

R305.1.1 Basements.

Portions of *basements* that do not contain *habitable space*, hallways, bathrooms, toilet rooms and laundry rooms shall have a ceiling height of not less than 6 feet 8 inches (2032 mm).

Exceptions:

1. Beams, girders, ducts or other obstructions may project to within 6 feet 4 inches (1931 mm) of the finished floor.
2. Basement alterations shall have a ceiling height of not less than 6 feet 4 inches (1931 mm).

Proposed Code Change – Need and Reason

There are a significant number of homes in Minnesota that have unfinished basements that may contain a mechanical room, laundry room and storage space. Homeowners often want to finish their basement and turn it into more habitable space. This is usually one of the most cost effective ways for a homeowner to add a bathroom, bedroom, playroom or den. Code officials are put in a very difficult situation if the finished ceiling of the remodeled basement does not meet the minimum ceiling height of 7 feet required by R305.1. Even with the except for beams, girders, ducts or other obstructions in R305.1.1, many remodeled basements will not meet the minimum requirements in the code. The 2007 Minnesota State Building Code added a state amendment that defined a CRAWL SPACE as “areas or room with less than 7 feet (2134 mm) ceiling height measured to the finished floor or grade below.” This forced a building code official to either:

- 1) enforce the code to the letter of the law and treat the majority of finished basements as fancy crawl spaces that don't require basic fire safety provisions, or
- 2) ignore section R305.1 of the code and enforce other provisions of the code that are required to improve life and safety whenever a basement alteration is inspected.

This issue is incredibly important when it comes to whether or not a building code official can legally enforce the requirements of battery operated smoke alarms in each bedroom and 10 feet from any bedroom and egress windows in sleeping rooms (bedrooms) as they can for almost any interior work that requires a permit in a dwelling (per sections R314.3.1, R314.3.2 and R314.3.3 for smoke detection and notification).

To a homeowner it is irrelevant what the State Building Code calls their finished basement. They will use it as habitable space where smoke alarms are required by the code. They may also use the finished space as a bedroom without the safety precautions of smoke/fire detection or an alternate escape route (bedroom egress window) than the basement stairs. When the homeowner sells their home a potential buyer will not be measuring the ceilings to determine if they will use the space as a “crawl space” or a “basement”.

This code proposal is very needed and reasonable because it aligns the realities of Minnesota's older housing stock with the necessity for essential life safety features. Homeowners will try to get as much ceiling height as possible during their basement remodel. This code proposal merges market realities with life and safety minimums.

This code proposal is also reasonable because it only affects existing housing and not new construction.

Proposed Code Change – Cost/Benefit Analysis

This code change will minimally increase the cost of construction (battery operated smoke alarms) for basements that were remodeled but were not considered habitable space in the code; it will more significantly increase the cost of construction for basements with shorter ceiling heights that include bedrooms. However, the life safety benefits of requiring an egress window far outweigh the remodeling cost.

Other Factors to Consider Related to Proposed Code Change

1. Is this proposed code change meant to:

change language contained in a published code book? If so, list section(s).
2012 International Residential Code, Section R314.3.1

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

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

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

neither; this language will be new language, not found in the code book or in Minnesota Rule.

2. Is this proposed code change required by a Minnesota Statute or new legislation? If so, please provide the citation to the Statute or legislation.

No

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

No

4. Will this proposed code change impact other parts of the Minnesota State Building Code? If so, please list the affected parts of the Minnesota State Building Code.

Yes, existing section R313.2.1 of the 2006 IRC as amended and adopted by MN.

5. Who are the parties affected or segments of industry affected by this proposed code change?

Homeowners, building code officials, remodelers, fire code officials.

6. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.

No

7. Are you aware of any federal requirement or regulation related to this proposed code change? If so, please list the regulation or requirement.

No