

## ADVISORY COMMITTEE COMMENT FORM FOR PROPOSED CODE CHANGES (This form must be submitted electronically)

### IRC-12, MR 1309.0310.1.5

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### Proposed Code Change - Language

#### **1309.0310 SECTION R310, EMERGENCY ESCAPE AND RESCUE OPENINGS.**

IRC Section R310.1 is amended to read as follows:

#### **R310.1.5 Replacement windows of windows serving as a required emergency escape or rescue opening.**

~~Replacement windows installed in buildings meeting the scope of the International Residential Code shall be exempt from the requirements of Sections R310.1, R310.1.1, R310.1.2, and R310.1.3 if 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 a greater window opening area than the existing window;~~
- ~~2. The rooms or areas are not used for any Minnesota state licensed purpose requiring an egress window; and~~
- ~~3. The window is not required to be replaced pursuant to a locally adopted rental housing or rental licensing code.~~

When windows that serve as a required emergency escape or rescue opening are replaced, the replacement window shall be the manufacturer's largest standard size window that will fit into the existing window frame or rough opening. If the existing window is a casement window, the replacement window shall be a casement window. If the existing window is a double- or single-hung window, the replacement window shall be a double- or single-hung window. If the existing window is a sliding window, the replacement window shall be a sliding window. A replacement window may be a pocket window, a window insert, or a full frame replacement window.

#### Exception:

1. The replacement window shall be permitted to be of a different operating style provided that the replacement window meets the requirements of R310.1.1, R310.1.2, R310.1.3, and R310.1.4.
2. The replacement window shall be permitted to be reduced in size provided that the replacement window meets the requirements of R310.1.1, R310.1.2, R310.1.3, and R310.1.4.

### Proposed Code Change – Need and Reason

Experience is proving that the current language is not understandable by industry and needs clarification. The proposed language does not change the requirement. It makes clear that a large window can be reduced in size provided it still meets requirements. Some of the existing requirements are questionable. How can a local housing code be more restrictive than the state building code? Regarding state licensing, this presumes that the window sales person makes the proper inquiry, determines if the licensed activity requires an egress window, and conveys that information to the building

department. This doesn't happen. Most window replacement inspections are conducted from the exterior. The current language asks for information that can't or won't be validated.

**Proposed Code Change – Cost/Benefit Analysis**

This proposal will have no impact on the cost of construction.

## 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).

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

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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.

No

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

Code officials, building designers, contractors, building owners

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