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MNNESOTA RULES, CHAPTER 1311
ADOPTION OF THE 2012 INTERNATIONAL EXISTING BUILDING
CODE

1311.0010 ADOPTION OF THE INTERNATIONAL EXISTING BUILDING CODE BY
REFERENCE

Subp. 1. General. For the purposes of this chapter, “IEBC means the 2012 edition of the International Existing Building Code as promulgated by the International Code Council, Falls Church, Virginia. The IEBC is incorporated by reference and made a part of the Minnesota State Building Code, except as qualified by the applicable provisions in chapter 1300, and as amended in this chapter. The 2012 IEBC is not subject to frequent change and a copy of the 2012 IEBC, with amendments for use in Minnesota, is available in the office of the Commissioner of Labor and Industry. The IEBC is copyright 2012 by the International Code Council. All rights reserved.

Comment [D1]: This section adopts by reference the 2012 IEBC as part of the MN State Building Code. Language clarifies the IEBC is a copyright document.

Subp. 2. Mandatory chapters. IEBC chapters 2 through 14 and 16 must be administered by any municipality that has adopted the code, except as qualified by the applicable provisions in chapter 1300, and as amended by this chapter.

Resource A “Guidelines on Fire Ratings of Archaic Materials and Assemblies” is provided as useful information intended to assist the code user and shall not be adopted as part of this code.

Comment [D2]: Chapter 1 “Scope and Administration” has been deleted. Chapter 1300 “Administration of the State Building Code” of the MNSBC will provide the administrative and scoping provisions for the International Codes. Chapter 15 “Construction Safeguards” are contained in the Chapter 33 of the 2012 IBC adopted by Rule Chapter 1305. Resource A is only a guideline and is not intended to be a document for specific adoption as it is not written in the format or language of ICC’s International codes and is not subject to the code development process.

Subp. 3. Replacement chapters and provisions. The following IEBC chapters and/or sections are deleted and replace with the provisions listed below:

A. Chapter 1 of the 2012 IEBC and any references to code administration in this code are deleted and replaces with Minnesota Rules, Chapter 1300, Administration of the State Building Code.

Comment [D3]: Chapter 1300, Administration of The State Building Code is being used to provide the administrative provisions for the International Codes.

B. Accessibility for existing buildings. Accessibility provisions found in the following sections of the IEBC are deleted in their entirety: 410, 605, 705, 801.1 *exception*, 806, 901.2 *exception*, 906, 1006, 1012.8, 1105, 1204, 1205.15 and 1401.2.5. Requirements for accessibility are found in MN Rules Chapter 1341.

Comment [D4]: All of the accessibility requirements found in the IEBC are being deleted. Accessibility requirements for existing building are found in MN Rules 1341. 1341 Has provisions that regulate existing building.

C. Elevators and platform lifts provisions. Reference to elevator and platform lift provisions in the IEBC mean the Minnesota Elevators and Related Devices Code, adopted pursuant to MN Rules Chapter 1307 and Minnesota Statutes, section 16B.61, subdivision 1.

D. Flood hazard or floodproofing provisions. Any flood hazard or floodproofing provisions in the IEBC, and any reference to those provisions, are deleted in their entirety. Requirements for floodproofing are located in MN Rules Chapter 1335, Floodproofing Regulations.

Comment [D5]: MN Rules, Chapter 1335 provides the flood proofing regulations for MN.

E. Seismic or earthquake provisions. Any seismic or earthquake provisions of the IEBC and any references to them are deleted and are not included in this code.

Comment [D6]: Seismic or earthquake provisions do not apply in MN. As such, all related reference are being deleted.

1311.0020 REFERENCES TO OTHER INTERNATIONAL CODE COUNCIL CODES.

Subp. 1. General. References to other codes and standards promulgated by the International Code Council in the IEBC are modified in subparts 2 to 9.

Subp. 2. Building Code. References to the International Building Code in this code mean the Minnesota Building Code, adopted pursuant to MN Rules, Chapter 1305, and Minnesota Statutes, section 326B.106, subdivision 1.

Comment [D7]: The International Building Code is Adopted by reference via MN rule chapter 1305. Chapter 1305 also amends the IBC.

Subp. 3. Fire code. References to the International Fire Code in this code mean the Minnesota State Fire Code, adopted pursuant to MN Rules Chapter 1346 and Minnesota Statutes, section 16B.61, subdivision 1.

Subp. 4. International Property Maintenance Code. References to the International Property Maintenance Code in this code do not apply and are deleted.

Comment [D8]: The State of MN does not adopt the International Property Maintenance Code and/or any other property maintenance code. Property maintenance codes will continue to be at the discretion of the local jurisdictions to enforce.

Subp. 5. Fuel gas code. References to the International Fuel Gas Code in this code mean the Minnesota Mechanical Code, adopted pursuant to MN Rules Chapter 1346 and Minnesota Statutes, section 326B.106, subdivision 1.

Subp. 6. Mechanical code. References to the International Mechanical Code in this code mean the Minnesota Mechanical Code, adopted pursuant to MN Rules Chapter 1346 and Minnesota Statutes, section 326B.106, subdivision 1.

Subp. 7. Plumbing code. References to the International Plumbing Code in this code mean the Minnesota Plumbing Code, adopted pursuant to MN Rules Chapter 4715 and Minnesota Statutes, section 326B.106, subdivision 1 and 2.

Subp. 8. Energy conservation code. References to the International Energy Conservation Code in this code mean the Minnesota Energy Code, MN Rules, Chapter 1322 and chapter 1323 adopted pursuant to Minnesota Statutes, 326B.106 subdivision 1.

Subp. 9. Residential code. References to the International Residential Code in this code do not apply and are deleted.

Comment [D9]: Chapter 1311 will not apply to building outside the scope of the International Building Code. Therefor reference to the IRC is being deleted.

Subp. 10. Private sewage disposal code. References to the International Private Sewage Disposal Code, in this code mean the Minnesota Pollution Control Agency's minimum standards and criteria for individual sewage treatment systems adopted pursuant to MN Rules Chapter 7080 and Minnesota Statutes, chapters 103F, 103G, 115 and 116.

Subp. 11. Electrical code. References to the NFPA 70 National Electrical Code in this code mean the Minnesota Electrical Code, adopted pursuant to MN Rules Chapter 1315 and Minnesota Statutes, section 326B.35.

1311.0030 ADMINISTRATIVE PROCEDURE CRITERIA.

Procedures relating to the administration and enforcement of this code under Minnesota Statutes, section _____, are contained in MN Rules Chapter 1300, Administration Of The State Building Code. MN Rules, Chapter 1300, governs the application of this code.

Comment [D10]: This section clarifies that the administration and enforcement criteria for 1311 are found in MNSBC Rule chapter 1300. The scoping provisions for 1311 are also found in 1300.

CHAPTER 2 DEFINITIONS

1311.0202 HISTORIC BUILDING. Any building or structure that is listed in the National Register of Historic Places; designated as a historic property under local or state designation law of survey; certified as a contributing resources within a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Register of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places.

Comment [D11]: The fact that a building is included in a historic survey does not automatically confer historic building status. That is done by the HPCs, the State Historic Preservation Officer or the Keeper of the National Register. Surveys go out of date, may be incomplete or inaccurate, or may be prepared by unqualified persons.

CHAPTER 3 COMPLIANCE METHODS

1311.0301.1 Prescriptive compliance method. Repairs, alterations, additions, and changes of occupancy complying with Chapter 4 of this code in buildings complying with the provisions for existing buildings in the International Fire Code Minnesota State Fire Code shall be considered in compliance with the provisions of this code. The building official may require the owner to provide a written evaluation that demonstrates the building complies with applicable provisions of the Minnesota State Fire Code. The evaluation shall be prepared by a MN licensed architect or fire protection engineer.

Comment [D12]: This section has been amended to clarify the building must comply with the provisions of the MN State Fire Code pertaining to **existing buildings-not new buildings**. The intent is not to require existing buildings to comply with MNSFC provisions for new buildings. In all cases language in IEBC chapter 4 will require the new work comply with the IBC. Many jurisdictions do not have a fire marshal and/or building official familiar with the MN State Fire Code. The amendment will allow the building official to require a design professional to determine if the building complies with the MNSFC. The MNSFC has several provisions dealing with existing buildings and also includes a new chapter 11 "Construction Requirements for Existing Building". IEBC Section 301.2 also requires alterations, repairs, additions and changes of occupancy or relocation of buildings to comply with the requirements of the fire code pertaining to alterations, repairs, additions and changes of occupancy or relocation of buildings.

CHAPTER 4 PRESCRIPTIVE COMPLIANCE METHOD

IEBC Section 401.1 IEBC Section 401.1 **Exception** is amended to read as follows:

1311.401.1 Scope. The provisions of this chapter shall control the *alteration, repair, addition, and change of occupancy or relocation of existing buildings and structures, including historic buildings* and structures as referenced in Section 301.1.1.

Exception: Existing bleachers, grandstands and folding and telescoping seating shall comply with ICC 300 1305.1028.

Comment [D13]: Rule Chapter 1305 amends IBC 1025 to include the ICC 300 document and incorporates the MN Bleacher Safety Act, MN Statute, section 16B.616.

CHAPTER 8 ALTERATIONS-LEVEL 2

IEBC Section 802.1. IEBC Section 802.1 is amended to read as follows:

1311.802.1 General. *Alteration* of buildings classified as special use and occupancy as described in Chapter 4 of the International Building Code shall comply with the requirements of Section 801.1 and the scoping provisions of Chapter 1 where applicable.

Comment [D14]: This amendment clarifies that provisions for special use and occupancy are found in IBC Chapter 4 "Special Detailed Requirements Based on Use and Occupancy."

IEBC Section 803.3.2. IEBC Section 803.3.2 is amended to read as follows:

1311.803.3.2 Fire-resistance rating. The smoke barriers shall be fire-resistance rated for 30 minutes 1-hour and constructed in accordance with the *International Building Code*.

Comment [D15]: The NFPA Life Safety Code only allows existing smoke barrier walls to be 30-minute rated. New smoke barrier walls are required to be 1-hour per NFPA 101. The intent is to not allow a new wall in compliance with MSBC 1311 to be in violation of NFPA 101.

IEBC Section 804.2. IEBC Section 804.2 is amended to read as follows:

1311.804.2 Automatic sprinkler systems. Automatic sprinkler systems shall be provided in accordance with the requirements of Sections 804.2.1 through 804.2.5. Installation requirements shall be in accordance with ~~the *International Building Code*~~ Minnesota Rules Chapter 1305 and 1306, if specifically adopted by the jurisdiction.

Comment [D16]: 1305 and 1306 “Special Fire Protection Systems” contains the scoping provisions for fire suppression systems.

IEBC Section 804.2.2 #1. IEBC Section 804.2.2 is amended by modifying 804.2.2 #1 to read as follows:

1311.804.2.2 Groups A, B, E, F-1, H, I, M, R-1, R-2, R-4 S-1 and S-2. In buildings with occupancies in Groups A, B, E, F-1, H, I, M, R-1, R-2, R-4 S-1 and S-2, work areas that have exits or corridors shared by more than one tenant or that have exits or corridors serving an occupant load greater than 30 shall be provided with automatic sprinkler protection where all of the following conditions occur:

1. The *work area* is required to be provided with automatic sprinkler protection in accordance with ~~the *International Building Code*~~ Minnesota Rules Chapter 1305 and 1306, if specifically adopted by the jurisdiction, as applicable to new construction; and

Comment [D17]: 1305 and 1306 “Special Fire Protection Systems” contains the scoping provisions for fire suppression systems.

IEBC Section 804.2.3. IEBC Section 804.2.3 is amended to read as follows:

1311.804.2.3 Windowless stories. Work located in a windowless story, as determined in accordance with the *International Building Code*, shall be sprinklered where the *work area* is required to be sprinklered under the provisions of ~~the *International Building Code*~~ Minnesota rule chapter 1305 and 1306, if specifically adopted by the jurisdiction, for newly constructed buildings and the building has a sufficient municipal water supply without installation of a new fire pump.

Comment [D18]: 1305 and 1306 “Special Fire Protection Systems” contains the scoping provisions for fire suppression systems.

IEBC Section 804.2.4 #1. IEBC Section 804.2.4 is amended by modifying 804.2.4 #1 to read as follows:

1311.804.2.4 Other required automatic sprinkler systems. In buildings and areas listed in Table 903.2.11.6 of the *International Building Code*, *work areas*, that have exits or corridors shared by more than one tenant or that have exits or corridors serving an occupant load greater than 30 shall be provided with and automatic sprinkler system under the following conditions:

1. The *work area* is required to be provided with and automatic sprinkler system in accordance with ~~the *International Building Code*~~ Minnesota Rules Chapter 1305 and 1306, if specifically adopted by the jurisdiction, applicable to new construction; and

Comment [D19]: Jurisdictions have the option of adopting the Special Fire Suppression Systems provided in MN rule 1306. This rule chapter provides sprinkler requirements for buildings that are altered. Amendments to sprinkler provisions of the IBC are also found in 1305.

IEBC Section 805.2. IEBC 805.2 is amended by deleting *exception #1*.

1311.805.2 General. The means of egress shall comply with the requirements of this section.

Exceptions:

1. ~~Where the work area and the means of egress serving it complies with NFPA 101.~~
2. Means of egress conforming to the requirements of the building code under which the building was constructed shall be considered compliant means of egress if, in the opinion of the *code official*, they do not constitute a distinct hazard to life.

Comment [D20]: The intent of deleting this exception is to eliminate the need of the building official to become familiar with and review for compliance with NFPA 101.

IEBC 805.3.1.1. IEBC Section 805.3.1.1 is amended by deleting #4.

1311.805.3.1.1 Single-exit buildings. Only one exit is required from buildings and spaces of the following occupancies:

4. ~~In community residences for the developmentally disabled, the maximum occupant load excluding staff is 12.~~

Comment [D21]: This provision is being deleted because there are some licensed facilities for the developmentally disabled that would not allow a single exit.

IEBC Section 808.1 is amended to read as follows:

1311.808.1 New Installations. All newly installed electrical equipment and wiring relating to work done in any *work area* shall comply with the materials and methods requirements of Chapter 7 ~~NFPA 70.~~

Exception: Electrical equipment and wiring in newly installed partitions and ceiling shall comply with all applicable requirements of NFPA 70.

Comment [D22]: The materials and methods requirements of Chapter 7 are found under 702.4. This section did not list the NFPA 70 document. Without changing this section there is no reference to the NEC.

IEBC Section 808.2 is amended to read as follows:

1311.808.2 Existing installations. Existing wiring in all work areas in Group A-1, A-2, A-5, H and I occupancies shall be upgraded to meet the materials and methods requirements of ~~Chapter 7.~~ ~~NFPA 70.~~

Comment [D23]: The materials and methods requirements of Chapter 7 are found under 702.4. This section did not list the NFPA 70 document. Without changing this section there is no reference to the NEC.

IEBC Section 810.1 IEBC Section 810.1 is amended by modifying 810.1 to read as follows:

1311.810.1 Minimum fixtures. Where the occupant load of the story is increased by more the 20 percent, plumbing fixtures for the story shall be provided in quantities specified in ~~the International Plumbing Code~~ Minnesota rule chapter 1305 based on the increased occupant load.

Comment [D24]: Plumbing fixtures are determined by using chapter 29 of the IBC. The IBC is adopted by reference via 1305.

IEBC Section 901.2. IEBC Section 901.2 is amended by deleting the **exception**.

1311.901.2 Compliance. In addition to the provisions of this chapter, work shall comply with all of the requirements of Chapter 7 and 8. The requirements of Sections 803, 804 and 805 shall apply within all *work areas* whether or not they include exits and corridors shared by more than one tenant and regardless of the occupant load.

Exception. ~~Buildings in which the reconfiguration of space affecting exits or shared egress access is exclusively the result of compliance with the accessibility requirements of Section 705.2 shall not be required to comply with this chapter.~~

Comment [D25]: The accessibility requirements provided in the IEBC are being deleted. As such 705.2 does not apply. MN Rule 1341 contains provisions for dealing with accessibility in existing buildings.

IEBC Section 903.2.1. IEBC Section 903.2.1 is amended to read as follows:

903.2 Fire partitions in Group R-3. Fire separation in Group R-3 occupancies shall be in accordance with Section 903.2.1.

1311.903.2.1 Separation required. Where the *work area* is in any attached dwelling unit in Group R-3 ~~or any multiple single family dwelling (townhouse)~~, walls separating the dwelling units that are not continuous from the foundation to the underside of the roof sheathing shall be constructed to provide continuous fire separation using construction materials consistent with the existing wall or complying with the requirements for new structures. All work shall be performed on the side of the dwelling unit wall that is part of the work area.

Exception. Where alteration or repairs do not result in the removal of wall or ceiling finishes exposing the structure, wall are not required to be continuous through concealed floor spaces.

IEBC 1010.1 is amended to read as follows:

1311.1010.1 Increased demand. Where the occupancy of an *existing buildings* or part of an *existing building* is changed such that the new occupancy is subject to increased or different plumbing fixture requirements ~~based on Minnesota rule chapter 1305~~, or to increased water supply requirements in accordance with the International Plumbing Code, the new occupancy shall comply with the intent of the respective International Plumbing Code.

IEBC 1012.2.1 is amended to read as follows:

1311.1012.2.1 Fire sprinkler system. Where a change in occupancy classification occurs that requires an automatic fire sprinkler system to be provided based on the new occupancy in accordance with Chapter 9 of ~~the International Building Code and MN rule chapter 1305 and 1306 if specifically adopted by the jurisdiction~~, such system shall be provided throughout the area where the *change of occupancy* occurs.

Comment [D26]: Buildings which meet the scoping requirements of the International Residential Code are not covered by the IEBC. Dwelling units meeting the definition of "Townhome" are regulated by the IRC and not by the IEBC..

Comment [D27]: Plumbing fixtures are determined by using chapter 29 of the IBC. The IBC is adopted by reference via 1305.

Comment [D28]: Jurisdictions have the option of adopting the Special Fire Suppression Systems provided in MN rule 1306. This rule chapter provides requirements for a change of occupancy. Amendments to sprinkler provisions of the IBC are also found in 1305.