

# Minnesota Department of Labor and Industry 1311 Code Adoption Minutes.

Meeting: 3/2/2012

Time: 8:30 am – 10:30 am

Location: MDLI. Washington room.

## **Attendance:**

Present:

David Krings DLI

Christopher Meier DLI

Paul Nahurski BOMA

Mary Ann Heidemann MHS

Dave Macdonald MN SEA

Dave Leighly AIA

Dave Phillips AIA Minnesota

## **Alternates:**

Present:

Jon Nisja MSFMD

Gene Abbott AMBO

## **Interested Parties:**

Ginny Lackovic HGA / MPLS HPC

Gerhard Guth CCAC

Mark Mikkleson Anderson Corp.

Meeting called to order:

Chair: Dave Krings.

Introduction:

1. Dave Krings noted that there have been 11 proposals referencing structural components within the IEBC. The proposals will be forward to the structural committee for review and then will be presented to the IEBC committee for an overview of the proposals.
2. Review minutes.
  - a. Consensus to approve 2/17/2012 minutes.
    - i. Discussion:
      1. Gene Abbott noted misspelling of his name.
        - a. So noted.
    - ii. Motion to approve Minutes with change.
      1. Dave L: Motioned.

2. Paul Nahurski: Second.
  - a. Abstained: Mary Ann Heidemann.
  - b. Consensus: Approved with correction to misspelling of Gene Abbott.
  
3. Chapter 2 - Definitions.
  - a. 202 Historical Building.
    - i. Greg Karow.
    - ii. Question: Does the new definition within 1311 - IEBC match MSBC chapter 1300 Historical Building definition.
    - iii. Dave Krings clarified the proposed draft of 1300 has the same definition for Historic Buildings as the 1311 - IEBC.
      1. Reference: 1300 proposed draft on CCLD webpage under rules page.
    - iv. Consensus:
      1. Not an issue.
  
4. Chapter 2 – Definitions.
  - a. Change of Occupancy.
    - i. Greg Karow.
    - ii. Discrepancies between how the definition of change of occupancy within chapter 2 of 1311 – IEBC and how you address the change in use.
      1. Example: Please read Greg Karow Sonar.
    - iii. Discussion:
      1. Dave Krings noted although he is referencing section 1001.2 Change in occupancy with no change of occupancy classification and 1002.2.1 Repair and alteration with no change of classification. We need to address the definition of Change of Occupancy first.
      2. Dave stated, presently we do not have a definition of Change of Occupancy within the MSBC rule 1300.
        - a. We do have language that discusses change in use.
          - i. Example: Please read 1300.0220 Certificate of Occupancy, Subp. 3. Change in use.
          - ii. Dave noted we also have the same language within Chapter 11 of the Fire Code that matches the definition of Change in Occupancy within 1311 – IEBC.
          - iii. Dave noted that the opinion and recommendation of CCLD is to have the definition of Change in Occupancy within 1311 and the F.C. be represented within 1300 under Change in use. Dave will present the same language from 1311 and F.C. as a proposal to change the 1300 language.
      3. Greg Johnson clarified that this is an issue for his client on how we determine the use of a building that may have a B occupancy

but within the structure the owner wishes to have a meeting room which might change it to an A occupancy classification.

- a. His example referenced the swing of door issue, panic hardware, and specifically the 750 rule which would keep these areas a B classification within the 2006 IBC.
  - i. Please reference the 2006 IBC section 303.1 exceptions:
  - ii. Greg made it very clear he did not want to reference these areas as accessory occupancies.
    1. Please reference the 2006 IBC 508.3.1 Accessory occupancies.
4. Gene Abbott stated that we should have two definitions.
  - a. Change of use.
  - b. Change of Occupancy.
5. Mary Ann Heidemann commented about the confusion within the field between the change of use and occupancy.
6. Dave Phillips motioned to leave the original language in 1311- 202 Change of Occupancy.
  - a. Kevin McGinty: Second.
  - b. Consensus: Approved.
  - c. Existing Language:
    - i. 1311 – 202 Change of Occupancy.
      1. A change in the purpose, or level of activity within a building that involves a change in application of the requirements of this code.

## 5. Chapter 10

- a. Section 1001.2 Change in occupancy with no change of occupancy classification.
  - i. Greg Karow.
    1. Please read Greg Karow Sonar.
      - a. Dave commented 1001.2 would be a scenario similar to an S-2 Storage being retrofitted to and S-2 enclosed parking garage. There are requirements for make-up air and exhaust air that would pertain to the parking garage which would be required. Did we change the occupancy classification? No; did we implement special provision within the present 2007 SBC? Yes. Note: This is just one example.
      - b. Discussion:
        - i. John Nisja asked: is there a problem with the existing language within section 1001.2 or 1001.2.1?
        - ii. Greg Johnson motioned to leave existing language within 1001.2.
        - iii. Dave Phillips: Second.
        - iv. Consensus: Approved.

1. Original language to stay within 1001.2

6. Chapter 10.

- a. Greg Karow.
- b. Section 1001.2.1 Repair and alteration with no occupancy or with no change of occupancy classification.
  - i. Please read Greg Karow sonar.
    - 1. Dave K. asked for motion to leave language alone in 1001.2.1.
    - 2. Dave Phillips motioned to reject proposal and leave original language within 1001.2.1.
    - 3. Dave Macdonald: Second.
    - 4. Consensus: Approved.
      - a. Original language to stay within section 1001.2.1.

7. Chapter 4

- a. 407.1 Conformance.
  - i. Dave Leighly re-submittal of 407.1 from 2/17/2012 meeting.
    - 1. Please reference Leighly – Krings proposal 407.1.
    - 2. Discussion:
      - a. Dave K. referenced a three story building that had an occupancy change from a B to an A and how this might affect the means of egress, specifically for the stairs. If we were utilizing the fire code and the stairs met the minimum requirements of 1104.10 the stairs could have an 8.5 inch rise and a minimum 9 inch run. The other scenario could be if the stair width is affected by the use change.
      - b. The Key, What is a higher hazard?
    - 3. Dave Leighly stated the whole concept behind this proposal is to clarify what the level of hazard is. Under the present language, the AHJ has to make that decision without having proper guidance to classify the occupancies per level of hazard.
    - 4. Dave K. had presented the language to several staff and the consensus was positive to how the conformance language along with the table has been implemented.
    - 5. Greg Johnson agrees with the concept but has reservations on the concerns of his client that this still does not address meeting rooms within existing buildings that are specific to utilizing the B occupancy classification when the occupancy is less than 750 sq. ft. or 50 occupants.
      - a. He would like to implement a footnote that references the exception to occupancies within the 2006 IBC.
    - 6. John Nisja commented that he does not like to see the musical code syndrome.
    - 7. The comment was also made to classify the level of hazards similar to chapter 10.

8. Gerhard Guth commented that there were already tables within chapter 10 of the IEBC.
  - a. Dave K. stated that chapter 10 is another avenue of the IEBC. Thus chapter 4 does not guide us to chapter 10 for means of egress guidelines.
9. Gene Abbott motioned to change the heading within table 407.1 from ~~use classification~~ to **Occupancy Classification**.
  - a. Gene Abbott: Motioned.
  - b. Dave Leighly: Second.
  - c. Consensus: Approved.
10. Greg Johnson commented on changing ~~are allowed if~~ to **shall be permitted if**.
  - a. Greg Johnson: Motioned.
  - b. Dave Phillips: Second.
  - c. Consensus: Approved.
11. Dave Leighly commented on changing table to **table 407.1**.
  - a. Dave Leighly: Motioned.
  - b. Gene Abbott: Second.
  - c. Consensus: Approved.
12. Gene Abbott Commented on adding **Highest and Lowest** to the hazard table with 1 being the highest and the larger number being the lowest. Note: Similar to tables within chapter 10 of the IEBC.
  - a. Gene Abbott: Motioned.
  - b. Greg Johnson: Second.
  - c. Consensus: Approved.

b. Amended language.

**407.1 Conformance.** No ~~Changes shall be made~~ in the use or occupancy of any building that would place the building in a different division of the same group of occupancy or in a different group of occupancies, ~~are allowed if unless~~ **shall be permitted** if such building is made to comply with the requirements of the *International Building Code* for such division or group of occupancy. Subject to the approval of the building official, the use or occupancy of existing buildings shall be permitted to be changed and the building is allowed to be occupied for purposes in other groups without conforming to all of the requirements of this code for those groups, provided the new or proposed use is equal or less hazardous, based on life and fire risk, than the existing use. Based on the following Table **Table 407.1**:

**TABLE 407.1 LIFE SAFETY AND FIRE RISK**

RELATIVE HAZARD	<u>OCCUPANCY</u> CLASSIFICATION
1 ( <b><u>Highest Hazard</u></b> )	H, I-2, I-3
2	I-4, A-1
3	E, 1-1, R-1, R-2, A-2, A-3, A-4
4	B, F-1, R-3, R-4, S-1, M, A-5
5 ( <b><u>Lowest Hazard</u></b> )	F-2, S-2, U

8. Chapter 4

a. Dave Phillips.

b. 407.3 Stairways.

- i. Dave Krings opened the discussion with asking Dave Phillips to withdraw his proposal and to review the revised proposal from CCLD that references minimum riser heights and runs that were specific to previous codes. Dave made reference to the Fire Code requirements within chapter 11. The 8.5 inch riser and 10 inch run as being too liberal. He also commented that; if we were to have a change of occupancy the stairs would have to comply with either chapter 10 (Change of Occupancy), chapter 11 of the Fire Code (1104).
- ii. Dave Phillips commented he does not want this to be a problem with existing buildings that do not fall under the Historical Building definition within chapter 2.
  1. Dave Phillips withdrew Phillips proposal 407.3
- iii. Dave K. submitted the new 407.3 proposal for Stairways.
  1. Dave alluded to the requirements within the new proposal give latitude toward existing vertical exit enclosures that are required to have stairs replaced would not have to meet all the requirements if limited to area. Dave also commented on existing stairs that were

removed could meet the minimum number within the new proposal. (Minimum 7.5 inch rise and minimum 10 inch run with a maximum deviation.

iv. Discussion:

1. Greg Johnson referenced examples of older residential structures that are now being converted to a business which do not meet the minimum requirements for stair width, riser and run requirements as being issues.
  2. Dave Phillips commented on the width of stairs and life safety should not be compromised if a change of occupancy occurs. He also feels that the AHJ is too restricted.
  3. Kevin McGinty commented the SFMD will reference the IEBC for replacement stairs if there is a difference from the 1104.10 requirements.
  4. Dave Leighly asked if we are being too specific on these requirements.
  5. Dave Krings asked for a motion to accept CCLD's proposal.
    - a. Proposal had no motion
    - b. Sunset.
  6. Dave Leighly made the comment; should stairs fall under repair?
9. Dave Krings wants to bring Section 403 back to the committee due to wording.
- a. He will present changes at the next meeting.
10. Review for next meeting.
- a. Chapter 14 Performance Compliance Systems.
11. Next meeting.
- a. Friday March 23, 2012.
  - b. Time: 8:30 am – 11:30 am.
12. Meeting adjourned.

i.