

CHILD WINDOW SAFETY  
October 5, 2011

The following is the Study Group report that was considered by the CTC at its October 13-14, 2011 meeting. **Notes from the meeting are indicated in red.**

NEW BUILDINGS

During the Study Group on October 4, 2011, we determined that the CTC's efforts to coordinate the window safety provisions in the IBC and IRC have been processed through two code cycles and denied by the membership. The Study Group recommends no further action on this issue. This will leave the threshold for application at window sills at 36" in the IBC and 24" in the IRC.

EXISTING BUILDINGS

The Study Group did examine various locations within the I Codes that would be appropriate for inclusion of the requirements for existing windows to have the same type of protection now prescribed in the IBC. Based on our discussion, the following language provides the basis for what we were suggesting for the IBC, IEBC and PMC:

*Note: Change text to be consistent with terminology in IBC 1013.8.*

*Full replacement of windows – installation of new window into existing opening – is the trigger. But not repair.*

*Check last sentence to allow all options in 1013.8.*

All windows in dwelling units in existing buildings with Group R-2 or R-3 occupancies, where the sill to ~~portion of~~ an operable window is 36" or less than 36" above the finished floor surface of the room in which the window is located and where the window ~~opens more than 4" opening will allow passage of a 4-inch diameter sphere, the window shall have a guard or~~ window opening control device or window fall prevention device installed that will prevent the ~~window from opening more than 4" passage of a 4-inch diameter sphere~~ per Section ~~1405.13.2~~ 1013.8 of the IBC. Window opening control devices or window fall prevention devices shall comply with ASTM F2090.

**Exception:** Operable windows where the sill portion of the window is less than 72" above the finished grade or other surface below surface of the ground outside the window.

The following locations appear to be opportunities for some reference to the requirements in Section 1405.13.2.

IEBC 404.2 – Repair Section 602.4 (NEW)

Repair is defined in the IEBC as:

**REPAIR.** *The restoration to good or sound condition of any part of an existing building for the purpose of its maintenance.*

The proposed code change is found in Chapter 2 adding a new section. Modifying the base section as follows:

**602.4 Windows.** All windows being ~~repaired or~~ replaced in dwelling units .... (continue with language shown above)

*Note: Replace is covered as a level one alteration.  
There currently is no after market limitation for casement windows. Also, you have to remove the screen to get at the device.*

Alterations is defined in the IEBC as:

**ALTERATION.** *Any construction or renovation to an existing structure other than a repair or addition. Alterations are classified as Level 1, Level 2 and Level 3.*

Level 1, 2 and 3 alterations are scoped as follows:

**503.1 Scope.** *Level 1 alterations include the removal and replacement or the covering of existing materials, elements, equipment, or fixtures using new materials, elements, equipment, or fixtures that serve the same purpose.*

We didn't see any reason to include requirements for existing buildings in this Chapter.

Level 2:

**504.1 Scope.** *Level 2 alterations include the reconfiguration of space, the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment.*

IEBC Chapter 8 – Alteration – Level 2

The existing language in Chapter 8 prescribes compliance for new, but is silent on existing conditions.

**801.3 Compliance.** *All new construction elements, components, systems, and spaces shall comply with the requirements of the International Building Code.*

**Exceptions:**

1. *Windows may be added without requiring compliance with the light and ventilation requirements of the International Building Code.*

**801.4 Existing windows.** All existing windows in the work area that are part of dwelling units ... (continue with language shown above)

Level 3:

Existing language would reference back to the provisions in Chapter 8, so I believe it is covered there for Level 3 as well.

**901.2 Compliance.** In addition to the provisions of this chapter, work shall comply with all of the requirements of Chapters 7 and 8. The requirements ...

Change of Occupancy

The definition of Change of Occupancy is:

***CHANGE OF OCCUPANCY.*** A change in the purpose or level of activity within a building that involves a change in application of the requirements of this code.

To address a change of occupancy condition in Chapter 11:

## **SECTION 1011 OTHER REQUIREMENTS**

**1011.1 Light and ventilation.** Light and ventilation shall comply with the requirements of the International Building Code for the new occupancy.

**1011.2 Existing windows.** All windows in dwelling units in existing buildings with Group R-2 or R-3 occupancies, where .... (continue with language shown above)

IBC Chapter 34

Additions and alterations appear to adequately cover compliance with the IBC.

**3403.1 General.** Additions to any building or structure shall comply with the requirements of this code for new construction.

**3404.1 General.** Except as provided by Section 3401.4 or this section, alterations to any building or structure shall comply with the requirements of the code for new construction.

Repair is a bit more difficult and would require a new section

**3405.1 General.** Buildings and structures, and parts thereof, shall be repaired in compliance with Section 3401.2. Work on nondamaged

components that is necessary for the required repair of damaged components shall be considered part of the repair and shall not be subject to the requirements for alterations in this chapter. Routine maintenance required by Section 3401.2, ordinary repairs exempt from permit in accordance with Section 105.2, and abatement of wear due to normal service conditions shall not be subject to the requirements for repairs in this section.

**3405.1.1 Dangerous conditions.** Regardless of the extent of structural or nonstructural damage, the building code official shall have the authority to require the elimination of conditions deemed dangerous.

**3405.1.2 Existing windows.** All windows being repaired or replaced in dwelling units .... (continue with language shown above)

3408 appears to require compliance for windows in dwelling units when there is a change of use or occupancy.

**3408.1 Conformance.** No change 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 occupancies or in a different group of occupancies, unless such building is made to comply with the requirements of this code for such division or group of occupancies. 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 the requirements of this code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

Compliance alternatives do not address windows.

**3412.2.1 Change in occupancy.** Where an existing building is changed to a new occupancy classification and this section is applicable, the provisions of this section for the new occupancy shall be used to determine compliance with this code.

**3412.2.1 All new and existing windows.** All new and existing windows in dwelling units .... (continue with language shown above.)

**3412.2.4 Alterations and repairs.**

An existing building or portion thereof, which does not comply with the requirements of this code for new construction, ....

**3412.2.4.1 Flood hazard areas.** For existing buildings ....

**3412.2.4.2 Existing windows.** All windows being installed, repaired or replaced in dwelling units .... (continue with language shown above)

IPMC –

**404.4 Bedroom and living room requirements.** Every bedroom and living room shall comply with the requirements of Sections 404.4.1 through 404.4.5-6.

**404.6 Windows.** All windows in dwelling units in existing buildings with Group R-2 or R-3 occupancies ....., (continue with language shown above)