

Senate File 281 - Introduced

SENATE FILE 281

BY PETERSEN

A BILL FOR

1 An Act requiring the state building code commissioner to
2 adopt standards and requirements for window fall prevention
3 devices for windows installed in certain multifamily
4 dwellings, hotels, and motels, making penalties applicable,
5 and including effective date provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 103A.8D Window safety standards.

2 1. a. The commissioner, after consulting with and receiving
3 recommendations from the state fire marshal, shall adopt as
4 part of the state building code standards and requirements for
5 window fall prevention devices for windows installed in newly
6 constructed multifamily dwellings, hotels, and motels and for
7 windows installed as a part of any additions, renovations, or
8 repairs to existing multifamily dwellings, hotels, and motels
9 for which a permit, license, certificate, or similar document
10 is required.

11 b. The provisions of this section relating to multifamily
12 dwellings shall only apply to construction, additions,
13 renovations, or repairs of multifamily dwellings that are
14 paid for in whole or in part with moneys from the state or a
15 governmental subdivision of the state.

16 2. a. The provisions of the state building code adopted
17 pursuant to this section shall require the installation of
18 window fall prevention devices on all windows described in
19 subsection 1 that are one story in height or more above grade,
20 are less than thirty-six inches above floor level, and can be
21 opened wider than four inches.

22 b. (1) The provisions of the state building code shall
23 require that the standards adopted for windows located
24 seventy-five feet or less above grade be consistent with the
25 requirements for window fall prevention devices as provided in
26 the American society for testing and materials' most recent
27 specification for window fall prevention devices with emergency
28 escape release mechanisms.

29 (2) The provisions of the state building code shall
30 require that the standards adopted for windows located more
31 than seventy-five feet above grade be consistent with the
32 requirements for window fall prevention devices as provided
33 in the American society for testing and materials' most
34 recent specification for window fall prevention devices for
35 nonemergency escape and rescue windows.

1 3. The provisions of the state building code adopted
2 pursuant to this section shall apply to new construction
3 or additions, renovations, or repairs, that are permitted,
4 licensed, certified, or otherwise approved on or after July 1,
5 2013.

6 Sec. 2. Section 103A.10, Code 2013, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. 6. Notwithstanding any other provision
9 of this chapter to the contrary, the requirements for window
10 fall prevention device standards adopted by the commissioner
11 pursuant to section 103A.8D shall apply to construction,
12 additions, renovations, and repairs permitted, licensed,
13 certified, or otherwise approved on or after July 1, 2013,
14 and shall supersede and replace any minimum requirements
15 or standards for window fall prevention devices adopted or
16 enacted by the governmental subdivision prior to that date
17 for applicable new construction, additions, renovations, or
18 repairs.

19 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
20 immediate importance, takes effect upon enactment.

21 EXPLANATION

22 This bill requires the state building code commissioner to
23 adopt as part of the state building code window fall prevention
24 device standards and requirements for windows installed in
25 certain multifamily dwellings, hotels, and motels.

26 The state building code commissioner is required to consult
27 with the state fire marshal in the adoption of window fall
28 prevention device standards and requirements. The standards
29 and requirements shall apply to windows installed in all newly
30 constructed multifamily dwellings that are paid for in whole
31 or in part with state or local government funds, hotels, and
32 motels and to windows installed as a part of any additions,
33 renovations, or repairs to such an existing building for
34 which a permit, license, certificate, or similar document is
35 required.

1 The standards and requirements shall apply to all such
2 windows that are one story in height or more above grade, are
3 less than 36 inches above floor level, and can be opened wider
4 than four inches. The standards and requirements adopted for
5 windows located 75 feet or less above grade must be consistent
6 with the requirements for window fall prevention devices with
7 emergency escape release mechanisms as provided in the American
8 society for testing and materials' most recent specification
9 (currently, ASTM F2090-10). The standards and requirements
10 adopted for windows located more than 75 feet above grade must
11 be consistent with the requirements for window fall prevention
12 devices for nonemergency escape and rescue windows as provided
13 in the American society for testing and materials' most recent
14 specification (currently, ASTM F2006-10).

15 The standards and requirements shall apply to new
16 construction or additions, renovations, and repairs permitted,
17 licensed, certified, or otherwise approved on or after July 1,
18 2013, and shall supersede and replace any minimum requirements
19 for window fall prevention devices for multifamily dwellings,
20 hotels, and motels adopted or enacted by a governmental
21 subdivision prior to that date.

22 Pursuant to Code section 103A.21, any person served with
23 an order to remedy any condition in violation of the state
24 building code, who fails to comply with the order within a
25 certain time shall be guilty of a simple misdemeanor. Also
26 pursuant to Code section 103A.21, certain individuals who
27 knowingly violate any of the applicable provisions of the state
28 building code shall also be guilty of a simple misdemeanor. A
29 simple misdemeanor is punishable by confinement for no more
30 than 30 days or a fine of at least \$65 but not more than \$625
31 or by both.

32 The bill takes effect upon enactment.