**15-095**

**1. State Building Code to be Amended:**

 [x]  International Building Code [ ]  State Energy Code

 [ ]  ICC ANSI A117.1 Accessibility Code [ ]  International Mechanical Code

 [ ]  International Existing Building Code [ ]  International Fuel Gas Code

 [ ]  International Residential Code [ ]  NFPA 54 National Fuel Gas Code

 [ ]  International Fire Code [ ]  NFPA 58 Liquefied Petroleum Gas Code

 [ ]  Uniform Plumbing Code [ ]  Wildland Urban Interface Code

**Section(s): New Sections, 308.3.3, 420.7, and 903.2.6 Exception 4.
Repeal existing (2012) amendments 308.3.2, 308.4.2, 310.4, 420.6, 907.2.9.1.1, 1008.1.9.3(6), 1018.6 Exception 2, and 2902.3.1.1**

**Title: Re-classify occupancy and specify requirements for licensed assisted living and residential treatment facilities.**

**2. Proponent Name (Specific local government, organization or individual):**

 **Proponent: Department of Health, Construction Review Services**

 **Title:**

 **Date: 2/2015**

**3. Designated Contact Person:**

 **Name: Allen Spaulding**

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**4. Proposed Code Amendment**.

 **Code(s)** 2015 International Building Code **Section(s)** **Chapter 3**

**Replace existing state amendment:**

**~~308.3.2 Licensed care facilities~~** ~~Assisted living facilities as licensed by Washington state under chapter [388-78A](http://app.leg.wa.gov/WAC/default.aspx?cite=388-78A) WAC and residential treatment facilities as licensed by Washington state under chapter~~ [~~246-337~~](http://app.leg.wa.gov/WAC/default.aspx?cite=246-337) ~~WAC shall be classified as Group R-2.~~

**308.3.3** **Licensed care facilities.** Assisted living facilities as licensed by Washington state under chapter 388-78A WAC and residential treatment facilities as licensed by Washington state under chapter 246-337 WAC shall be classified as Group I-1, condition 2.

**Delete current state amendments:**

~~308.4.2 Licensed care facilities. Assisted living facilities as licensed by Washington state under chapter~~ [~~388-78A~~](http://app.leg.wa.gov/WAC/default.aspx?cite=388-78A) ~~WAC and residential treatment facilities as licensed by Washington state under chapter~~ [~~246-337~~](http://app.leg.wa.gov/WAC/default.aspx?cite=246-337) ~~WAC shall be classified as Group R-2.~~

310.4 Residential Group R-2. Residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature, including:

Apartment houses

~~Assisted living facilities as licensed by Washington state under chapter [388-78A](http://app.leg.wa.gov/WAC/default.aspx?cite=388-78A) WAC~~

Boarding houses (nontransient) with more than 16 occupants

Congregate living facilities (nontransient) with more than 16 occupants

Convents

Dormitories

Fraternities and sororities

Hotels (nontransient)

Live/work units

Monasteries

Motels (nontransient)

~~Residential treatment facilities as licensed by Washington state under chapter~~ [~~246-337~~](http://app.leg.wa.gov/WAC/default.aspx?cite=246-337) ~~WAC~~

Vacation timeshare properties

**Code(s) 2015 International Building Code Section(s) Chapter 4**

**Delete current state amendments:**

~~420.6 Subdivision of building spaces—Smoke barriers. Smoke barriers complying with Section 709 shall be installed on all floors of a Group R-2 boarding home or residential treatment facility licensed by Washington state. The smoke barrier shall subdivide the floor into at least two compartments complying with Section 407.5.~~

**Add new section:**

**420.7 Licensed care cooking facilities.** In Group I-1, Condition 2 assisted living facilities licensed under chapter 388-78A WAC and residential treatment facilities licensed under chapter 246-337 WAC, rooms or spaces that contain a cooking facility with domestic cooking appliances shall comply with section 407.2.6 of this code

OR

**420.7 Licensed Care cooking facilities.** In Group I-1, Condition 2 assisted living facilities licensed under chapter 388-78A WAC and residential treatment facilities licensed under chapter 246-337 WAC, rooms or spaces that contain a cooking facility with domestic cooking appliances shall be permitted to be open to the corridor where all of the following criteria are met:

1. The number of care recipients housed in the smoke compartment is not greater than 30.

2. The number of care recipients served by the cooking facility is not greater than 30.

3. Only one cooking facility area is permitted in a smoke compartment.

4. The types of domestic cooking appliances permitted are limited to ovens, cooktops, ranges, warmers

and microwaves.

5. The corridor is a clearly identified space delineated by construction or floor pattern, material or color.

6. The space containing the domestic cooking facility shall be arranged so as not to obstruct access to the required exit.

7. A domestic cooking hood installed and constructed in accordance with Section 505 of the *International Mechanical Code* is provided over the cooktop or range.

8. The domestic cooking hood provided over the cooktop or range shall be equipped with an automatic fire-extinguishing system of a type recognized for protection of domestic cooking equipment. Preengineered automatic extinguishing systems shall be tested in accordance with UL 300A and *listed* and *labeled* for the intended application. The system shall be installed in accordance with this code, its listing and the manufacturer’s instructions.

9. A manual actuation device for the hood suppression system shall be installed in accordance with Sections 904.12.1 and 904.12.2.

10. An interlock device shall be provided such that upon activation of the hood suppression system, the power or fuel supply to the cooktop or range will be turned off.

11. A shut-off for the fuel and electrical power supply to the cooking equipment shall be provided in a location that is accessible only to staff.

12. A timer shall be provided that automatically deactivates the cooking appliances within a period of not more than 120 minutes.

13. A portable fire extinguisher shall be installed in accordance with Section 906 of the *International Fire Code.*

**Code(s)** 2015 International Building Code **Section(s)** **Chapter 9**

**Revise section:**

**[F] 903.2.6 Group I.** An *automatic sprinkler system* shall be provided throughout buildings with a Group I *fire area*.

**Exceptions:**

1. An *automatic sprinkler system* installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1 Condition 1 facilities.

2. An *automatic sprinkler system* is not required where Group I-4 day care facilities are at the *level* *of exit discharge* and where every room where care is provided has not fewer than one exterior exit door.

3. In buildings where Group I-4 day care is provided on levels other than the *level of exit discharge*, an *automatic sprinkler system* in accordance with Section 903.3.1.1 shall be

installed on the entire floor where care is provided, all floors between the level of care and the level of *exit discharge*, and all floors below the *level of exit discharge* other than areas classified as an open parking garage

4. Where new construction or additions house less than sixteen persons receiving care, an automatic sprinkler system installed in accordance with Section 903.2.8.3 shall be permitted for Group I-1, condition 2, assisted living facilities licensed under chapter 388-78A WAC and residential treatment facilities licensed under chapter 246-337 WAC.

**Delete state amendment:**

~~907.2.9.1.1 Group R-2 Boarding homes. A manual fire alarm system shall be installed in Group R-2 occupancies where the building contains a boarding home licensed by the state of Washington.~~

~~Exception: In boarding homes licensed by the state of Washington, manual fire alarm boxes in resident sleeping areas shall not be required at exits if located at all constantly attended staff locations, provided such staff locations are visible, continuously accessible, located on each floor, and positioned so no portion of the story exceeds a horizontal travel distance of 200 feet to a manual fire alarm box.~~

**Code(s)** 2015 International Building Code **Section(s)** **Chapter 10**

**Delete state amendment:**

1008.1.9.3 Locks and latches. Locks and latches shall be permitted to prevent operation of doors where any of the following exists:

1. Places of detention or restraint.

2. In buildings in occupancy Group A having an occupant load of 300 or less, Groups B, F, M and S, and in places of religious worship, the main exterior door or doors are permitted to be equipped with key-operated locking devices from the egress side provided:

2.1. The locking device is readily distinguishable as locked;

2.2. A readily visible and durable sign is posted on the egress side on or adjacent to the door stating: THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED. The sign shall be in letters 1 inch (25 mm) high on a contrasting background; and

2.3. The use of the key-operated locking device is revocable by the building official for due cause.

3. Where egress doors are used in pairs, approved automatic flush bolts shall be permitted to be used, provided that the door leaf having the automatic flush bolts has no doorknob or surface-mounted hardware.

4. Doors from individual dwelling or sleeping units of Group R occupancies having an occupant load of 10 or less are permitted to be equipped with a night latch, dead bolt, or security chain, provided such devices are openable from the inside without the use of a key or a tool.

5. Fire doors after the minimum elevated temperature has disabled the unlatching mechanism in accordance with listed fire door test procedures.

~~6. Approved, listed locks without delayed egress shall be permitted in Group R-2 boarding homes licensed by Washington state, provided that:~~

~~6.1. The clinical needs of one or more patients require specialized security measures for their safety.~~

~~6.2. The doors unlock upon actuation of the automatic sprinkler system or automatic fire detection system.~~

~~6.3. The doors unlock upon loss of electrical power controlling the lock or lock mechanism.~~

~~6.4. The lock shall be capable of being deactivated by a signal from a switch located in an approved location.~~

~~6.5. There is a system, such as a keypad and code, in place that allows visitors, staff persons and appropriate residents to exit. Instructions for exiting shall be posted within six feet of the door.~~

**Delete state amendment:**

1018.6 Corridor continuity. Fire-resistance-rated corridors shall be continuous from the point of entry to an exit, and shall not be interrupted by intervening rooms. Where the path of egress travel within a fire-resistance-rated corridor to the exit includes travel along unenclosed exit access stairways or ramps, the fire resistance-rating shall be continuous for the length of the stairway or ramp and for the length of the connecting corridor on the adjacent floor leading to the exit.

|  |  |
| --- | --- |
|  |  |
| EXCEPTIONS: | 1. Foyers, lobbies or reception rooms constructed as required for corridors shall not be construed as intervening rooms. |
|  | ~~2. In Group R-2 boarding homes and residential treatment facilities licensed by Washington state, seating areas shall be allowed to be open to the corridor provided:~~ |
|  | ~~2.1 The seating area is constructed as required for the corridor;~~ |
|  | ~~2.2 The floor is separated into at least two compartments complying with Section 407.5;~~ |
|  | ~~2.3 Each individual seating area does not exceed 150 square feet, excluding the corridor width;~~ |
|  | ~~2.4 The combined total space of seating areas per compartment does not exceed 300 square feet, excluding the corridor width;~~ |
|  | ~~2.5 Combustible furnishings located within the seating area shall be in accordance with the International Fire Code Section 805; and~~ |
|  | ~~2.6 Emergency means of egress lighting is provided as required by Section 1006 to illuminate the area.~~ |

**Code(s)** 2015 International Building Code **Section(s)** **Chapter 29**

**Delete state amendment:**

~~2902.3.1.1 Food preparation areas. Toilet rooms shall not open directly into a room used for the preparation of food for service to the public or residents of Group R-2 boarding homes and residential treatment facilities licensed by Washington state.~~

1. **Briefly explain your proposed amendment, including the purpose, benefits and problems addressed.**

This code change proposal is intended to modify the way that the state building code addresses the requirements for licensed assisted living facilities (ALFs) and licensed residential treatment facilities (RTFs). Starting in 1994, the state has amended the base building code to create special requirements for these type of facilities. The effect of this was to more appropriately treat the risk associated with this particular population and to remove barriers for care. Over the past 20 years substantial changes have been made to the national code, and we believe this cycle is the time to move in closer alignment with the national standard.

DOH has engaged several different interested parties, including the Washington Health Care Association and Leading Age Washington, who are two major organizations of facility owners, operators and associated design professionals. We also consulted with the Department of Social and Health Services (who issues the license) and the Office of the State Fire Marshal (who performs annual surveys). We presented the concept of moving to the national standard to all of these parties and collected the thoughts and concerns expressed to us. The result is this code package which we believe strikes a good balance between addressing concerns from the community while improving the overall safety for all of these buildings. Changes are made to several chapters and often to existing state amendments as follows:

**Chapter 3**

**308.3.2** Deletes existing state amendment in favor of I-1 approach.

**308.3.3** Revises the occupancy type for assisted living facilities from R-2 to I-1. The modified “R-2” approach has been used in Washington state since the 2006 SBC. Most of the modifications that we made to that R-2 occupancy have been codified at the national level. We believe the base code requirements for smaller facilities (which the base code would call R-4) are not on par with our current standard. R -4s do not have smoke compartmentation; they allow a single exit, and the common path of travel does not support the slower rates of evacuation. Granted these building have fewer residents, but that is not to say that these building will be small or short.

Therefore, we recommend with stick with a single occupancy approach. I-1 occupancies are split between conditions 1 and 2, with condition 2 having the most robust requirements. Given our experience with the types of patients in these facilities, we recommend using the condition 2.

**308.4.2** Removes the amendment that clarified certain licensed care facilities are not designated as an I-2 occupancy.

**310.4** Removes the ALF and RTF terminology out of the laundry list of Group R-2 facilities.

**Chapter 4**

**420.6** Deletes existing amendment to add smoke compartmentation into Group R-2 ALFs and RTFs. This requirement was successfully added to I-1s in the national code during the last cycle. Smoke compartmentation was not added into R-4 which is one of the reasons we are not supportive of using R-4s. Moving to I-1 renders this amendment unnecessary.

**420.7** Adds a provision that allows ALFs and RTFs to deal with cooking spaces open to the corridor. This is one of the “cultural changes” that have been broadly adopted by NFPA and IBC as well as the federal programs for medicare reimbursement. Residents have been proven to have better overall health and outcomes if they are housed in a residential like environment, with ready access to communal spaces for participating in daily living activities. This requirement allows cooking facilities to be open to the corridor with a list of 13 conditions, including hood suppression, staff controlled switches, timers, etc. This is also a broadly approved alternative method in current enforcement practice.

**Chapter 9**

**903.2.6** This addresses the consequence of switching between an R-2 and I-1. Currently ALFs and RTFS are allowed to have a 13 R sprinkler system and in some very rare cases a 13 D. Switching to an I-1 occupancy requires the use of a full NFPA 13system. This would be problematic for smaller providers. It also creates difficulties when adding on to existing previously approved R-2 or LC occupancies. We suggest that a reasonable approach is to allow the use of the sprinkler provisions for R-4 occupancies for free standing buildings less than 16 residents,and for additions to existing buildings where the addition houses less than 16 residents.

The sprinkler provisions for R-4 allow the use of a 13 R system, however you must do one of the following:

* Extend the sprinkler into the attic
* Construct out of flame retardant wood in the attic
* Provide heat detection in the attic

Using these provisions improves conditions from where they are today, and provides more flexibility for additions to existing buildings.

**907.2.9.1.1** The existing state amendment for fire alarm for ALF and RTF’s is deleted as it is not needed when we switch to an I-1 occupancy. An I-1 also requires a manual fire alarm but allows the location at constantly attended staff locations. Smoke detection is more robust in Group I-1, a smoke detection system is required in corridors and common areas where it is not required in todays R-2.

**Chapter 10**

**1008.1.9.3** The current state amendment can be deleted, the special provisions for locking in these facilities can be accommodated under section 1010.1.9.6 of the 2015 code. This section details controlled egress requirements for Groups I-1 and I-2 and was modelled after our Washington State amendment.

**1018.6** The existing state amendment on corridor continuity is not needed. The current code allows this condition, we believe this amendment was intended to address UBC concepts.

**Chapter 29**

**2902.3.1.1** The state amendment preventing toilet rooms from opening directly into a kitchen in an ALF or RTF has been deleted. This is no longer a requirement of the licensing regulations. The DOH food quality division was consulted and the current state food code does not have this requirement, instead it encourages that dedicated staff restrooms be located within the kitchen.

**Final notes:**

Switching to an I-1 occupancy has impacts on construction type and allowable area. The maximum size based on a building built to the minimum requirements is slightly larger in area, but slightly shorter for some construction types. However, if you consider the maximum height and area based on use of current sprinkler increases, ALFs and RTFs would lose a story in type V construction, which is the most common construction type for these buildings. We believe matching the building stories to the national standard to be necessary for the larger facilities.

There are issues with podium buildings, as I-1s are not allowed above the horizontal separation. Currently, ALFs and RTFs are allowed above the podium and we have not seen a problem with this. A separate code change is submitted to address this issue.

1. **Specify what criteria this proposal meets.** You may select more than one.

[ ]  The amendment is needed to address a critical life/safety need.

[x]  The amendment is needed to address a specific state policy or statute.

[ ]  The amendment is needed for consistency with state or federal regulations.

[x]  The amendment is needed to address a unique character of the state.

[ ]  The amendment corrects errors and omissions.

1. **Is there an economic impact:** [x]  Yes     [ ]  No

Explain:

If there is an economic impact, use the Table below to estimate the costs and savings of the proposal on construction practices, users and/or the public, the enforcement community, and operation and maintenance. If preferred, you may submit an alternate cost benefit analysis.

|  |  |  |  |
| --- | --- | --- | --- |
| Building Type | Construction[[1]](#footnote-1) | Enforcement[[2]](#footnote-2) | Operations & Maintenance[[3]](#footnote-3) |
| Costs | Benefits[[4]](#footnote-4) | Costs | Benefits4 | Costs | Benefits4 |
| Residential | na |  | na |  | na |  |
|  Single family | na |  | na |  | na |  |
|  Multi-family | na |  | na |  | na |  |
| Commercial/Retail | na |  | na |  | na |  |
| Industrial | na |  | na |  | na |  |
| Institutional | yes | See note 1 | na | See note 2 | yes | See note 3 |

**Note 1:** The cost impact is listed under the instituational section as these facilities are not your common multifamily type of building, they are more of a hybrid between residential and institutional. Costs are difficult to quantify. There are potential adds for things like sprinkler systems, but there are subtracts for things like deletion of draftstopping and rescue openings. We believe however, that this will increase the cost of construction.

**Note 2:** AL reword this:This code change allows providers to use kitchens open to the corridor, more flexibility in design, consistency across the nation

**Note 3:** The sprinkler system will have more details maintenance requirements.

Please send your completed proposal to: sbcc@ga.wa.gov

All questions must be answered to be considered complete. Incomplete proposals will not be accepted.

1. $ / square foot of floor area or other cost. Attach data. **Construction** costs are costs prior to occupancy, and include both design and direct construction costs

that impact the total cost of the construction to the owner/consumer. [↑](#footnote-ref-1)
2. Cost per project plan. Attach data. **Enforcement** costs include governmental review of plans, field inspection, and other action required for enforcement. [↑](#footnote-ref-2)
3. Cost to building owner/tenants over the life of the project. [↑](#footnote-ref-3)
4. Measurable benefit. [↑](#footnote-ref-4)