**15-121**

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

 [ ]  International Building Code [ ]  State Energy Code

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

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

 [x]  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): R101.2**

(e.g.: Section: R403.2)

 **Title: Scope**

 (e.g: Footings for wood foundations)

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

 **Proponent: Washington Bed & Breakfast Guild**

 **Title:**

 **Date: 2/23/2015**

**3. Designated Contact Person:**

 **Name: Bob Spencer**

 **Title: President**

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**4. Proposed Code Amendment**. Reproduce the section to be amended by underlining all added language, striking through all deleted language. Insert new sections in the appropriate place in the code in order to continue the established numbering system of the code. If more than one section is proposed for amendment or more than one page is needed for reproducing the affected section of the code additional pages may be attached. (Examples on the SBCC [website](https://fortress.wa.gov/ga/apps/sbcc/Page.aspx?nid=191))

 **Code(s)** IRC\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Section(s)** R101.2\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Enforceable code language must be used; see an example [by clicking here](https://fortress.wa.gov/ga/apps/SBCC/File.ashx?cid=1803).

 Amend section to read as follows:

**R101.2 Scope.**
The provisions of the *International Residential Code for One- and Two-family Dwellings*shall apply to the construction, *alteration,* movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above *grade plane*in height with a separate means of egress and their *accessory structures.*  **Exceptions:**

1. Live/work units complying with the requirements of Section 419 of the *International Building Code*shall be permitted to be built as one- and two-family *dwellings*or townhouses. Fire suppression required by Section 419.5 of the *International Building Code*when constructed under the *International Residential Code for One- and Two-family Dwellings*shall conform to Section P2904.

2. Owner-occupied lodging houses with five or fewer guestrooms shall be permitted to be constructed in accordance with the *International Residential Code for One- and Two-family Dwellings* ~~when equipped with a fire sprinkler system in accordance with~~~~Section P2904~~.

1. **Briefly explain your proposed amendment, including the purpose, benefits and problems addressed.** Specifically note any impacts or benefits to business, and specify construction types, industries and services that would be affected. Finally, please note any potential impact on enforcement such as special reporting requirements or additional inspections required.

The purpose of the proposed amendment is to eliminate the statewide requirement for fire sprinklers in owner-occupied lodging houses with five or fewer guest units. This type of occupancy, commonly known as a “bed and breakfast”, is substantially similar to a private one-family dwelling. They should therefore be regulated by the State in the same manner with respect to sprinklers. The proposed amendment would reduce construction and remodeling costs for small businesses and have no impact on enforcement.

A lodging house that is owner-occupied and has five or fewer guest units is significantly different in scale and character from a hotel or motel permitted under the IBC as an R-1 occupancy. These are fundamentally private residences that are used, for a portion of time, as a small business. Innkeepers live on the premises all of the time. A lodging house that is owner occupied and has no more than five guest rooms is exempt from the ADA. Therefore they are not accommodating guests with disabilities that would be of particular concern in the event of a fire.

There is no evidence that lodging house operations have a greater risk of fire than a private one- or two-family dwelling. Our organization has extensively researched the incidence of fires in owner-occupied bed and breakfasts with five or fewer rooms. We have found no evidence of fire related deaths in permitted lodging houses. There are several factors that are important to consider:

* Owners live and work on their premises are therefore able to continually monitor the premises.
* These small businesses require commercial insurance and owners are careful to identify and address risks on their premises in order to avoid costly claims.
* Most of these businesses do not allow guests to smoke in the building as the odor can persist and is unacceptable to both the owners as well as most guests.
* Lodging houses with three or more guest units are regulated as transient accommodations by the Department of Heath in accordance with RCW Chapter 70.62 and WAC 246-360. These regulations require, in part, compliance with an extensive list of fire safety actions.
1. **Specify what criteria this proposal meets.** You may select more than one.

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

[ ]  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:

The financial cost of the sprinkler requirement is burdensome to operators of small lodging houses in Washington State especially with respect to remodeling. The installation of a sprinkler in a private residence that was not designed for it can cost prohibitive due to variables including:

* the availability of water supply and potential need for reservoir tanks that are not otherwise necessary;
* reconfiguration of space for sprinkler system components in utility rooms, attics, closets;
* the need to relocate attic electrical lines due to sprinkler line locations;
* the presence of asbestos in acoustic ceiling treatments where sprinkler heads penetrate; and
* carpentry, insulation, and drywall restoration related to installation.

While the cost of a residential sprinkler system may be less than that of a commercial sprinkler system, the design, permitting and installation of a residential sprinkler system in an existing home can be extremely expensive due to the above variables. Further, many B&B’s are created from buildings on the historical register which further exacerbates the expense and invasive nature of the sprinkler requirement.

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 |  |  |  |  |  |  |
|  Single family |  |  |  |  |  |  |
|  Multi-family |  |  |  |  |  |  |
| Commercial/Retail |  |  |  |  |  |  |
| Industrial |  |  |  |  |  |  |
| Institutional |  |  |  |  |  |  |

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)