



STATE OF WASHINGTON

## STATE BUILDING CODE COUNCIL

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**RE: Request for off-cycle or emergency rulemaking**

**Strike the Washington state amendment that eliminates the R-4 occupancy classification in the 2018 IBC and 2018 IFC.**

**REQUESTED BY:** Allen Spaulding, Department of Health, Construction Review Services

### **Background Information:**

In 2006 when the state of Washington transitioned from the Uniform Building Code to the International building code codes, the state building code council determined not to adopt the R-4 occupancy classification. At that point in time, the smaller residential treatment facilities had been addressed by a specific state amendment for at least a decade. These facilities were classified as “licensed care (LC) occupancies” and the state had a successful history with mitigating building and fire risk using this strategy. We believe this state specific approach led to discomfort with adopting the R-4 occupancy at that point. In the following 15 years, the International Code Council (ICC) has undertaken a focused review of care facilities through the Care Facilities task group of the Code Technology Committee and the Committee for Healthcare. In that time, these committees have considered many state approaches to safely constructing care facilities and made several changes to the approach for I-1 and R-4 occupancy classes. As it stands today, the ICC has an established and recently reviewed approach for classifying smaller residential treatment type facilities – which is the R-4 occupancy. Because the R-4 is not currently adopted in the state a facility or designer is left with choosing the I-1 occupancy classification as the closest fit. This occupancy classification works, however, it was intended for slightly larger facilities and has more safety mitigations. Striking the current state amendment in Section 310.5 will provide a safe occupancy option for these types of facilities and bring our state code more in line with national approaches and standards.

### **Justification:**

As the model codes have evolved, the R-4 occupancy has been confirmed to be a safe option that is broadly used across the country. The R-4 classification includes both active and passive fire life safety requirements that mitigate risks based on both use and the number of residents served. Additionally, the R-4 occupancy is divided into two sub-classifications: condition 1 and 2, which capture the unique risks of residents who need limited assistance with evacuation. These enhancements were added to the ICC model codes in 2015. Currently, Construction Review Services has no reason to oppose adoption of the R-4 occupancy classification. Based on feedback from the design and facilities management industries, this would allow a safe approach to developing smaller facilities with lower construction costs.

## 2018 IBC

### **WAC 51-50-0310 Section 310—Residential Group R.**

~~**310.5 Residential Group R-4.** R-4 classification is not adopted. Any reference in this code to R-4 does not apply.~~

### **WAC 51-50-0308 – Institutional Group I**

**308.2 Institutional Group I-1.** Institutional Group I-1 occupancy shall include buildings, structures or portions thereof for more than sixteen persons, excluding staff, who reside on a twenty-four-hour basis in a supervised environment and receive custodial care. Buildings of Group I-1 shall be classified as one of the occupancy conditions specified in Section 308.2.1 or 308.2.2. This group shall include, but not be limited to, the following:

Alcohol and drug centers;  
Assisted living facilities as licensed by Washington state under chapter 388-78A WAC;  
Congregate care facilities;  
Group homes;  
Halfway houses;  
Residential board and care facilities;  
Social rehabilitation facilities;  
~~Residential treatment facilities as licensed by Washington state under chapter 246-337 WAC.~~

**308.2.6 Licensed care facilities.** Assisted living facilities as licensed by Washington state under chapter 388-78A WAC shall be classified as Group I-1, Condition 2.  
~~Residential treatment facilities licensed by Washington state under chapter 246-337 WAC shall be classified as one or more occupancy types in accordance with chapter 246-337 WAC.~~

### **WAC 51-50-0420 – Groups I-1, R-1, R-2 and R-3**

**420.2 Separation walls.** Walls separating dwelling units in the same building, walls separating sleeping units in the same building and walls separating dwelling or sleeping units from other occupancies contiguous to them in the same building shall be constructed as fire partitions in accordance with Section 708. Buildings containing multiple sleeping units with common use or central kitchens shall not be classified as a single dwelling.

#### **Exceptions:**

1. Where sleeping units include private bathrooms, walls between bedrooms and the associated private bathrooms are not required to be constructed as fire partitions.
2. Where sleeping units are constructed as suites, walls between bedrooms within the sleeping unit and the walls between the bedrooms and associated living spaces are not required to be constructed as fire partitions.
3. In Groups R-3 facilities, walls within the dwelling units or sleeping units are not required to be constructed as fire partitions.
- ~~4. Groups R-2 and I-1 arranged into residential sleeping suites containing a maximum of five sleeping residents. Separation between bedrooms, living areas and toilet rooms within these residential sleeping suites shall not be required.~~
- 5 4. Group I-1 sleeping areas arranged so that a dedicated staff member has direct observation over a multiple resident sleeping room, without intervening full height walls, shall not be required to provide fire partitions within the resident sleeping area.

**2018 IFC**

**WAC 51-54A-0202 General definitions.**

**SECTION 202 GENERAL DEFINITIONS**

**Residential Group R.** Residential Group R includes, among others, the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an Institutional Group I or when not regulated by the *International Residential Code*. This group shall include:

No changes to R-1, R-2, and R-3.

~~R-4 Classification is not adopted. Any reference in this code to R-4 does not apply.~~

~~403.10.3 Group R-4 occupancies. This section not adopted.~~