



STATE OF WASHINGTON
STATE BUILDING CODE COUNCIL

May 2018
Log No. _____

1. State Building Code to be Amended:

- ☒ International Building Code
- ☐ ICC ANSI A117.1 Accessibility Code
- ☐ International Existing Building Code
- ☐ International Residential Code
- ☒ International Fire Code
- ☐ Uniform Plumbing Code

- ☐ International Mechanical Code
- ☐ International Fuel Gas Code
- ☐ NFPA 54 National Fuel Gas Code
- ☐ NFPA 58 Liquefied Petroleum Gas Code
- ☐ Wildland Urban Interface Code

For the Washington State Energy Code, please see specialized [energy code forms](#)

Section(s): 2018 WA State Building Code and 2018 Washington State Fire Code

Title: Strike the Washington State Building Code amendment that stipulates the R-4 classification is not adopted.

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

Proponent: Ron Wright, AIA

Title: Principal, Ron Wright & Associates/Architects, P.S.

Date: 1/25/2023

3. Designated Contact Person:

Name: Ron Wright, AIA

Title: Principal, Ron Wright & Associates/Architects, P.S.

Address: 2003 Western Avenue, Suite 610, Seattle, WA 98121

Office Phone: (206) 728-4248

Cell: (206) 910-7470

E-Mail address: rwright@rwaa.com

- 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.

Clearly state if the proposal modifies an existing amendment or if a new amendment is needed. If the proposal modifies an **existing amendment**, show the modifications to the existing amendment by underlining all added language and striking through all deleted language. If a new amendment is needed, show the modifications to the **model code** by underlining all added language and striking through all deleted language.

Code(s) 2018 WA State Building Code and 2018 WA State Fire Code
Section(s) Per attached. Primary Section is 310.5

Enforceable code language must be used.
Amend section to read as follows:

Per attached.

- 5. 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.

Per attached.

- 6. 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 clarifies the intent or application of the code.
- ☐ The amendment is needed to address a specific state policy or statute.
- ☒ The amendment is needed for consistency with state or federal regulations.
- ☐ The amendment is needed to address a unique character of the state.
- ☐ The amendment corrects errors and omissions.

- 7. Is there an economic impact:** ☒ Yes ☐ No

If no, state reason:

If yes, provide economic impact, costs and benefits as noted below in items a – f.

- a. **Life Cycle Cost.** Use the OFM Life Cycle Cost [Analysis tool](#) to estimate the life cycle cost of the proposal using one or more typical examples. Reference these [Instructions](#); use these [Inputs](#). Webinars on the tool can be found [Here](#) and [Here](#)). If the tool is used, submit a copy of the excel file with your proposal submission. If preferred, you may submit an alternate life cycle cost analysis.
- b. **Construction Cost.** Provide your best estimate of the construction cost (or cost savings) of your code change proposal.

The change to adopt the R-4 Occupancy Group would reduce the construction costs required for 16-bed residential treatment facilities by at least 30%.

- c. **Code Enforcement.** List any code enforcement time for additional plan review or inspections that your proposal will require, in hours per permit application:

No additional code enforcement time for additional plan review or inspections.

- d. **Small Business Impact.** Describe economic impacts to small businesses:

Not calculated.

- e. **Housing Affordability.** Describe economic impacts on housing affordability:

Not applicable.

- f. **Other.** Describe other qualitative cost and benefits to owners, to occupants, to the public, to the environment, and to other stakeholders that have not yet been discussed:

16-bed Residential Treatment Facilities are critical to the healthcare system in the State of Washington. Adopting the R-4 Group Occupancy will allow for a safe approach to developing these smaller facilities with lower construction costs. Washington State is the only state in the nation that has not adopted the R-4 Group Occupancy.

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

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



January 25, 2023

Stoyan Bumbalov, Managing Director
Washington State Building Code Council
Washington State Department of Enterprise Services
1500 Jefferson St SE
Olympia, WA 98501

**RE: Code Amendment Proposal
Adoption of the R-4 Group Occupancy Code**

Dear Stoyan,

Included herein is a formal request to strike the Washington State Building Code amendment that stipulates the R-4 classification is not adopted. The code revisions referenced pertain to the Washington State Building Code and the Washington State Fire Code.

Since this subject has been reviewed at numerous recent Council Meetings, the following is an abbreviated summary of the issues. It is assumed a detailed review will occur during the requested out-of-cycle code adoption process.

The International Building Code establishes three separate types of occupancy classifications for facilities that provide residential care and treatment services: R-3, R-4, and I-1. The size of the facility is the determining factor for establishing the occupancy.

R-3 is for 5 or fewer individuals receiving care, R-4 is for 6 to 16 individuals receiving care, and I-1 is for the care of more than 16 individuals. Each provides an appropriate environment for the supervised care and treatment of the individuals being served, based upon the total number of individuals being served.

In not adopting the R-4 Occupancy, Washington State is missing the critical middle range category.

The current default occupancy for facilities with more than six individuals receiving care is I-1, Condition 2, per IBC Section 308.2. Not having the ability to use the R-4 Occupancy for smaller facilities has a dramatic effect upon the expense necessary to construct appropriately sized facilities.

The 16-bed RTF is critical to the healthcare system in the State of Washington. The I-1 institutional occupancy is simply not appropriate for 16-bed facilities. Building these smaller-sized facilities using the institutional code provisions creates a large amount of additional expense that is not justified for the number of individuals being served. These additional costly measures include

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added fire and smoke partitions, added life safety systems appropriate for larger institutional buildings, and enhanced mechanical and energy code requirements applicable to larger commercial buildings.

The R-4 Occupancy is a residential occupancy that provides an appropriately safe environment for the number of individuals being served.

For the specific code revisions, we have identified key code references within Chapters 3 and 4 of the code, with specific references to Assisted Living Facilities and Residential Treatment Facilities. With the adoption of the R-4 Group Occupancy, these facilities would be classified as either R-4 or I-1 depending upon the number of individuals residing in the facilities.

Further, we are including the controlled egress provisions of Section 10 based upon pre-existing careful review and adoption of these code provisions that are directly applicable to treatment facilities and the common usage of these provisions within existing treatment facilities.

And finally, we are including copies of the relevant sections from the *2018 IBC Code Commentary*, for background information. Note the key statement provided in the review of Section 308.2:

“Groups I-1 and R-4 are similar facilities that differ only by the number of residents receiving care.”

Respectfully,

A handwritten signature in blue ink, appearing to be 'Ron Wright', with a stylized, looping design.

Ron Wright, AIA
Principal

Attachments:

Washington Code Council Code Proposal Form

Request for off-cycle or emergency rulemaking, submitted by Al Spaulding, Department of Health, Construction Review Services, email dated 10/11/2022.

Proposed Code Revisions for 2018 Washington State Building Code and 2018 Washington State Fire Code

2018 IBC Code Commentary, Section 380.2 Institutional Group I-1
(Comparison summary between Group I-1 and Group R-4)

2018 IBC Code Commentary, Section 380.5 Residential Group R-4
(Summary of code reasoning for R-4 Group Occupancy)

Ron Wright

From: Spaulding, Allen (DOH) <Al.Spaulding@DOH.WA.GOV>
Sent: Tuesday, October 11, 2022 3:17 PM
To: Bumbalov, Stoyan (DES)
Cc: Williams, John (DOH)
Subject: FW: R-4 proposal for rule making

Stoyan,

Resending with a few small edits.

Good afternoon Stoyan,

Please see below, the Dept. of Health, Construction Review Services (CRS) request for off cycle or emergency rule making activity.

Request:

Strike the Washington state amendment that eliminates the R-4 occupancy classification

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.

We remain available if there are any questions or concerns.

Thank you.

Allen Spaulding

Department of Health

Construction Review Services

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2018 Washington State Building Code

WAC 51-50-0308 – Institutional Group I

308.2 Institutional Group I-1. *No changes required.*

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 [either Group R-4 or 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 51-50-0310 Section 310—Residential Group R.

Delete the following:

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

Add the following insertions to the model code:

310.5 Residential Group R-4. Residential Group R-4 occupancy shall include buildings, structures or portions thereof for more than five but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive *custodial care*. Buildings of Group R-4 shall be classified as one of the occupancy conditions specified in Section 310.5.1 or 310.5.2. 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.](#)

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code.

WAC 51-50-0420 – Groups I-1, R-1, R-2, R-3, AND R-4

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 and R-4 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. 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.

420.3 Horizontal separation. Floor assemblies separating dwelling units in the same buildings, floor assemblies separating sleeping units in the same building and floor assemblies separating dwelling or sleeping units from other occupancies contiguous to them in the same building shall be constructed as horizontal assemblies in accordance with Section 711.

Exception: In Group R-3 and R-4 facilities, floor assemblies within the dwelling units or sleeping units are not required to be constructed as horizontal assemblies.

**TABLE 706.4
FIRE WALL FIRE-RESISTANCE RATINGS**

GROUP	FIRE-RESISTANCE RATING (hours)
A, B, E, H-4, I, R-1, R-2, U	3 ^a
F-1, H-3b, H-5, M, S-1	3
H-1, H-2	4 ^b
F-2, S-2, R-3, R-4	2

a In Type II, III, IV, or V construction, walls shall be permitted to have a 2-hour fire-resistance rating.

b For Group H-1, H-2, or H-3 buildings, also see Sections 415.7 and 415.8.

WAC 51-50-10100 – Doors, gates, and turnstiles.

1010.1.9.7 Controlled egress doors in Groups [R-4](#), I-1 and I-2. Electric locking systems, including electromechanical locking systems and electromagnetic locking systems, shall be permitted to be locked in the means of egress in Group [R-4](#), I-1 or I-2 occupancies where the clinical needs of persons receiving care require their containment. Controlled egress shall be permitted in such occupancies where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or an approved automatic smoke or heat detection system installed in accordance with Section 907, provided that the doors are installed and operate in accordance with all of the following:

1. The doors unlock upon actuation of the automatic sprinkler system or automatic fire detection system.
2. The doors unlock upon loss of power controlling the lock or lock mechanism.
3. The door locking system shall be installed to have the capability of being unlocked by a switch located at the fire command center, a nursing station or other approved location. The switch shall directly break power to the lock.
4. A building occupant shall not be required to pass through more than one door equipped with a special egress lock before entering an exit.
5. The procedures for unlocking the doors shall be described and approved as part of the emergency planning and preparedness required by Chapter 4 of the *International Fire Code*.
6. There is a system, such as a keypad and code, in place that allows visitors, staff persons and appropriate residents to exit. Instructions for existing shall be posted within six feet of the door. All clinical staff shall have the keys, codes or other means necessary to operate the locking systems.
7. Emergency lighting shall be provided at the door.
8. The door locking system units shall be listed in accordance with UL 294.

Exceptions:

1. Items 1 through 4 and 6 shall not apply to doors to areas where persons, which because of clinical needs, require restraint or containment as part of the function of a psychiatric treatment area provided that all clinical staff shall have the keys, codes or other means necessary to operate the locking devices.
2. Items 1 through 4 and 6 shall not apply to doors to areas where a listed egress control system utilized to reduce risk of the child abduction from nursery and obstetric areas of a Group I-2 hospital.

Note: Section 1010.1.9.7 is effective until July 1, 2023. Effective July 1, 2023, the entirety of this Section is relabeled as Section 1010.2.14.

2018 Washington State Fire Code

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.

Amend the first sentence of R-3 as indicated:

R-3 Residential occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, [R-4](#), or I, including:

Delete the following section:

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

Add the following section from the model IFC code, with the changes indicated:

R-4 Residential Group R-4. Residential Group R-4 shall include buildings, structures or portions thereof for more than five but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive custodial care. Buildings of Group R-4 shall be classified as one of the occupancy conditions indicated below. This group shall include, but is not 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.](#)

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in the *International Building Code*.

WAC 51-54A-0403 Emergency preparedness requirements.

Delete the following section:

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

The model IFC Section 403.10.3 is to be adopted.

WAC 51-54A-10100 – Doors, gates, and turnstiles.

1010.1.9.7 Controlled egress doors in Groups [R-4](#), I-1 and I-2. Electric locking systems, including electromechanical locking systems and electromagnetic locking systems, shall be permitted to be locked in the means of egress in Group [R-4](#), I-1 or I-2 occupancies where the clinical needs of persons receiving care require their containment. Controlled egress shall be permitted in such occupancies where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or an approved automatic smoke or heat detection system installed in accordance with Section 907, provided that the doors are installed and operate in accordance with all of the following:

1. The doors unlock upon actuation of the automatic sprinkler system or automatic fire detection system.
2. The doors unlock upon loss of power controlling the lock or lock mechanism.
3. The door locking system shall be installed to have the capability of being unlocked by a switch located at the fire command center, a nursing station or other approved location. The switch shall directly break power to the lock.
4. A building occupant shall not be required to pass through more than one door equipped with a special egress lock before entering an exit.
5. The procedures for unlocking the doors shall be described and approved as part of the emergency planning and preparedness required by Chapter 4 of the *International Fire Code*.
6. There is a system, such as a keypad and code, in place that allows visitors, staff persons and appropriate residents to exit. Instructions for existing shall be posted within six feet of the door. All clinical staff shall have the keys, codes or other means necessary to operate the locking systems.
7. Emergency lighting shall be provided at the door.
8. The door locking system units shall be *listed* in accordance with UL 294.

Exceptions:

1. Items 1 through 4 and 6 shall not apply to doors to areas where persons, which because of clinical needs, require restraint or containment as part of the function of a psychiatric treatment area provided that all clinical staff shall have the keys, codes or other means necessary to operate the locking devices.
 2. Items 1 through 4 and 6 shall not apply to doors to areas where a listed egress control system utilized to reduce risk of the child abduction from nursery and obstetric areas of a Group I-2 hospital.

308.2 Institutional Group I-1. Institutional Group I-1 occupancy shall include buildings, structures or portions thereof for more than 16 persons, excluding staff, who reside on a 24-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
- Congregate care facilities
- Group homes*
- Halfway houses
- Residential board and care facilities
- Social rehabilitation facilities

❖ Groups I-1 and R-4 are similar facilities that differ only by the number of residents receiving care. Groups I-1 and R-4 occupancies are based on three characterizations described in the occupancy classification: custodial care is provided; there is 24-hour-a-day supervision; and they are either Condition 1 or Condition 2. The difference between I-1 and R-4 is the number of persons receiving care and residing in such facilities. Group I-1 has more than 16 residents while Group R-4 has six to 16 persons. Note that Group I-1 and R-4 occupancies are limited facilities where custodial care is provided and not where medical care is provided. See the commentary to Section 202 Definitions, "Custodial care" and "Medical care." Groups I-1 and R-4 occupancies list the same eight generic uses as examples, which fall under the Group I-1/R-4 umbrella. Of these eight, only "Group home" is defined (see commentary in Chapter 2). Some of these terms may be used in state and local regulations of care facilities. Caution should be taken before assuming that a state-defined "assisted living" facility should be classified under the IBC as a Group I-1 or R-4.

Both Groups I-1 and R-4 include "conditions" to cover the variety of acuity and ability levels of custodial care recipients. Group I-1/R-4, Condition 1 match requirements for previous editions of the code for Groups I-1 and R-4, before conditions were included. The intent of the conditions was to address concerns that some residents may need limited assistance or verbal direction to evacuate. The building protection offered for Group I-1/R-4 in previous editions of the code is maintained in Condition 1. Some additional requirements were added for Condition 2. Note that this is custodial care. Where nursing care is provided, the facility is a Group I-2, Condition 1. The Condition 1 care recipients may be slower during evacuation, but all are capable of emergency evacuation without any physical assistance from others. However, they require minor verbal cues from others during emergencies, as might be expected in the general population. Condition 2 custodial care recipients are also slower to evacuate and include any care recipients who may require limited assistance during evacuation.

Group I-1/R-4, Condition 2 integrates additional protection features, such as smoke barriers to subdivide the building as well as increased automatic sprinkler requirements.

In Group I-1/R-4, Condition 2 facilities, assistance with evacuation can occur because of care recipients' physical or mental limitations, or both. The Condition 2 assistance with evacuation includes help getting out of bed and into a wheelchair or to a walker, or help initiating ambulation. It includes continued physical assistance getting out of the building from a sleeping room, apartment, or other rooms during an emergency. Assistance with evacuation includes assisting persons who may have resistance or confusion in response to an alarm, or require help with instructions. It can also include help for persons with short periods of impaired consciousness intermittently due to medications or illness. Custodial care Group I-1/R-4, Condition 2 evacuation assistance does not include moving occupants in beds or stretchers during emergencies, as is allowed in Group I-2 medical care.

How individual state licensing agencies name, classify and regulate many of the uses listed in Groups I-1 and R-4 vary significantly from state to state and may not correlate with the IBC classifications. It is for this reason that the Groups I-1 and R-4 list of uses is included under the general occupancy classifications and not under each "condition." The building permit applicant should confirm how the specific state licensing regulations correlate to the code's care type, occupancy, condition, evacuation capability, and number of persons receiving care. The permit application drawings should identify the five criteria, while specifically noting that the state licensing regulations limit occupants to only include Condition 1 criteria, or allow Condition 2 criteria. Most assisted living facilities and many residential board and care facilities will be classified as Group I-1, Condition 1 or Group R-4, Condition 1. Generally, almost all specially designated Alzheimer's/memory care facilities providing custodial care will be classified as Group I-1, Condition 2 or Group R-4, Condition 2, due to the inability of some residents to recognize how to respond to an emergency situation. Note that nursing facilities with specialized dementia wings that provide medical care would be classified as Group I-2, Condition 1. Also, it is important to keep in mind that facilities that may be classified initially as Group I-1, Condition 1 (capable of self-preservation) or Group R-4, Condition 1 can very easily need to be reclassified as a Group I-1/R-4, Condition 2 or as a Group I-2, Condition 1 if the abilities of the persons receiving care change over time. Therefore, it is essential for the proponents of a new facility to provide to the building official information regarding the full range of patients and residents expected at a facility both initially and over time.

The occupant load for occupancy classification purposes refers to the number of care recipients only.

The number of guests or staff is not included. Note however, that the number of guests and staff is included for means of egress purposes.

For clarification purposes, a dormitory or apartment complex that houses only elderly people and has a nonmedically trained live-in manager is not classified as an institutional occupancy but rather as a residential occupancy (see Section 310). A critical phrase in the code to consider when evaluating this type of facility is "live in a supervised residential environment." Such dormitories or apartment complexes may contain features such as special emergency call switches that are located in each dwelling unit and monitored by health center staff. These emergency call switches are a convenience and do not necessarily indicate infirmity of the care recipients.

308.2.1 Condition 1. This occupancy condition shall include buildings in which all persons receiving custodial care who, without any assistance, are capable of responding to an emergency situation to complete building evacuation.

❖ See the commentary to Section 308.2.

308.2.2 Condition 2. This occupancy condition shall include buildings in which there are any persons receiving custodial care who require limited verbal or physical assistance while responding to an emergency situation to complete building evacuation.

❖ See the commentary to Section 308.2.

308.2.3 Six to 16 persons receiving custodial care. A facility housing not fewer than six and not more than 16 persons receiving custodial care shall be classified as Group R-4.

❖ Any building that has the characteristics of a Group I-1 occupancy but has more than five and not more than 16 persons receiving custodial care is classified as Group R-4 (see Section 310.5). Ninety-eight percent of households in the U.S. have less than 16 occupants, thus the limit of 16 is considered appropriate for a residential occupancy. Similar to Group I-1, Group R-4 is also divided into Conditions 1 and 2.

308.2.4 Five or fewer persons receiving custodial care. A facility with five or fewer persons receiving custodial care shall be classified as Group R-3 or shall comply with the *International Residential Code* provided an *automatic sprinkler system* is installed in accordance with Section 903.3.1.3 or Section P2904 of the *International Residential Code*.

❖ Any building that has the characteristics of a Group I-1 occupancy (Condition 1 or 2, or both) but has five or fewer persons receiving custodial care is classified as Group R-3 (see Section 310.4) or may be constructed in accordance with the *International Residential Code*® (IRC®) (see Section 310.4.1). When the code allows compliance in accordance with the IRC, the only requirements that would apply would be those of the IRC, including the installation of automatic sprinkler protection. The intent is to allow persons to be cared for in a residential, or home, environment, often by family members. Please note similar provisions for Group E occupancies as well as Groups I-2 and I-4.

308.3 Institutional Group I-2. Institutional Group I-2 occupancy shall include buildings and structures used for *medical care* on a 24-hour basis for more than five persons who are *incapable of self-preservation*. This group shall include, but not be limited to, the following:

Foster care facilities

Detoxification facilities

Hospitals

Nursing homes

Psychiatric hospitals

❖ An occupancy classified in Group I-2 is characterized by three conditions: it is a health care facility where the level of care offered is medical care; there is 24-hour-a-day medical supervision for the individuals receiving care; and patients/residents require physical assistance by staff or others to reach safety in an emergency situation (see the definitions for "Custodial care," "Medical care," "24-hour basis" and the five facility examples listed). Where a facility offers medical care instead of custodial care, it is assumed that residents may not be capable of self-preservation. This assessment of the level of care provided needs to be taken with caution, and reliance on other state and federal guidelines and associated regulations may be necessary. Also, it is important to keep in mind that facilities that may be classified initially as Group I-1, Condition 1 (capable of self-preservation) or Group R-4, Condition 1 can very easily need to be reclassified as a Group I-1/R-4, Condition 2 or as a Group I-2, Condition 1 if the abilities of the persons receiving care change over time. Therefore, it is essential for the proponents of a new facility to provide to the building official information regarding the full range of patients and residents expected at a facility both initially and over time.

Due to the diversification of how medical care is provided in the five characteristic occupancies currently specified in the IBC for Group I-2 occupancies, the Group I-2 occupancy has been split into two basic conditions: Condition 1, nursing homes and foster care; and Condition 2, short-term care (hospitals). Although both of these subsets are based on medical treatment and are occupancies within which the occupants are protected with a defend-in-place method of safety, changes in the delivery of care in the two different conditions has changed in the past 10 to 20 years. Some examples of these changes include:

- Within hospitals, there has been a general increase in the floor area per patient due to the increase in diagnostic equipment and the movement toward single-occupant patient rooms.
- Within nursing homes, there has been a trend to provide more residential-type accommodations, such as group/suite living, gathering areas and cooking facilities in residential areas.

310.4.2 Lodging houses. Owner-occupied *lodging houses* with five or fewer *guest rooms* and 10 or fewer total occupants shall be permitted to be constructed in accordance with the *International Residential Code*.

- ❖ This section allows bed-and-breakfast type hotels that are both owner occupied and have five or fewer rooms to rent to be constructed under the IRC. In addition, there is also a maximum of 10 occupants permitted. See commentary for Section 310.4.

310.5 Residential Group R-4. Residential Group R-4 occupancy shall include buildings, structures or portions thereof for more than five but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive *custodial care*. Buildings of Group R-4 shall be classified as one of the occupancy conditions specified in Section 310.5.1 or 310.5.2. This group shall include, but not be limited to, the following:

Alcohol and drug centers
Assisted living facilities
Congregate care facilities
Group homes
Halfway houses
Residential board and care facilities
Social rehabilitation facilities

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code.

- ❖ Where five to 16 residents live in a supervised environment and receive custodial care, such a facility is classified as Group R-4. Ninety-eight percent of households in the U.S. that identified themselves as a single-family household have less than 16 occupants. The 16-occupant limit is also consistent with the limits of an NFPA 13D sprinkler system. Thus, the limit of 16 residents was established as an appropriate limit, considering that this facility will operate similarly to a single-family home. Under federal housing laws regarding nondiscrimination, families cannot be determined by blood or marriage. If a Group R-4 occupancy is expanded or allowed to have more than 16 care recipients, the facility needs to be reclassified as a Group I-1 occupancy. The number of persons used in the determination includes those who receive care but does not include staff.

Similar to Group I-1, a Group R-4 occupancy is also one of two "conditions." In a Condition 1 facility, care recipients may be slower during evacuation but are capable of self-preservation. In a Condition 2 facility, care recipients may require limited assistance with evacuation during emergency situations. See the commentary in Section 308.2 for Group I-1 for a further detailed explanation of both Groups I-1 and R-4 custodial care occupancies. Also see Section 202 Definitions, "Custodial care."

Group R-4 facilities must satisfy the construction requirements of Group R-3. Facilities with five or fewer persons receiving care will be either a Group R-3 occupancy (see Section 310.4), or can be built

under the IRC (see Section 310.4.1).

See Commentary Figure 308.1.

310.5.1 Condition 1. This occupancy condition shall include buildings in which all persons receiving custodial care, without any assistance, are capable of responding to an emergency situation to complete building evacuation.

- ❖ See the commentary to Section 310.5.

310.5.2 Condition 2. This occupancy condition shall include buildings in which there are any persons receiving custodial care who require limited verbal or physical assistance while responding to an emergency situation to complete building evacuation.

- ❖ See the commentary to Section 310.5.

SECTION 311 STORAGE GROUP S

311.1 Storage Group S. Storage Group S occupancy includes, among others, the use of a building or structure, or a portion thereof, for storage that is not classified as a hazardous occupancy.

- ❖ This section requires that all structures (or parts thereof) designed or occupied for the storage of moderate- and low-hazard materials are to be classified in either Group S-1 (moderate hazard) or S-2 (low hazard).

Life safety problems in structures used for storage of moderate- and low-hazard materials are minimal because the number of people involved in a storage operation is usually small and normal work patterns require occupants to be dispersed throughout the facility.

Problems of fire safety, particularly as they relate to the protection of stored contents, are directly associated with the amount and combustibility of the materials (including packaging) that are housed on the premises.

Storage facilities typically contain significant amounts of combustible or noncombustible materials that are kept in a common area. Because of the combustion, flammability or explosive characteristics of certain materials (see Section 307), a structure or portion thereof that is used to store high-hazard materials exceeding the maximum allowable quantities (MAQ), or that does not meet one of the identified uses in Section 307.1.1, cannot be classified as Group S. Such a structure is to be classified as Group H, high-hazard use, and is to comply with Section 307.

Hazardous materials may be located in Group S occupancy buildings, provided the amount of materials in each control area does not exceed the MAQ specified in Tables 307.1(1) and 307.1(2). Control areas must comply with Section 414. Storage occupancies consist of two basic types: Groups S-1 and S-2, which are based on the properties of the materials being stored. The distinction between Groups S-1 and S-2 is similar to that between Groups F-1 and F-2, as outlined in Section 306.