

October 18, 2023

State Building Code Council  
PO Box 41449  
Olympia WA 98504-1449

RE: Family Home Child Care – R331 Code Change Proposals

Chair Tony Doan and members of the Council:

Having participated in the combined IRC/IFC TAG for the proposed changes to allow up to 16 children in home daycares, I am compelled to provide testimony to the Council regarding the discussions at the BFP Meeting on October 13, 2023. The combined TAG voted to require fire sprinklers in R331.2.2 on September 19, 2023 for the allowance to increase the number of children. Although the IFC TAG did not have a quorum at that particular meeting, a courtesy vote was made that was unanimous from those attending to recommend fire sprinklers. The IRC TAG did have a quorum and it was a near unanimous vote to require fire sprinklers and not to move forward a proposal that would have provided a path that would not have required fire sprinklers.

During the October 13, 2023 meeting, there was discussion to override the recommendation of the combined TAG. During that meeting, several references were made to compare I4 and E occupancies to the proposed increase in the family home child cares. The comparisons lacked the full requirements that an I4 or E child care facility would have to meet. Opponents to the sprinkler requirement compared family home child care in the IRC to I4 and E occupancies. In that comparison it was stated that I4 or E occupancies would not be required to have fire sprinklers when 50 or less children are in a daycare. Although that is technically correct, the comparison to a family home child care facility is different as the home child care building also includes a residence. Under the IBC/IFC, if an I4 or E occupancy were in a building with a residence, fire sprinklers would be required in the building with any number of children per IBC/IFC 903.2.8.

The recommendation by the overall majority of the TAG members recognizes that increasing the number of children in family home child cares constitutes a higher hazard than the current allowed number. It is concerning that the minority position of the TAG is being pushed without the participation and recommendation of the majority of the combined TAG. The TAG had a number of meetings and conducted their due diligence in making the recommendation that was presented to the BFP. More than once, the proposed alternative to fire sprinklers was revised and brought back to the combined TAG. It was clear throughout the hearing that there was a majority of those on the TAG that did not accept that an alternative compliance path proposal was equivalent to the protection offered by fire sprinklers.

It is recognized that there is indeed a day care crisis. Reducing life safety to address the crisis is not the response that needs to be taken, especially for a high risk population. Before considering revised language that is different than the recommended combined TAG language to allow for a path without

fire sprinklers for the increased number of children in family home child care facilities, the Council needs to take into account the effort and majority position by the combined TAG.

Respectfully,

A handwritten signature in black ink, appearing to read "David F. Kokot". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

David F. Kokot, P.E.  
14910 N. Country Ridge Lane  
Spokane, WA 99208