



STATE OF WASHINGTON  
**STATE BUILDING CODE COUNCIL**

May 2018  
Log No. \_\_\_\_\_

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

- |   |   |
|---|---|
| <input type="checkbox"/> International Building Code          | <input type="checkbox"/> International Mechanical Code        |
| <input type="checkbox"/> ICC ANSI A117.1 Accessibility Code   | <input type="checkbox"/> International Fuel Gas Code          |
| <input type="checkbox"/> International Existing Building Code | <input type="checkbox"/> NFPA 54 National Fuel Gas Code       |
| <input type="checkbox"/> International Residential Code       | <input type="checkbox"/> NFPA 58 Liquefied Petroleum Gas Code |
| <input checked="" type="checkbox"/> International Fire Code   | <input type="checkbox"/> Wildland Urban Interface Code        |
| <input type="checkbox"/> Uniform Plumbing Code                |   |

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

**Section(s):**

Appendix O

**Title:**

VALET TRASH AND RECYCLING COLLECTION IN GROUP R-2 OCCUPANCIES

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

**Proponent:** Ken Brouillette

**Title:** Code Development Coordinator

**Date:** June 25, 2024

**3. Designated Contact Person:**

**Name:** Ken Brouillette

**Title:** Code Development Coordinator

**Address:** 220 3<sup>rd</sup> Ave S., Seattle, WA 98104

**Office Phone:** (206) 386-1455

**Cell:** ( )

**E-Mail address:** ken.brouillette@seattle.gov

**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) 2024 IFC Section(s) APPENDIX O

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

Add new State Amendment of adopting Appendix O.

## APPENDIX

### O

## VALET TRASH AND RECYCLING COLLECTION IN GROUP R-2 OCCUPANCIES

### SECTION O101—SCOPE

**O101.1 Scope.** Valet trash collection in Group R-2 occupancies shall comply with this appendix.

### SECTION O102—CONTAINERS

**O102.1 General.** Containers used for valet trash collection shall comply with Sections O102.2 through O102.5.

**O102.2 Integrity.** Valet trash or recycling materials shall be stored in containers that are of liquid-tight construction and equipped with lids. Lids shall be in the fully closed position.

**O102.3 Height.** Containers shall not exceed 30 inches (762 mm) in height.

**O102.4 Capacity and limit.** Individual containers shall not exceed 2.0 cubic feet (15 gallons; 56.8 L) in capacity. Only one trash or recycling container per dwelling unit or sleeping unit shall be permitted to be placed outside the dwelling unit or sleeping unit at one time. Trash and recycling containers shall not be placed outside a dwelling unit or sleeping unit at the same time.

**O102.5 Construction materials.** Containers and lids used for valet trash collections shall be constructed entirely of noncombustible materials or of materials that meet a peak rate of heat release not exceeding 300 kW/m<sup>2</sup> when tested in accordance with ASTM E1354 at an incident heat flux of 50 kW/m<sup>2</sup> in the horizontal orientation.

### SECTION O103—CONTAINER LOCATION

**O103.1 General.** Placement of containers used for valet trash collection outside a dwelling unit or sleeping unit shall comply with Sections O103.2 and O103.3.

**O103.2 Minimum means of egress width.** Containers used for valet trash collection shall not obstruct the minimum required egress width.

**O103.3 Stairways.** Containers used for valet trash collection shall not be placed on stair risers, within minimum required stairway landing dimensions or anywhere in an interior exit stairway.

### SECTION O104—ADDITIONAL REQUIREMENTS

**O104.1 Time limits.** Filled containers used for valet trash or recycling services shall not be placed outside a dwelling unit for more than 6 hours within any 24-hour period. Empty approved containers used for valet trash or recycling services shall not remain in a corridor for more than 12 continuous hours in a 24-hour period.

**O104.2 Collection rules.** The property owner or manager shall have written valet service rules, hours and penalties provided to all tenants and occupants. The property owner or manager shall be responsible for implementing, monitoring and enforcing all valet trash collection rules. A copy of the rules shall be provided to the fire code official upon request.

**O104.3 Suspension of service.** The fire code official has the authority to order the suspension of valet trash collection that is not in compliance with this appendix.

**SECTION O105—REFERENCED STANDARDS**

**O105.1 General.** See Table O105.1 for standards that are referenced in various sections of this appendix. Standards are listed by the standard identification with the effective date, standard title, and the section or sections of this appendix that reference the standard.

<b><u>TABLE O105.1—REFERENCED STANDARDS</u></b>		
<b><u>STANDARD ACRONYM</u></b>	<b><u>STANDARD NAME</u></b>	<b><u>SECTIONS HEREIN REFERENCED</u></b>
<u>ASTM E1354-17</u>	<i><u>Standard Test Method for Heat and Visible Smoke Release Rates for Materials and Products Using an Oxygen Consumption Calorimeter</u></i>	<u>O 102.5</u>

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

A new definition for Valet Trash Collection and a new section 304.1.1 in the IFC introduces Valet trash collection into the IFC. Section 304.1.1 states that this operation can be approved based on rules and limitations established by the jurisdiction. This proposal creates statewide rules that will assist the AHJ. Without this Appendix, local AHJ’s will have to develop their own rules and inconsistency throughout the State may occur.

This is the reason statement by the Fire Code Action Committee noted in the code change proposal at the ICC Code Development Hearings:

“Currently, there are no provisions in the IFC specifically prohibiting or regulating the placement of combustible trash or recyclables in an exit access corridor, provided that such materials are not placed within the minimum required width of the means of egress. Code sections relevant to this discussion are as follows:

- IFC Section 315.3.2 specifically regulates “combustible materials” in the means of egress and does not prohibit combustible storage anywhere other than “exits or enclosures for stairways and ramps” or “during construction, demolition, remodeling or alterations.” Accordingly, it is difficult to make a case that any other general section in the IFC possibly applicable to this discussion would be intended to add additional regulations for combustibles in exit access corridors when exit access corridors are specifically omitted from Section 315.3.2 and considering that IFC Section 102.10 establishes that specific provisions override general provisions in the event of a conflict.
- Some may argue that prohibition of valet trash can be accomplished under IFC Section 304.2, but that would require a determination that such materials constitute a “hazard to the public health, safety or welfare.” A determination of that type is, at best, going to be inconsistent from jurisdiction to jurisdiction and is inconsistent with the “specific over general” rule established by IFC Section 102.10.

- Some may argue that prohibition of valet trash can be accomplished under IFC Section 1020.4, which requires that the minimum width of corridors not be obstructed, but there is no prohibition in this section of combustible material in a corridor if it does not obstruct the minimum required egress width.
- Some may argue that prohibition of valet trash can be accomplished under IFC Section 1032.2, which requires that a means of egress be maintained free from obstructions or impediments to full instant use in the case of fire or other emergency, but like Section 304.2, such determination is going to be inconsistent from jurisdiction to jurisdiction when it comes to valet trash services, and applying the code in this way would be inconsistent with the “specific over general” rule established by IFC Section 102.10.

Further, the issue of disallowing combustibles in corridors has been specifically adjudicated by ICC in two recent code cycles without being supported. Proposal F16-13 had FCAC recommending a change to Section 315.3.2 that would specifically disallow combustibles in corridors, and there was a failed Public Comment attempting to disallow combustibles in corridors serving an occupant load of 10 or more. Then, Proposal F20-16 recommended disallowing combustibles in corridors serving an occupant load of 30 or more, which was also unsuccessful. With ICC having three times rejected a change to the IFC that would disallow combustibles in corridors, any competent defense attorney would be well equipped to challenge a citation claiming that the presence of valet trash or recyclable materials in a corridor constitutes a code violation.

Nevertheless, the occurrence of inconsistent code interpretations and enforcement has become clear in discussions among fire code officials who participated in the FCAC work on this topic. Accordingly, this proposal seeks to add regulations for valet trash services into the IFC appendix, which will offer standardized regulations for jurisdictions choosing to allow the service. Jurisdictions choosing to take a different path and jurisdictions that already have statutory governance of valet trash service would have the option of not adopting the appendix. Regulations proposed for the appendix will establish reasonable precautions and restrictions, where adopted, including:

- 1) Reminding that containers for valet trash cannot obstruct the minimum egress width, 2) Regulating container construction to reduce fire risk, 3) Limiting the size of containers and requiring that they be equipped with “tight fitting” lids (some have mentioned that “tight fitting” is too vague for inclusion in the code, but the term is already used multiple times in the IBC and IFC), 4) Controlling the time of placement of containers outside of dwelling units, and 5) Providing suitable administrative controls.

Supporters of this proposal cite the value of reduced trash accumulation (a fire and health risk) inside of dwelling units by having frequent pickup service, the value of offering trash removal to elderly and disabled populations who have difficulty or are unable to get trash and recyclables to a trash collection area, and the value of the IFC offering specific controls for a currently unregulated service that is already occurring with plastic bags and highly combustible containers.”

**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: This proposal relates to operations in a building and is not associated with any building construction requirements.

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

- 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.

\$Click here to enter text./square foot

(For residential projects, also provide \$Click here to enter text./ dwelling unit)

Show calculations here, and list sources for costs/savings, or attach backup data pages

- c. **Code Enforcement.** List any code enforcement time for additional plan review or inspections that your proposal will require, in hours per permit application:
- d. **Small Business Impact.** Describe economic impacts to small businesses:
- e. **Housing Affordability.** Describe economic impacts on housing affordability:
- 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:

Please send your completed proposal to: [sbcc@des.wa.gov](mailto:sbcc@des.wa.gov)

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