



STATE OF WASHINGTON
STATE BUILDING CODE COUNCIL

May 2018
Log No. _____

1. State Building Code to be Amended:

- | | |
|---|---|
| <input checked="" 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): WAC 51-50-0903 & WAC 51-54A-0903

Title: Group E

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

Proponent: Ken Brouillette, Seattle Fire Department

Title: Technical Code Program Manager

Date: 10/10/2025

3. Designated Contact Person:

Name: Ken Brouillette, Seattle Fire Department

Title: Fire Code Specialist

Address: 220 3rd 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. (Examples on the SBCC [website](#))

Code(s) WAC 51-50-0903 & WAC 51-54A-0903 Section(s)

Enforceable code language must be used; see an example [by clicking here](#).

Amend section to read as follows:

Black Text _____ Model Code Language
Red Text _____ Existing State Amendment Language
~~Strike Through Text~~ _____ Proposed Deletions
Underline Text _____ Proposed Additions
Highlighted Text _____ Emphasis

903.2.3 Group E.

An *automatic sprinkler system* shall be provided for *fire areas* containing Group E occupancies where the *fire area* has an occupant load of 51 or more, calculated in accordance with Table 1004.5.

Exceptions:

1. Portable school classrooms with an occupant load of 50 or less calculated in accordance with Table 1004.5, provided that the aggregate area of any cluster of portable school classrooms does not exceed 6,000 square feet (557 m²); and clusters of portable school classrooms shall be separated as required by the building code; or
2. Portable school classrooms with an occupant load from 51 through 98, calculated in accordance with Table 1004.5, and provided with two means of direct independent exterior egress from each classroom in accordance with Chapter 10, and one exit from each classroom shall be accessible, provided that the aggregate area of any cluster of portable classrooms does not exceed 6,000 square feet (557 m²); and clusters of portable school classrooms shall be separated as required by the building code; or
3. Fire areas containing day care and preschool facilities with a total occupant load of 100 or less located at the level of exit discharge where every room in which care is provided has not fewer than one exit discharge door; or

903.2.3.1 Child care center. A dedicated space used as a child care center within an existing building is required to provide a *fire barrier* to determine the occupant load of the *fire area*.

903.2.6.1 Group I-4. An automatic sprinkler system shall be provided in *fire areas* containing Group I-4 occupancies where the fire area has an occupant load of 51 or more, calculated in accordance with Table 1004.5.

Exceptions:

1. An automatic sprinkler system is not required where Group I-4 day care facilities with a total occupant load of 100 or less, and located at the level of exit discharge and where every room where care is provided has not fewer than one exterior exit door.
2. In buildings where Group I-4 day care is provided on levels other than the level of exit discharge, an automatic sprinkler system in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided, all floors between the level of care and the level of exit discharge and all floors below the level of exit discharge other than areas classified as an open parking garage.

903.2.6.1.1 Child care center. A dedicated space used as a child care center within an existing building is required to provide a *fire barrier* to determine the occupant load of the *fire area*.

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

This is a new RCW that does not provide guidance on determining the occupant load of Group E or I-4 fire areas and when or if a fire barrier would be required.

RCW 19.27.600

Child care centers—Occupancy load.

When a child care center is operated in a dedicated space within an existing building that has more than one use, the building official must calculate the occupancy load of the child care center based only on the areas in the building where the child care services are provided. This requirement applies when administering and enforcing any of the building codes adopted in accordance with and pursuant to the authority in this chapter.

The SBCC was not asked to create rules and the SBCC did not believe rules were needed at the time the new RCW was presented. During the BFRW committee meeting on 10/10/2025 I brought up confusion with the application of this new RCW when trying to figure out if fire barriers to delineate fire areas are necessary to determine the occupant load for Group E-3 or I-4 child care centers. Currently, without a fire barrier the occupant load of uses inside of the building (the entire building is the fire area when not separated with fire barriers) that are not separated by fire barriers would be added into the Child Care center occupant load and if that combined occupant load exceeded the threshold, then an automatic fire sprinkler system would be required. When looking at the requirements for separated occupancies in Table 508 of the IBC, no separation is required between a Group E and Group A occupancies. But per Table 707.3.10 a 2-hour fire-resistance rated fire barrier is required to create separate fire areas so the occupant load or square foot calculation of each occupancy is not combined to determine if fire sprinklers are required.

The emergency need is because currently a 2-hour fire barrier would be required between a Group A-3 Occupancy (Church) and a Group E occupancy (Daycare) to avoid combining the occupant loads into a single fire that could trigger the fire sprinkler requirement. I do not believe that was the intention of the new RCW.

I also do not believe the legislation took into consideration when these daycares are located in mixed used buildings (strip malls) that may have other occupancies that are separated or non-separated per the IBC.

This petition is necessary for equitable application of the new RCW and based on the recent BFRW committee meeting I have proposed options for the SBCC to consider clarifying the intent of the new RCW and how it should be enforced.

But, if the SBCC believes that currently a 2-hour fire barrier is required to be installed between an existing Church and a daycare within the same building to create two separate fire areas to avoid combining the occupant loads that could trigger the daycare to have an occupant load that exceeds the thresholds, then additional rule making is not necessary.

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

Explain: The impact is based on the decision of the SBCC. It may increase the cost or decrease the cost. The economic impact can be added into the petition.

If there is an economic impact, use the tool 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.

Provide your best estimate of the construction cost (or cost savings) of your code change proposal? (See OFM Life Cycle Cost [Analysis tool](#) and [Instructions](#); use these [Inputs](#). **Webinars on the tool can be found [Here](#) and [Here](#)**)

\$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

List any code enforcement time for additional plan review or inspections that your proposal will require, in hours per permit application:

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.