

CTC Meeting #28
September 16 - 17, 2013
IBC Coordination with ADAAG

The following 2013 Group B changes have been compiled for the above noted CTC Area of Study. Included in this report are code changes which received a public comment following the 2013 Group B Committee Action Hearings. These changes are intended to serve as the agenda for the CTC in order to establish CTC positions, if any, for the upcoming 2013 Group B Public Comment Hearings. THIS REPORT ONLY INCLUDES THOSE CODE CHANGES FOR WHICH CTC HAS TAKEN A POSITION ON A CODE CHANGE

EB21-13

EB42-13

EB43-13

F172-13

RB177-13

RB178-13

EB21-13

705.1, 705.1.15 (NEW)

Proposed Change as Submitted

Proponent: Carl Baldassarra, P.E., Chair, ICC Code Technology Committee
(cbaldassarra@rjagroup.com)

Revise as follows:

705.1 General. A *facility* that is altered shall comply with the applicable provisions in Sections 705.1.1 through ~~705.1.44~~ 705.1.15, and Chapter 11 of the *International Building Code* unless it is *technically infeasible*. Where compliance with this section is *technically infeasible*, the alteration shall provide access to the maximum extent that is technically feasible.

A *facility* that is constructed or altered to be accessible shall be maintained accessible during occupancy.

Exceptions:

1. The altered element or space is not required to be on an accessible route unless required by Section 705.2.
2. Accessible means of egress required by Chapter 10 of the *International Building Code* are not required to be provided in existing *facilities*.
3. Type B dwelling or sleeping units required by Section 1107 of the *International Building Code* are not required to be provided in existing *facilities* undergoing less than a Level 3 *alteration*.
4. The alteration to Type A individually owned dwelling units within a Group R-2 occupancy shall meet the provisions for Type B dwelling units.

705.1.15 Amusement rides. *Where the structural or operational characteristics of an amusement ride are altered to the extent that the amusement ride's performance differs from that specified by the manufacturer or the original design, the amusement ride shall comply with requirements for new construction in the International Building Code, Section 1110.4.7.*

Reason: The accessibility requirements for new construction for Amusement rides have been proposed to the IBC as part of a coordination effort with the 2010 ADA Standard for Accessible Design and 2009 ICC A117.1 Chapter 11, Recreation. The overall intent is to provide access to recreational facilities so that persons with mobility impairments can participate to the best of their ability. The requirements are not intended to change any essential aspects of that recreational activity.

The intent of this public comment is to match the provisions for existing amusement rides proposed and approved for IBC Chapter 34 and IEBC Chapter 4. This way the provisions for existing buildings will be consistent between Chapter 4 and 7 of the IEBC. Technical criteria can be found in the 2009 edition of the ICC A117.1, Section 1102 and includes accessible routes, load and unload areas, wheelchair spaces on rides, seats for transfer, and transfer devices.

The ICC Board established the ICC Code Technology Committee (CTC) as the venue to discuss contemporary code issues in a committee setting which provides the necessary time and flexibility to allow for full participation and input by any interested party. The code issues are assigned to the CTC by the ICC Board as "areas of study". Information on the CTC, including: meeting agendas; minutes; reports; resource documents; presentations; and all other materials developed in conjunction with the CTC effort can be downloaded from the following website: <http://www.iccsafe.org/cs/CTC/Pages/default.aspx>. Since its inception in April/2005, the CTC has held twenty five meetings - all open to the public.

Cost Impact: This code change proposal will not increase the cost of construction. This will be required by the 2010 ADA Standard for Accessible Design.

705.1-EB-BALDASSARRA-CTC.doc

Committee Action Hearing Results

Committee Action:

Disapproved

Committee Reason: There was concern that this was not appropriate for level 1 alterations. Concerns were raised that the IEBC would begin to regulate outdoor amusement rides. Generally, there was concern that adopting these requirements for amusement rides increases the scope of the IEBC beyond that intended.

Assembly Action:

None

Individual Consideration Agenda

This item is on the agenda for individual consideration because a public comment was submitted.

Public Comment:

Carl Baldassarra, ICC Code Technologies Committee, requests Approval as Submitted

Commenter's Reason: There was an objection at the hearings that we do not address outdoor amusement rides. Permanent amusement rides are now scoped specifically in IBC Chapter 11 (E208 -12). This includes both indoor and outdoor permanent rides; there is no distinction made in the code. Portable amusement rides are specifically exempt.

The committee was concerned over this exception being in Level I. The accessibility provisions in Level I, II and III build on each other. The text in the proposed 705.1.15 will address when the application is appropriate. Below is the IBC text for amusement rides.

1110.4.8 Amusement rides. Amusement rides that moves persons through a fixed course within a defined area shall comply with Section 1110.4.8.1 through 1110.4.8.3.

Exception: Mobile or portable amusement rides shall not be required to be accessible.

1110.4.8.1 Load and unload areas. Load and unload areas serving amusement rides shall be accessible and be on an accessible route. Where load and unload areas have more than one loading or unloading position, at least one loading and unloading position shall be on an accessible route.

1110.4.8.1.1 Wheelchair spaces, ride seats designed for transfer, and transfer devices. Where amusement rides are in the load and unload position, the position serving a wheelchair spaces, amusement ride seats designed for transfer and transfer devices shall be on an accessible route.

1110.4.8.2 Minimum number. Amusement rides shall provide at least one wheelchair space, amusement ride seat designed for transfer, or transfer device.

Exceptions:

1. Amusement rides that are controlled or operated by the rider are not required to comply with this section.
2. Amusement rides designed primarily for children, where children are assisted on and off the ride by an adult, are not required to comply with this section.
3. Amusement rides that do not provide seats that are built-in or mechanically fastened shall not be required to comply with this section.

The proposed exception is already approved in Chapter 4 of the IEBC (section 410.8.1.5).

3411.8.15 (IEBC [B] 410.8.15) Amusement rides. Where the structural or operational characteristics of an amusement ride are altered to the extent that the amusement ride's performance differs from that specified by the manufacturer or the original design, the amusement ride shall comply with requirements for new construction in Section 1110.4.8.

Not having this in Chapter 7, would result in a conflict between chapters. The proposed text is effectively an exception that would allow one method to have a break that the other did not.

EB21-13

Final Action: AS AM AMPC _____ D

EB42-13

806.2

Proposed Change as Submitted

Proponent: Carl Baldassarra, P.E., Chair, ICC Code Technology Committee
(cbaldassarra@rjagroup.com)

Revise as follows:

806.2 Stairs and escalators in existing buildings. In *alterations* where an escalator or stair is added where none existed previously, an accessible route shall be provided in accordance with ~~Sections~~ Section 1104.4 and 1104.5 of the *International Building Code*.

Reason: The intent of this provisions is that the accessible route will be permitted to be provided in the same area as the new construction, and is not require it to be located elsewhere in the building. A reference to Section 1104.5 could require the accessible route to be provided in another part of the building is the new stairway was not on a general circulation route. A correlative change has been proposed and approved for IBC Section 3411.8.4/IEBC 410.8.4.

The ICC Board established the ICC Code Technology Committee (CTC) as the venue to discuss contemporary code issues in a committee setting which provides the necessary time and flexibility to allow for full participation and input by any interested party. The code issues are assigned to the CTC by the ICC Board as "areas of study". Information on the CTC, including: meeting agendas; minutes; reports; resource documents; presentations; and all other materials developed in conjunction with the CTC effort can be downloaded from the following website: <http://www.iccsafe.org/cs/CTC/Pages/default.aspx>. Since its inception in April/2005, the CTC has held twenty five meetings - all open to the public.

Cost Impact: The code change proposal will not increase the cost of construction.

806.2-EB-BALDASSARRA-CTC

Committee Action Hearing Results

Committee Action:

Disapproved

Committee Reason: There were concerns that without the reference to Section 1104.5 the route could potentially be located outside the building which was inappropriate.

Assembly Action:

None

Individual Consideration Agenda

This item is on the agenda for individual consideration because a public comment was submitted.

Public Comment:

Carl Baldassarra, ICC Code Technologies Committee, requests Approval as Submitted.

Commenter's Reason: The requirement in Section 1104.5 for a "general" circulation path location (Section 1104.5) could require the accessible route to be constructed considerably outside of the work area. Therefore, the intent of the deletion of the reference to Section 1104.5 is to allow for the vertical route, typically an elevator or platform lift, to be installed within the area of alteration, rather than possibly requiring the route somewhere else in the building. This would allow design flexibility and options.

Also, this language is currently in IEBC Section 410.8.4. The revision was approved in G241-12. This needs to be approved for correlation in the code. 2015 text is below.

IBC 1104.5 Location. *Accessible routes* shall coincide with or be located in the same area as a general *circulation path*. Where the *circulation path* is interior, the *accessible route* shall also be interior. Where only one *accessible route* is provided, the *accessible route* shall not pass through kitchens, storage rooms, restrooms, closets or similar spaces.

Exceptions:

1. *Accessible routes* from parking garages contained within and serving *Type B units* are not required to be interior.
2. A single *accessible route* is permitted to pass through a kitchen or storage room in an *Accessible unit*, *Type A unit* or *Type B unit*.

IEBC 410.8.4 Stairs and escalators in existing buildings. In *alterations* where an escalator or stair is added where none existed previously, an accessible route shall be provided in accordance with Section 1104.4 of the *International Building Code*.

EB42-13

Final Action: AS AM AMPC_____ D

EB43-13

806.3, 806.4, 806.5, 906.2

Proposed Change as Submitted

Proponent: Carl Baldassarra, P.E., Chair, ICC Code Technology Committee

Revise as follows:

~~806.3~~ 1105.2 Accessible dwelling units and sleeping units. Where Group I-1, I-2, I-3, R-1, R-2 or R-4 dwelling or sleeping units are being added, the requirements of Section 1107 of the *International Building Code* for accessible units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of spaces being added.

~~806.4~~ 1105.3 Type A dwelling or sleeping units. Where more than 20 Group R-2 dwelling or sleeping units are being added, the requirements of Section 1107 of the *International Building Code* for Type A units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of the spaces being added.

~~806.5~~ 1105.4 Type B dwelling or sleeping units. Where four or more Group I-1, I-2, R-1, R-2, R-3 or R-4 dwelling or sleeping units are being added, the requirements of Section 1107 of the *International Building Code* for Type B units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of the spaces being added.

906.2 Type B dwelling or sleeping units. Where four or more Group I-1, I-2, R-1, R-2, R-3 or R-4 dwelling or sleeping units are being altered ~~or added~~, the requirements of Section 1107 of the *International Building Code* for Type B units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of the spaces being altered ~~or added~~.

Reason: The intent of this change is to clarify when Accessible, Type A and Type B units are required in alterations and additions.

Units being added within an existing structure are considered an alteration; therefore, Accessible and Type A units that are added as part of a renovation are adequately addressed in Section 705.1.8 and 705.1.9, and the language in 806.3 and 806.4 is not needed.

Additions adjacent to or above a building must comply with new construction. Therefore, Section 806.3, 806.4 and 806.5 should be relocated to Section 1105. This clarifies that just the addition is considered for the number of units, not the addition plus the number of existing units. Section 705.1.14, Extent of application, would allow for a situation where Accessible and Type A units were provided in sufficient numbers, including the addition, in the existing building.

Type B units are currently required in existing building undergoing a Level 3 alteration, with or without a change of occupancy. This requirement will remain the same (see Section 705.1, Exception 3, Section 906.2 and the exception to Section 1012.8).

For reference these are the related sections with revisions included.

Level I Alterations

705.1 General. A *facility* that is altered shall comply with the applicable provisions in Sections 705.1.1 through 705.1.14, and Chapter 11 of the *International Building Code* unless it is *technically infeasible*. Where compliance with this section is *technically infeasible*, the alteration shall provide access to the maximum extent that is technically feasible. A *facility* that is constructed or altered to be accessible shall be maintained accessible during occupancy.

Exceptions:

1. The altered element or space is not required to be on an accessible route unless required by Section 705.2.
2. Accessible means of egress required by Chapter 10 of the *International Building Code* are not required to be provided in existing *facilities*.
3. Type B dwelling or sleeping units required by Section 1107 of the *International Building Code* are not required to be provided in existing *facilities* undergoing less than a Level 3 *alteration*.
4. The alteration to Type A individually owned dwelling units within a Group R-2 occupancy shall meet the provisions for Type B dwelling units.

705.1.8 Accessible dwelling or sleeping units. Where Group I-1, I-2, I-3, R-1, R-2 or R-4 dwelling or sleeping units are being altered, the requirements of Section 1107 of the *International Building Code* for accessible units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of the spaces being altered.

705.1.9 Type A dwelling or sleeping units. Where more than 20 Group R-2 dwelling or sleeping units are being altered, the requirements of Section 1107 of the *International Building Code* for Type A units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of the spaces being altered.

Level II Alterations

806.1 General. A building, *facility*, or element that is altered shall comply with this section and Section 705.

Level III Alterations

906.1 General. A building, *facility* or element that is altered shall comply with this section and Sections 705 and 806.

906.2 Type B dwelling or sleeping units. Where four or more Group I-1, I-2, R-1, R-2, R-3 or R-4 dwelling or sleeping units are being altered ~~or added~~, the requirements of Section 1107 of the *International Building Code* for Type B units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of the spaces being altered ~~or added~~.

Change of Occupancy

1006.1 General. Accessibility in portions of buildings undergoing a *change of occupancy* classification shall comply with Section 1012.8.

1012.8 Accessibility. *Existing buildings* that undergo a change of group or occupancy classification shall comply with this section.

Exception: Type B dwelling or sleeping units required by Section 1107 of the *International Building Code* are not required to be provided in existing buildings and facilities undergoing a *change of occupancy* in conjunction with less than a Level 3 *alteration*.

Additions

1105.1 Minimum requirements. Accessibility provisions for new construction shall apply to additions. An addition that affects the accessibility to, or contains an area of, *primary function* shall comply with the requirements of Sections 705, 806 and 906, as applicable.

1105.2 ~~806.3~~ Accessible dwelling units and sleeping units. Where Group I-1, I-2, I-3, R-1, R-2 or R-4 dwelling or sleeping units are being added, the requirements of Section 1107 of the *International Building Code* for accessible units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of spaces being added.

1105.3 ~~806.4~~ Type A dwelling or sleeping units. Where more than 20 Group R-2 dwelling or sleeping units are being added, the requirements of Section 1107 of the *International Building Code* for Type A units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of the spaces being added.

1105.4 ~~806.5~~ Type B dwelling or sleeping units. Where four or more Group I-1, I-2, R-1, R-2, R-3 or R-4 dwelling or sleeping units are being added, the requirements of Section 1107 of the *International Building Code* for Type B units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of the spaces being added.

The ICC Board established the ICC Code Technology Committee (CTC) as the venue to discuss contemporary code issues in a committee setting which provides the necessary time and flexibility to allow for full participation and input by any interested party. The code issues are assigned to the CTC by the ICC Board as "areas of study". Information on the CTC, including: meeting agendas; minutes; reports; resource documents; presentations; and all other materials developed in conjunction with the CTC effort can be downloaded from the following website: <http://www.iccsafe.org/cs/CTC/Pages/default.aspx>. Since its inception in April/2005, the CTC has held twenty five meetings - all open to the public.

Cost Impact: This code change proposal will not increase the cost of construction.

906.2-EB-BALDASSARRA-CTC.doc

Committee Action Hearing Results

Committee Action:

Disapproved

Committee Reason: There was concern that moving these requirements to the chapter on additions would create a potential gap in the IEBC for Accessible, Type A and Type B dwelling and sleeping units.

Assembly Action:

None

Individual Consideration Agenda

This item is on the agenda for individual consideration because a public comment was submitted.

Public Comment:

Carl Baldassarra, ICC Code Technologies Committee, requests Approval as Submitted.

Commenter's Reason: The IEBC development committee felt that there was a possible gap in the requirements for accessible units. The CTC carefully reviewed the proposal to identify any gaps and found none. The CTC committee felt that this change would not create a gap in the provisions, but would clarify what happens with additions. Where units are added as part of an addition, should be addressed in the IEBC Chapter on additions, not in the chapter for Level 2 alterations. Section 1105.4 for Type B units is consistent with Fair Housing Requirements and is part of the safe harbor evaluation.

Dwelling and sleeping units added within a building as part of change of occupancy are alterations and will addressed in the current text in Level I for Accessible and Type A and Level III for Type B.

This is how the language would be related in the IEBC –

Level I Alterations

705.1 General. A *facility* that is altered shall comply with the applicable provisions in Sections 705.1.1 through 705.1.14, and Chapter 11 of the *International Building Code* unless it is *technically infeasible*. Where compliance with this section is *technically infeasible*, the alteration shall provide access to the maximum extent that is technically feasible. A *facility* that is constructed or altered to be accessible shall be maintained accessible during occupancy.

Exceptions:

1. The altered element or space is not required to be on an accessible route unless required by Section 705.2.
2. Accessible means of egress required by Chapter 10 of the *International Building Code* are not required to be provided in existing *facilities*.
3. Type B dwelling or sleeping units required by Section 1107 of the *International Building Code* are not required to be provided in existing *facilities* undergoing less than a Level 3 *alteration*.
4. The alteration to Type A individually owned dwelling units within a Group R-2 occupancy shall meet the provisions for Type B dwelling units.

705.1.8 Accessible dwelling or sleeping units. Where Group I-1, I-2, I-3, R-1, R-2 or R-4 dwelling or sleeping units are being altered, the requirements of Section 1107 of the *International Building Code* for accessible units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of the spaces being altered.

705.1.9 Type A dwelling or sleeping units. Where more than 20 Group R-2 dwelling or sleeping units are being altered, the requirements of Section 1107 of the *International Building Code* for Type A units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of the spaces being altered.

Level II Alterations

806.1 General. A building, *facility*, or element that is altered shall comply with this section and Section 705.

Level III Alterations

906.1 General. A building, *facility* or element that is altered shall comply with this section and Sections 705 and 806.

906.2 Type B dwelling or sleeping units. Where four or more Group I-1, I-2, R-1, R-2, R-3 or R-4 dwelling or sleeping units are being altered ~~or added~~, the requirements of Section 1107 of the *International Building Code* for Type B units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of the spaces being altered ~~or added~~.

Change of Occupancy

1006.1 General. Accessibility in portions of buildings undergoing a *change of occupancy* classification shall comply with Section 1012.8.

1012.8 Accessibility. *Existing buildings* that undergo a change of group or occupancy classification shall comply with this section.

Exception: Type B dwelling or sleeping units required by Section 1107 of the *International Building Code* are not required to be provided in existing buildings and facilities undergoing a *change of occupancy* in conjunction with less than a Level 3 alteration.

Additions

1105.1 Minimum requirements. Accessibility provisions for new construction shall apply to additions. An addition that affects the accessibility to, or contains an area of, *primary function* shall comply with the requirements of Sections 705, 806 and 906, as applicable.

1105.2 ~~806.3~~ Accessible dwelling units and sleeping units. Where Group I-1, I-2, I-3, R-1, R-2 or R-4 dwelling or sleeping units are being added, the requirements of Section 1107 of the *International Building Code* for accessible units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of spaces being added.

1105.3 ~~806.4~~ Type A dwelling or sleeping units. Where more than 20 Group R-2 dwelling or sleeping units are being added, the requirements of Section 1107 of the *International Building Code* for Type A units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of the spaces being added.

1105.4 ~~806.5~~ Type B dwelling or sleeping units. Where four or more Group I-1, I-2, R-1, R-2, R-3 or R-4 dwelling or sleeping units are being added, the requirements of Section 1107 of the *International Building Code* for Type B units and Chapter 9 of the *International Building Code* for visible alarms apply only to the quantity of the spaces being added.

EB43-13

Final Action: AS AM AMPC _____ D

F172-13

907.5.2.3.3 (IBC [F] 907.5.2.3.3)

Proposed Change as Submitted

Proponent: Carl Baldassarra, P.E., FSFPE, Chair, ICC Code Technology Committee
(cbaldassarra@RJAGroup.com)

Revise as follows:

907.5.2.3.3 (IBC [F] 907.5.2.3.3) Groups I-1 and R-1. Group I-1 and R-1 *dwelling units or sleeping units* in accordance with Table 907.5.2.3.3 shall be provided with a visible alarm notification ~~appliance~~ throughout the unit, activated by both the in-room smoke alarm and the building fire alarm system.

Reason: The revised language will clarify that within hotel rooms and assisted living units that visible alarms must provide full coverage.

The ICC Board established the ICC Code Technology Committee (CTC) as the venue to discuss contemporary code issues in a committee setting which provides the necessary time and flexibility to allow for full participation and input by any interested party. The code issues are assigned to the CTC by the ICC Board as "areas of study". Information on the CTC, including: meeting agendas; minutes; reports; resource documents; presentations; and all other materials developed in conjunction with the CTC effort can be downloaded from the following website: <http://www.iccsafe.org/cs/CTC/Pages/default.aspx>. Since its inception in April/2005, the CTC has held twenty five meetings - all open to the public.

Cost Impact: None

907.5.2.3.3-F-BALDASSARRA-CTC

Committee Action Hearing Results

Committee Action:

Disapproved

Committee Reason: The proposal was disapproved as the language "throughout the unit" was not specific enough. It was noted that ADA has specific requirements as to how you deal with the space and the proposal should coordinate with those requirements. Concerns specifically related to bathrooms and closets as to how they are to be addressed.

Assembly Action:

None

Individual Consideration Agenda

This item is on the agenda for individual consideration because a public comment was submitted.

Public Comment:

Carl Baldassarra, P.E., FSFPE, Chair, ICC Code Technology Committee, requests Approval as Modified by this Public Comment.

Replace the proposal as follows:

907.5.2.3.3 (IBC [F] 907.5.2.3.3) Groups I-1 and R-1. Group I-1 and R-1 *dwelling units* or *sleeping units* in accordance with Table 907.5.2.3.3 shall be provided with a visible alarm notification appliances, activated by both the in-room smoke alarm and the building fire alarm system. Visible alarm notification appliances shall be provided in all habitable spaces and bathrooms.

Reason: An opponent indicated that ADA and the IBC had different visible alarm requirements. While the 1994 ADA did have separate visible alarm requirements, the 2010 ADA references NFPA 72 for visible alarms.

All alarm systems are required to be installed in accordance with NFPA 72 by Section 907.2. The number of 'hearing impaired' rooms is specifically scoped in Table 907.5.2.3.3. It was not our intent to require visible alarms in closets, but rather in all habitable areas. In a hotel room bathroom, the door may be closed and a person would take out their hearing aid while bathing, so a visible alarm should also be provided in this space.

F172-13

Final Action: AS AM AMPC_____ D

RB177-13

R320.1, R320.1.1 (New)

Proposed Change as Submitted

Proponent: Carl Baldassarra, P.E., FSFPE, Chair, ICC Code Technology Committee
(cbaldassarra@rjagroup.com)

Revise as follows:

R320.1 Scope. Where there are four or more *dwelling units* or ~~*sleeping units*~~ in a single structure, the provisions of Chapter 11 of the *International Building Code* for Group R-3 shall apply.

R320.1.1 Guest rooms. A dwelling with guestrooms shall comply with the provisions of Chapter 11 of the *International Building Code* for Group R-3. For the purpose of applying the requirements of IBC chapter 11, *guestrooms* shall be considered sleeping units.

Exception: Lodging houses.

Reason: Residential and institutional occupancies with 6 or more residents are within the scope of the IRC only and cannot be constructed under the IRC. This is based on both the scope of the IRC and IBC. Scoping provisions of the IRC and IBC, and code provisions within the IBC permit some residential and institutional occupancies with 5 or fewer occupants to be constructed in accordance with the IRC as an alternative to compliance with the IBC. The IBC occupancies that allow use of the IRC for five or fewer guests are: Group R-3 lodging houses (see G40-13), lodging houses are also in the scope of the IRC in section 101.2 #2; section 308.3.1 for Group I-1 and 308.4.1 for Group I-2.

Per the 2010 ADA Standard for Accessible Design and the IBC 1103.2.11 owner occupied lodging houses with 5 or fewer guests are not required to be accessible. So compliance with the IRC works for this condition without causing any conflicts with the IBC. If the lodging house is not owner occupied or accommodates more than 5 guests the building is outside of the scope of the IRC and accessibility is addressed since the building will be constructed per the IBC.

The issue addressed by this code change is how to handle 2012 IBC Sections 308.3.1 for I-1 and 308.4.1 for I-2. These sections classify the building as Group R-3 or allow use of the IRC for these institutional uses that have 5 or fewer care recipients. If it is classified as Group R-3 then IBC section 1107.6.3 provides requirements for accessibility of the building. Clearly the intent of Section 1107.6.3 is that if you have 4 or 5 care recipients the "sleeping units" must be Type B (subject to Section 1107.7 exceptions). The problem is that IRC structures by scope and definition do not have sleeping units:

R101.2 Scope. The provisions of the *International Residential Code for One- and Two-family Dwellings* shall apply to the construction, *alteration*, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above *grade plane* in height with a separate means of egress and their *accessory structures*.

DWELLING. Any building that contains one or two *dwelling units* used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.

Adding the IBC definition of sleeping units to the IRC does not work because IBC sleeping units are not part of a dwelling unit. The current IBC definition of sleeping units states that "Such rooms and spaces that are also part of a dwelling unit are not sleeping units". Having a building constructed under the IRC that is not a dwelling unit, but a building with multiple sleeping units, is outside of the scope of the IRC.

Any of the Group I uses for 5 and under that are built to the IRC should have the same accessibility requirements as a Group R-3 constructed building. The IRC does not have sleeping units. Under the IRC such facilities are a dwelling unit with guest rooms. While the IRC contains a definition for guestroom, it is not clear on how the guestrooms should be counted for accessibility. Since the resident rooms are not sleeping units but guest rooms the current Section R320.1 does not require accessibility per Chapter 11 of the IBC for any IRC structures that have multiple guest rooms in one dwelling unit. The solution proposed here is to delete sleeping units from Section R320.1 to remove the confusion about the scope of sleeping units in the IRC and to add new Section R320.1.1 to address guestrooms. The statement that guestrooms shall be considered sleeping units for the purpose of applying IBC Chapter 11 is necessary because we cannot change the IBC language until the 2018 cycle. We plan to propose a more coordinated change for both the IBC and IRC to address this issue in the 2018 cycle. The exception for lodging houses is to maintain the exemption from accessibility requirements for lodging houses consistent with IBC Section 1103.2.11.

The ICC Board established the ICC Code Technology Committee (CTC) as the venue to discuss contemporary code issues in a committee setting which provides the necessary time and flexibility to allow for full participation and input by any interested party. The code issues are assigned to the CTC by the ICC Board as "areas of study". Information on the CTC, including: meeting agendas; minutes; reports; resource documents; presentations; and all other materials developed in conjunction with the CTC effort can be downloaded from the following website: <http://www.iccsafe.org/cs/CTC/Pages/default.aspx>. Since its inception in April/2005, the CTC has held twenty five meetings - all open to the public.

Cost Impact: None

R320.1-RB-BALDASSARRA

Committee Action Hearing Results

Committee Action:

Approved as Submitted

Committee Reason: The committee approved this code change proposal because they felt that it provided a useful pointer to the related provisions in the International Building Code.

Assembly Action:

None

Individual Consideration Agenda

ADAAG Coordination Public Comments – 09/03/13

Group B
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This item is on the agenda for individual consideration because a public comment was submitted.

Public Comment:

Carl Baldassarra, P.E., FSFPE, Chair, ICC Code Technology Committee and Steve Orłowski, representing National Association of Home Builders (NAHB), requests Approval as Modified by this Public Comment.

Modify the proposal as follows:

R320.1 Scope. Where there are four or more *dwelling* units in a single structure, the provisions of Chapter 11 of the *International Building Code* for Group R-3 shall apply.

R320.1.1 Guest rooms. A dwelling with guestrooms shall comply with the provisions of Chapter 11 of the *International Building Code* for Group R-3. For the purpose of applying the requirements of IBC chapter 11, *guestrooms* shall be considered sleeping units.

Exception: ~~Lodging houses.~~ Owner-occupied lodging houses with five or fewer guestrooms constructed in accordance with the *International Residential Code* are not required to be accessible.

Commenter's Reason: The original proposed language deals with townhouses and group homes/hotels separately. Unfortunately, with the passage of both RB177 and RB178, the result will be confusing. The proposed modification to the exception would do 3 things:

1. Include the more specific language for the exception in RB178
2. More closely align with IRC scoped for lodging houses (i.e., bed-n-breakfast), and
3. Would be consistent with the exemption IBC Group R-1 in Section 1103.2.11 (i.e., bed-n-breakfast).

The IRC scope now includes some small group homes, live/work units and bed-n-breakfast hotels. The 2012 IRC scope, Section 101.2, Exception 2, is limited to "Owner-occupied lodging houses with five or fewer guestrooms shall be permitted to be constructed in accordance with the IRC when equipped with a fire sprinkler system in accordance with Section P2904."

Guestrooms and lodging houses are defined in the IRC (see definitions below). Sleeping units are not defined in the IRC, but they are relevant to Fair Housing/Type B unit requirements.

Guestroom – Any room or rooms used or intended to be used by one or more guests for living or sleeping purposes.

Lodging House – A one-family dwelling, where one or more occupants are primarily permanent in nature, and rent is paid for guest rooms.

While some may not prefer to define sleeping rooms in group homes as guestrooms, with the current language, that is the best fit. The CTC will be looking at this next cycle to try and coordinate accessibility requirements and language between the IBC and IRC. They will also look at accessibility for live/work units.

This solution is supported by the proponents of both proposals, RB177 and RB178.

RB177-13

Final Action: AS AM AMPC___ D

RB178-13

R320.1

Proposed Change as Submitted

Proponent: Steve Orłowski, representing National Association of Home Builders (NAHB) (sorłowski@nahb.org)

Add new text as follows:

R320.1 Scope. Where there are four or more *dwelling* units or sleeping units in a single structure, the provisions of Chapter 11 of the *International Building Code* for Group R-3 shall apply.

Exception: Owner-occupied lodging houses with five or fewer guestrooms or sleeping units constructed in accordance with the *International Residential Code* are not required to be accessible.

Reason: Based on the action taken during the Group A Hearings, Lodging houses are now referenced in the IBC. It was noted during the hearings, that lodging houses with five or fewer guest rooms or sleeping units are not required to be accessible under the 2010 ADA Guidelines. This proposal simply clarifies that lodging houses are not subject to the provisions of Chapter 11 of the IBC if they contain five or fewer guest rooms or sleeping units.

Cost Impact: The code change proposal will not increase the cost of construction.

R320.1-RB-ORLOWSKI

Committee Action Hearing Results

Committee Action:

Approved as Modified

Modify proposal as follows:

R320.1 Scope. Where there are four or more *dwelling* units or ~~sleeping units~~ guestrooms in a single structure, the provisions of Chapter 11 of the *International Building Code* for Group R-3 shall apply.

Exception: Owner-occupied lodging houses with five or fewer guestrooms ~~or sleeping units~~ constructed in accordance with the *International Residential Code* are not required to be accessible.

Committee Reason: The committee approved this code change proposal because it clarifies when related provisions in the International Building Code are applicable. The committee modified this proposed code change because the term "sleeping units" is not used in the International Residential Code.

Assembly Action:

None

Individual Consideration Agenda

This item is on the agenda for individual consideration because a public comment was submitted.

Public Comment:

Carl Baldassarra, P.E., FSFPE, Chair, ICC Code Technology Committee and Steve Orlowski, representing National Association of Home Builders (NAHB), requests Disapproval.

Commenter's Reason: RB177 and RB178 were developed as options to address accessibility concerns with the scoping to the IRC for small bed-n-breakfast hotels. With both passing, the end result would add confusion in the code. For coordination/clarification, the public comment for RB 177 should be approved, and this change needs to be disapproved. This solution is supported by the proponents of both proposals.

RB178-13

Final Action:

AS

AM

AMPC____

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