

**INTERNATIONAL CODE COUNCIL (ICC)
Code Technology Committee (CTC)**

**INTERIM REPORT NO. 1 OF THE CTC
AREA OF STUDY – DAY CARE/ADULT CARE/ASSISTED LIVING**

**March 9, 2006
Wyndham O'Hare
Rosemont, IL**

The CTC held a public hearing to receive written and verbal comments regarding CTC recommendations for the ICC Board-approved area of study entitled Day Care/Adult Care/Assisted Living. This report includes the final interim recommendations for this area of study, approved by the CTC upon the conclusion of the public hearing on March 9, 2006. It should be noted that as an interim report, this does not complete this area of study. Other aspects of this area of study are still under investigation. The recommendations contained in this report will be forwarded to the ICC Chief Executive Officer in accordance with ICC Council Policy No. 5.

Scope: As noted in the CTC approved Scope & Objectives Statement, the scope of this activity is:

Study issues associated with Day Care/Adult Care and Assisted Living facilities with an emphasis on the number of occupants in relation to the supervision, and the determination of the resident's capability of responding to an emergency situation without physical assistance from the facility's supervision.

Recommendation: The CTC interim recommendation is to submit code changes to the 2006 International Building Code (IBC) and International Residential Code (IRC) in the 2006/2007 Cycle to address coordination issues in the codes (see Page 2). CTC recommends further study on this area of study.

Considerations:

- CTC notes that the inter-relationship of four key discriminators in the codes requires further investigation. The discriminators for the occupants receiving care are: Number of occupants; Age of occupants; Length of stay; Capability of occupants to respond to an emergency.
- CTC notes the use of inconsistent and undefined terms in the codes which warrants further investigation.
- CTC notes the need for coordination of occupancy classifications within the IBC and the need for coordinating text in the IRC.

1. Proposed change to the IBC:

SECTION 303 ASSEMBLY GROUP A

303.1 Assembly Group A. Assembly Group A occupancy includes, among others, the use of a building or structure, or a portion there-of, for the gathering of persons for purposes such as civic, social or religious functions; recreation, food or drink consumption; or awaiting transportation.

Exceptions:

No change

A-1

No change

A-2

No change

A-3 Assembly uses intended for worship, recreation or amusement and other assembly uses not classified elsewhere in Group A including, but not limited to:

Adult care facilities in accordance with Section 308.5.1

[Remainder unchanged]

SECTION 305 EDUCATIONAL GROUP E

305.2 Day Care Child Care Facility. The use of a building or structure, or portion thereof, for educational, supervision or personal care services for more than five children older than 2 ½ years of age for less than 24 hours, shall be classified as a Group E occupancy.

A child care facility that provides care for more than five but no more than 100 children 2 ½ years or less of age, for less than 24 hours, when the rooms where such children are cared for are located on the level of exit discharge and each of these child care rooms has an exit door directly to the exterior, shall be classified as a Group E occupancy.

308.5.2 Child care facility. A facility that provides supervision and personal care on less than a 24-hour basis for more than five children 2 ½ years of age or less shall be classified as Group I-4

Exception: A child day care facility ~~that provides care for more than five but no more than 100 children 2 ½ years or less of age, when the rooms where such children are cared for are located on the level of exit discharge and each of these child care rooms has an exit door directly to the exterior,~~ in accordance with Section 305.2 shall be classified as Group E

The following IBC sections are provided for reference:

308.5 Group I-4, day care facilities. This group shall include buildings and structures occupied by persons of any age who receive custodial care for less than 24 hours by individuals other than parents or guardians, relatives by blood, marriage or adoption, and in a place other than the home of the person cared for. A facility such as above with five or fewer persons shall be classified as a Group R-3 or shall comply with the *International Residential Code* in accordance with Section 101.2. Places of worship during religious functions are not included.

308.5.1 Adult care facility. A facility that provides accommodations for less than 24 hours for more than five unrelated adults and provides supervision and personal care services shall be classified as Group I-4.

Exception: A facility where occupants are capable of responding to an emergency situation without physical assistance from the staff shall be classified as Group A-3

SECTION 310 RESIDENTIAL GROUP R

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

Buildings that do not contain more than two dwelling units.

Adult facilities that provide accommodations for five or fewer persons of any age for less than 24 hours.

Child care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours.

Congregate living facilities with 16 or fewer persons

Adult and child care facilities that are within a single family home are permitted to comply with the International Residential Code.

R-4 Residential occupancies shall include buildings arranged for occupancy as residential care/assisted living facilities including more than five but not more than 16 occupants, excluding staff.

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code, or shall comply with the International Residential Code.

2. Proposed changes to the IRC:

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 in height above grade with a separate means of egress and their accessory structures.

R101.2.1 Care facilities. Where permitted in accordance with the International Building Code, the provisions of the International Residential Code shall be permitted to apply to adult care facilities, child care facilities and residential care/assisted living facilities as defined in the International Building Code.

Reason for changes to the IBC and IRC:

IBC 303.1: Coordination with the exception to Section 308.5.1 which states that adult care facilities where the occupants are capable of responding to an emergency are considered Group A-3.

IBC 305.2 & 308.5.2: Coordination with the exception to Section 308.5.2 for child care facilities. Where these spaces have a door leading directly outside, the spaces are to be considered Group E.

IRC R101.2.1: In Section 310.1, under R-3, both the 2003 and 2006 editions of the IBC permit adult and child care facilities within a single family home to comply with the IRC. This effectively provides for a limited change in scope to the IRC and should be acknowledged within the IRC. A reference to the IBC, in lieu of specific text in the IRC describing such facilities, will allow for subsequent changes to the requirements in the IBC without a correlative change to the IRC as the IRC refers to the IBC for the applicable requirements.