**Code Amendment Proposal Form**

For public amendments proposed to the 2018 editions of the International Codes

**Instructions:** Upload this form and all accompanying documentation at [www.denvergov.org/BuildingCode](http://www.denvergov.org/BuildingCode). If you are submitting your proposal on a separate sheet, make sure it includes all information requested below.

All proposals must be received by **April 26, 2019**.

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By signing below, I hereby grant and assign to City and County of Denver all rights in copyright I may have in any authorship contributions I make to City and County of Denver in connection with this proposal. I understand that I will have no rights in any City and County of Denver publications that use such contributions in the form submitted by me or another similar form and certify that such contributions are not protected by the copyright of any other person or entity.

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**AMENDMENT PROPOSAL**

Please use a separate form for each proposal.

1) Code(s) associated with this proposal. Please use acronym: **IRC**

If you submitted a separate coordination change to another code, please indicate which code:

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Code Name</th>
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<tbody>
<tr>
<td>DBC-xxxx</td>
<td>Denver Building Code–xxxx (code) amendments (e.g., DBC-IBC, DBC-IEBC)</td>
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<tr>
<td>IBC</td>
<td>International Building Code</td>
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<td>IEBC</td>
<td>International Existing Building Code</td>
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<td>IECC</td>
<td>International Energy Conservation Code (IECC)</td>
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2) Please check here if a separate graphic file is provided: ☐

*Graphics may also be embedded within your proposal below.*

3) Use this template to submit your proposal or attach a separate file, but please include all items requested below in your proposal. The only formatting needed is **BOLDING, STRIKETHROUGH AND UNDERLINING**. Please do not provide additional formatting such as tabs, columns, etc., as this will be done by CPD.

**Code Sections/Tables/Figures Proposed for Revision:**

**Note:** If the proposal is for a new section, indicate (new).

**Proposal:**

Adds a new exception to the list of exceptions in Section R101.2 Scope as follows:

The provisions of this code 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 no more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height.

**Exceptions:**
1. The following shall be permitted to be constructed in accordance with this code where provided with an interconnected smoke detection system:
   a. A detached one- and two-family dwelling or townhouse not more than three stories above grade plane with five or fewer bedrooms and no more than 5 total unrelated occupants where the residents are nontransient in nature and whose occupants have access to the entire one- and two-family dwelling or townhouse.

2. The following shall be permitted to be constructed in accordance with this code where provided with a residential fire sprinkler system complying with Section P2904:
   a. Live/work units located in townhouses and complying with the requirements of Section 419 of the International Building Code.
   b. Owner-occupied lodging houses with five or fewer guestrooms.
   c. A care facility with five or fewer persons receiving custodial care within a dwelling unit.
   d. A care facility with five or fewer persons receiving medical care within a dwelling unit.
   e. A care facility for five or fewer persons receiving care that are within a single-family dwelling.

Note: Show the proposal using strikeout, underline format. At the start of each section, give one of the following instructions:
- Revise as follows:
- Add new text as follows:
- Delete and substitute as follows:
- Delete without substitution:

Supporting Information:

Purpose:
The intent of this proposal is to add clarity to the applicability to the International Residential Code (IRC) in situations when a group of non-related people are choosing to live together in what has traditionally been considered a single-family home.

Reasons:
While the word “family” is used in the name of the International Residential Code, the concept of “family” is not as integral to administration and enforcement of the International Residential Code as it is to the operation of local zoning laws. The term “family” is almost always used as part of the phrase “one- or two-family dwellings” or “townhouse” (defined as a single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof and with a yard or public way on not less than two sides). The term “dwelling unit” is defined in the IRC.

For the purposes of the International Residential Code, a “dwelling unit” is a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation (as defined in IRC Chapter 2). This reflects the fact that the relationship, if any, between or among those persons has no bearing on the building construction and fire safety concerns sought to be addressed by the International Residential Code since there is no reference to how the one or more persons are related or not.

Substantiation:
Per the commentary in the 2018 International Building Code regarding the R-2 occupancy classification, it states the following:
The intent of the congregate living facility reference is to better define when a congregate living facility is operating as a single-family home. Blended families are now commonplace and not necessarily defined strictly by blood or marriage. Small boarding houses, convents, dormitories, fraternities, sororities and monasteries may be small enough to operate as a single-family unit and would be permitted to be constructed as Group R-3 occupancies as intended by the code. The threshold of 16 persons is consistent with the results of the most recent census, which showed that 98 percent of households in the U.S. that identified themselves as a single family have less than 16 occupants. The 16-occupant limit is also consistent with the limits of an NFPA 13D sprinkler system.

A lodging house with five or fewer guest rooms AND 10 or fewer total occupants can be classified as a Group R-3 occupancy or, under IBC Section 310.4.2, can be constructed under the provisions of the IRC. The definition of lodging house allows the rental of guest rooms to transients, provided that there are one or more occupants who are permanent in nature. While Section 310.4.2 requires owner occupancy of the dwelling unit in order for it to be built in compliance with the IRC, there is no owner occupancy requirement for lodging houses that are established in compliance with the Group R-3 requirements.
This proposal is an attempt to clarify that there is an occupancy type between lodging house and congregate living facility that can and should be regulated under the IRC so long as tenants are nontransient in nature, and have access to the full dwelling unit for their use. Given concerns from the Denver Fire Department on the size of crews that are sent in response to emergency calls, an occupancy limit is being placed on the total number of unrelated persons that can occupy a dwelling unit constructed under the IRC.

As Denver does not require the installation of a fire sprinkler system in most building types built under the IRC, but to address the safety concern of unrelated people living together that has been expressed by Denver Building and Fire Department staff, this proposal will require installation of an interconnected smoke detection system in IRC constructed one- and two-family dwellings and townhouses when the dwelling is used by unrelated nontransient people. This means that if a smoke detector goes off in one room, all of the smoke detectors will go off giving all occupants an equal chance to escape.

Bibliography:
Attached is the commentary provision from the 2018 IBC regarding R-2 and R-3 occupancies, as well as the 2018 IRC commentary for Section R101.

Note: This section MUST include these items:
- **Purpose**: State the purpose of the proposed amendment to physical, environmental and customary characteristics that are specific to the City and County of Denver (e.g., clarify the code; revise outdated material; substitute new or revised material for physical, environmental and customary characteristics; add new requirements to the code; delete current requirements, etc. to reflect physical, environmental and customary characteristics that are specific to the City and County of Denver)
- **Reasons**: Clearly justify the change to current code provisions, stating why the proposal is necessary to reflect physical, environmental and customary characteristics that are specific to the City and County of Denver. Proposals that add or delete requirements shall be supported by a logical explanation that clearly shows why the current code does not reflect physical, environmental and customary characteristics that are specific to the City and County of Denver and explains how such proposal will improve the code.
- **Substantiation**: Substantiate the proposed amendment based on technical information and substantiation. Substantiation provided which is reviewed and determined as not germane to the technical issues addressed in the proposed amendment shall be identified as such.
- **Bibliography**: Include a bibliography when substantiating material is associated with the amendment proposal. The proponent shall make the substantiating materials available for review.

Referenced Standards:

n/a

Note: List any new referenced standards that are proposed to be referenced in the code.

Impact:

This proposal will require that existing IRC constructed structures being used to provide housing for up to five unrelated people have an interconnected smoke detection system installed. This will have a financial impact to Denver homeowner’s but ensure the safety of its occupants. New one- and two-family dwellings and townhouses constructed under the IRC must already meet this requirement.

Note: Discuss the impact of this proposal in this section AND indicate the impact of this amendment proposal for each of the following:
- The effect of the proposal on the cost of construction: □ Increase □ Reduce ☒ No Effect
- The effect of the proposal on the cost of design: □ Increase □ Reduce ☒ No Effect
- Is the proposal more or less restrictive than the I-codes: □ More ☒ Less □ Same

Departmental Impact: (To be filled out by CPD staff)

Note: CITY STAFF ONLY. Discuss the impact of this proposal in this section AND indicate the impact of this amendment proposal for each of the following:
- The effect of the proposal on the cost of review: □ Increase □ Reduce □ No Effect
• The effect of the proposal on the cost of enforcement/inspection:  □ Increase  □ Reduce  □ No Effect
development is the construction of "extended-stay hotels." While these units may have all of the characteristics of a typical dwelling unit (i.e., cooking, living, sleeping, eating, sanitation), the length of stay is still typically not more than 30 days. As such, these buildings would still be classified as Group R-1. If the length of stay is more than 30 days, these buildings would be classified as Group R-2. If a hotel offers rooms for short-term housing (i.e., more than 30 days), the facility must comply with the provisions for both Groups R-1 and R-2 (see Section 302.1).

Other occupancies are often found in buildings classified in Group R-1. These occupancies include nightclubs (Group A-2), restaurants (Group A-2), gift shops (Group M), business offices (Group B), health clubs (Group A-3) and storage facilities (Group S-1). When this occurs, the building is a mixed occupancy and is subject to the provisions of Section 508.

Transient congregate living facilities and boarding houses with 10 or fewer occupants can be constructed to the standards of Group R-3 occupancies rather than the general category of Group R-1. The primary intent of this provision is to permit bed-and-breakfast-type facilities to be established in existing single-family (one-family) structures. In comparison to the provision under Group R-2, which permits congregate living facilities with fewer than 16 nontransient occupants to be built as a Group R-3, the Group R-3 “transient” facility is limited to 10 or fewer occupants in reflection of the nonfamiliarity of guests with the building and its evacuation routes.

See Section 310.4.2 for lodging houses with five or fewer rooms to rent. While these are transient in nature, these bed-and-breakfast-type facilities are specifically listed under Group R-3.

310.3 Residential Group R-2. Residential Group R-2 occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature, including:

- Apartment houses
- Congregate living facilities (nontransient) with more than 16 occupants
- Boarding houses (nontransient)
- Convents
- Dormitories
- Fraternities and sororities
- Monasteries
- Hotels (nontransient)
- Live/work units
- Motels (nontransient)
- Vacation timeshare properties

The length of the occupants' stay plus the arrangement of the facilities provided are the basic factors that differentiate occupancies classified in Group R-2 from other occupancies in Group R. The occupants of facilities or areas classified in Group R-2 are primarily nontransient, capable of self-preservation and share their means of egress in whole or in part with other occupants outside of their sleeping unit or dwelling unit. Building types ordinarily classified in Group R-2 include apartments, nontransient hotels and motels and different types of nontransient congregate living facilities, such as boarding houses, convents, dormitories, sororities and fraternities where there are more than 16 occupants [see Commentary Figures 310.3(1) and 310.3(2)].

Individual dwelling units in Group R-2 are either rented by tenants or owned by the occupants. The code does not make a distinction between either type of tenancy. Residential condominiums are treated in the code the same as Group R-2 apartments. Such condominiums are based on shared ownership of a building and related facilities. While an individual owner will have exclusive rights to a certain unit, the building, the lot the building sits on, parking, common recreational facilities and similar features are owned in common by all the owners of individual dwelling units. In most cases, condominiums do not establish separate lots and the walls between units are not sitting on lot lines. Another type of shared ownership is referred to as a "co-op," short for co-operative.

Occasionally a condominium will establish actual lots and lot lines distinguishing individual ownership. When the dwelling unit is located on a separate parcel of land, lot lines defining the parcel exist and the requirements for fire separation must be met.

A dwelling unit is defined in Section 202, and includes independent facilities for cooking, sleeping,
eating and sanitation. Examples of sleeping units in Group R-2 occupancy could be a bedroom in a congregate living facility, boarding house, fraternity or sorority. The bedrooms provide independent provision for sleeping, but the living, kitchen and sanitation facilities are shared. The new style of dormitory in colleges consists of two, three or four bedrooms with one or two single occupant bathrooms and a shared living space. These facilities are considered a sleeping unit. Only where there are full cooking and eating facilities (i.e., kitchen with a range) within the unit, is the unit considered a dwelling unit. The two-, three- or four-bedroom units operate similar to an apartment. Considering this group of rooms as a sleeping unit clarifies the separation requirements of Section 420. It allows for rated separations to be provided between groups of rooms to be separated from adjoining groups of rooms, but does not require individual bedrooms to be separated from the associated living room or bathrooms. This also clarifies that only the main corridors have fire alarms, and smoke detectors can be within the unit. With the previous definition, it was not clear if the living and sanitation areas were considered part of the unit or an extension of the main corridor. Due to how universities administer dormitory assignments, the accessibility provisions in Section 1107 specify that bedrooms within sleeping units are counted separately for the purpose of determining the number of Accessible bedrooms required.

When college classes are not in session, the sleeping units in dormitories are sometimes rented out for periods of less than 30 days to convention attendees and other visitors. When dormitories undergo this type of transient use, they more closely resemble Group R-1 and must comply with both Group, R-1 and R-2 requirements.

Buildings containing dormitories often contain other occupancies, such as cafeterias or dining rooms (Group A-2), recreation rooms (Group A-3), offices (Group B) and study and meeting rooms (Group A-3). When this occurs, the building is considered a mixed occupancy and is subject to the provisions of Section 508 [see Commentary Figure 310.3(2)].

Included in the listing of Group R-2 are live/work units. A live/work unit is a dwelling unit in which a significant portion of the space includes a nonresidential use operated by the tenant. Reflecting a growing
trend in urban neighborhoods and the reuse of existing buildings, live/work units must comply with the provisions of Section 419.

The intent of the congregate living facility reference is to better define when a congregate living facility is operating as a single-family home. Blended families are now commonplace and not necessarily defined strictly by blood or marriage. Small boarding houses, convents, dormitories, fraternities, sororities and monasteries may be small enough to operate as a single-family unit and would be permitted to be constructed as Group R-3 occupancies as intended by the code. The threshold of 16 persons is consistent with the results of the most recent census, which showed that 98 percent of households in the U.S. that identified themselves as a single family have less than 16 occupants. The 16-occupant limit is also consistent with the limits of an NFPA 13D sprinkler system.

310.4 Residential Group R-3. Residential Group R-3 occupancies 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
- Care facilities that provide accommodations for five or fewer persons receiving care

Congregate living facilities (transient) with 10 or fewer occupants

- Boarding houses (transient)
- Lodging houses (transient) with five or fewer guest rooms and 10 or fewer occupants

- Group R-3 facilities include all detached one- and two-family dwellings and multiple (three or more) single-family dwellings (townhouses) more than three stories in height. Those buildings three or less stories in height are not classified as Group R-3 and are regulated by the IRC. Each pair of dwelling units in multiple single-family dwellings greater than three stories in height must be separated by fire walls (see Section 706) or by two exterior walls (see Table 602) in order to be classified as Group R-3. (Duplexes, buildings with two dwelling units, must be detached from other structures in order to be regulated by the IRC.) A duplex attached to another duplex would be required to comply with this code and be classified as Group R-2 or R-3, depending on the presence of fire walls.

- Buildings that are classified as Group R-3, while limited in height, are not limited in the allowable area as indicated in Table 506.2.

- Buildings that are one- and two-family dwellings and multiple single-family dwellings less than three stories in height and that contain another occupancy (e.g., Groups B, M, I-4) must be regulated as a mixed occupancy in accordance with this code and are not permitted to be regulated by the provisions of the IRC [see Commentary Figures 310.4(1) and 310.4(2)]. However, some mixed-use dwelling units may qualify as live/work units under Section 419 and be classified.

![Diagram of a mixed-occupancy building]

**Commentary Figure 310.4(1)**

GROUP R-3—MIXED-OCCUPANCY BUILDING

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2018 IBC® CODE and COMMENTARY

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as a Group R-2 occupancy.

In addition, congregate living facilities with no more than 16 nontransient occupants or no more than 10 transient occupants are to be classified as Group R-3.

Group R-3 occupancies include small care facilities where care is provided to five or fewer persons. The intent is to allow persons to be cared for in a residential, or home, environment, often by family members, in a manner that is typical within a single-family-type home. Allowances for the Group R-3 classification of smaller care facilities are established in Sections 305.2.3 (Group E), 308.2.4 (Group I-1), 308.3.2 (Group I-2) and 308.5.4 (Group I-4). Because the intent is to accommodate persons who might otherwise be in other group occupancies including Group I-2, the Group R-3 care facility is not limited to just persons who are capable of self-preservation. The only limit is the number receiving care, not the total number of occupants in the dwelling unit. If two people are receiving care, and the rest of the family is four people, the total of six occupants of the dwelling does not move this out of being a Group R-3 occupancy. See also Section 310.4.1.

A lodging house with five or fewer guest rooms AND 10 or fewer total occupants can be classified as a Group R-3 occupancy or, under Section 310.4.2, can be constructed under the provisions of the IRC. The definition of lodging house allows the rental of guest rooms to transients, provided that there are one or more occupants who are permanent in nature. While Section 310.4.2 requires owner occupancy of the dwelling unit in order for it to be built in compliance with the IRC, there is no owner occupancy requirement for lodging houses that are established in compliance with the Group R-3 requirements. The broad intent of the lodging house provisions is to allow bed-and-breakfast and similar facilities under the Group R-3 category even though transient housing generally falls under the Group R-1 classification.

There is a double limit of both the number of guest rooms and the number of occupants. Under Section 310.4.2, which requires the owner to be in occupancy, the owner and the owner’s family in residence will count toward the total number of occupants. Under the R-3 occupancy, owner occupancy is not required, but by definition at least one occupant must be permanent in nature. Again, any permanent residents will count toward the total allowed occupant limit.

### 310.4.1 Care facilities within a dwelling

Care facilities for five or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the International Residential Code provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3 or Section P2904 of the International Residential Code.

#### Section 310.4 already states that care facilities that accommodate five or fewer persons receiving care can be classified as a Group R-3 occupancy. Sections 305.2.3 (Group E), 308.2.4 (Group I-1), 308.3.2 (Group I-2) and 308.5.4 (Group I-4) each state the option of providing the care of five or fewer persons within a structure regulated under the IRC. The intent is to allow persons to be cared for in a residential, or home, environment, often by family members, in a manner that is typical within a single-family-type home. As stated for those care facilities allowed within the R-3 occupancy, the persons receiving care in a building designed according to the IRC are not limited to those who are capable of self-preservation. Similar to Sections 308.2.4 and 308.3.2, this section specifies that any such IRC-regulated facility be provided with a sprinkler system.
310.4.2 Lodging houses. Owner-occupied lodging houses with five or fewer guest rooms and 10 or fewer total occupants shall be permitted to be constructed in accordance with the International Residential Code.

This section allows bed-and-breakfast type hotels that are both owner occupied and have five or fewer rooms to rent to be constructed under the IRC. In addition, there is also a maximum of 10 occupants permitted. See commentary for Section 310.4.

310.5 Residential Group R-4. Residential Group R-4 occupancy shall include buildings, structures or portions thereof for more than five but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive custodial care. Buildings of Group R-4 shall be classified as one of the occupancy conditions specified in Section 310.5.1 or 310.5.2. This group shall include, but not be limited to, the following:

- Alcohol and drug centers
- Assisted living facilities
- Congregate care facilities
- Group homes
- Halfway houses
- Residential board and care facilities
- Social rehabilitation facilities

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code.

Where five to 16 residents live in a supervised environment and receive custodial care, such a facility is classified as Group R-4. Ninety-eight percent of households in the U.S. that identified themselves as a single-family household have less than 16 occupants. The 16-occupant limit is also consistent with the limits of an NFPA 13D sprinkler system. Thus, the limit of 16 residents was established as an appropriate limit, considering that this facility will operate similarly to a single-family home. Under federal housing laws regarding nondiscrimination, families cannot be determined by blood or marriage. If a Group R-4 occupancy is expanded or allowed to have more than 16 care recipients, the facility needs to be reclassified as a Group I-1 occupancy. The number of persons used in the determination includes those who receive care but do not include staff.

Similar to Group I-1, a Group R-4 occupancy is also one of two "conditions." In a Condition 1 facility, care recipients may be slower during evacuation but are capable of self-preservation. In a Condition 2 facility, care recipients may require limited assistance with evacuation during emergency situations. See the commentary in Section 308.2 for Group I-1 for a further detailed explanation of both Groups I-1 and R-4 custodial care occupancies. Also see Section 202 Definitions, "Custodial care."

Group R-4 facilities must satisfy the construction requirements of Group R-3. Facilities with five or fewer persons receiving care will be either a Group R-3 occupancy (see Section 310.4), or can be built under the IRC (see Section 310.4.1).

310.5.1 Condition 1. This occupancy condition shall include buildings in which all persons receiving custodial care, without any assistance, are capable of responding to an emergency situation to complete building evacuation.

See the commentary to Section 310.5.

310.5.2 Condition 2. This occupancy condition shall include buildings in which there are any persons receiving custodial care who require limited verbal or physical assistance while responding to an emergency situation to complete building evacuation.

See the commentary to Section 310.5.

SECTION 311
STORAGE GROUP S

311.1 Storage Group S. Storage Group S occupancy includes, among others, the use of a building or structure, or a portion thereof, for storage that is not classified as a hazardous occupancy.

This section requires that all structures (or parts thereof) designed or occupied for the storage of moderate- and low-hazard materials are to be classified in either Group S-1 (moderate hazard) or S-2 (low hazard).

Life safety problems in structures used for storage of moderate- and low-hazard materials are minimal because the number of people involved in a storage operation is usually small and normal work patterns require occupants to be dispersed throughout the facility.

Problems of fire safety, particularly as they relate to the protection of stored contents, are directly associated with the amount and combustibility of the materials (including packaging) that are housed on the premises.

Storage facilities typically contain significant amounts of combustible or noncombustible materials that are kept in a common area. Because of the combustion, flammability or explosive characteristics of certain materials (see Section 307), a structure or portion thereof that is used to store high-hazard materials exceeding the maximum allowable quantities (MAQ), or that does not meet one of the identified uses in Section 307.1.1, cannot be classified as Group S. Such a structure is to be classified as Group H, high-hazard use, and is to comply with Section 307.

Hazardous materials may be located in Group S occupancy buildings, provided the amount of materials in each control area does not exceed the MAQ specified in Tables 307.1(1) and 307.1(2). Control areas must comply with Section 414. Storage occupancies consist of two basic types: Groups S-1 and S-2, which are based on the properties of the materials being stored. The distinction between Groups S-1 and S-2 is similar to that between Groups F-1 and F-2, as outlined in Section 306.
A building code, as with any other code, is intended to be adopted as a legally enforceable document to provide a reasonable level of safety and protection of public health, general welfare and property. A building code cannot be effective without adequate provisions for its administration and enforcement. The official charged with the administration and enforcement of building regulations has a great responsibility, and with this responsibility goes authority. No matter how detailed the building code may be, the building official must, to some extent, exercise his or her own judgment in determining code compliance. The building official has the responsibility to establish that the homes in which the citizens of the community reside are designed and constructed to be structurally stable with adequate means of egress, light and ventilation, and to provide a minimum acceptable level of protection to life and property from fire.

Chapter 1 contains two parts. Part 1, Scope and Application, contains all issues related to the scope and intent of the code, as well as the applicability of this code relative to other standards and laws that might also be applicable on a given building project, such as federal or state. Part 2, Administration and Enforcement, contains all issues related to the duties and powers of the building official, the issuance of permits and certificates of occupancy, and other related operational items.

PART 1—SCOPE AND APPLICATION

SECTION R101

GENERAL

R101.1 Title. These provisions shall be known as the Residential Code for One- and Two-family Dwellings of [NAME OF JURISDICTION], and shall be cited as such and will be referred to herein as "this code."

The code is formally known as the International Residential Code® (IRC®) for One- and Two-family Dwellings, generally referred to as the International Residential Code or IRC for short. On adoption by the jurisdiction, it is known as the Residential Code for One- and Two-family Dwellings of the adopting jurisdiction, and in the document is often referred to as "the code." It is offered for adoption as a model document of prescriptive provisions to jurisdictions as a stand-alone residential code that establishes minimum regulations for one- and two-family dwellings and townhouses. The forum under which the code is developed encourages consistency of application of its provisions, and it is offered ready for adoption by all communities, large and small, internationally.

The purpose of this section is to identify the adopted regulations by inserting the name of the adopting jurisdiction into the code.

R101.2 Scope. The provisions of this code 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 not more than three stories above grade plane in height.

Exception: The following shall be permitted to be constructed in accordance with this code where provided with a residential fire sprinkler system complying with Section P2904:

1. Live/work units located in townhouses and complying with the requirements of Section 419 of the International Building Code.

2. Owner-occupied lodging houses with five or fewer guestrooms.

3. A care facility with five or fewer persons receiving custodial care within a dwelling unit.

4. A care facility with five or fewer persons receiving medical care within a dwelling unit.

5. A care facility for five or fewer persons receiving care that are within a single-family dwelling.

The provisions of the code apply to all aspects of construction for detached one- and two-family dwellings; multiple single-family dwellings, defined as townhouses; and all structures accessory to the dwellings and townhouses. This section sets a limitation in its scope of application to include only those townhouses, one- and two-family dwellings, as well as the accessory structures to such townhouses and dwellings, that are up to and including those stories above grade and where a separate means of egress is provided for each of the dwelling units. The definition of townhouse covered in the code must meet four criteria:

1. It is not more than three stories in height.
2. It has a separate means of egress.
3. Each unit extends from foundation to roof.
4. There is open space on at least two sides.

Where a dwelling or townhouse exceeds the allowed height in stories, does not provide individual egress for each dwelling unit or does not conform to the prescriptive provisions of the code, the structures are then beyond the scope of the code and the provisions of the code cannot be applied. The building must then meet the provisions of the International Building Code® (IBC®) or other legally adopted building code of the jurisdiction. The actual height of the building, measured in feet and applied to the height of each story, is limited by the governing provisions for each specific material as found in Chapter 6 of the code. The user of the code will discover that, depending on which material is selected for the wall construction, the result may be buildings of different heights.
permitted heights. For instance, where the wall system is of insulating concrete form construction as prescribed in Section R610, the building is limited to two stories above grade and each story is limited to 10 feet (3048 mm) in height. If wood stud wall framing is used pursuant to the requirements of Section R602, the allowable story height and overall building height will greatly exceed those permitted for the insulating concrete form wall construction method. The code does not limit the area of the building.

The provisions address all aspects of construction, alterations, repairs, maintenance, change of use, additions, relocation, or demolishing for any one-family dwelling, two-family dwelling, townhouse or accessory structure. The code regulates any and all activities that modify the buildings, as well as any structures that are of incidental use to the main buildings and that are also located on the same lot. The code regulates construction, plumbing, mechanical, electrical, equipment, fixture and gas piping installations that are done to the building and its operating systems, as well as to other structures incidental to the main building and on the same lot. Even work that is specifically exempted from permits must comply with the requirements of the code.

Five exceptions are provided that allow various types of facilities to be constructed under the IRC that would otherwise typically fall under the scope of the IBC. This is coordinated with the options for these facilities in IBC Chapter 3. Each of the exceptions requires that the building be sprinklered with a system that complies with Section P2904.

Exception 1 addresses live/work units that are designed to comply with Section 419 of the IBC and are equipped with an automatic sprinkler system complying with Section P2904. As stated in Section 419 of the IBC, a live/work unit is an option for a dwelling unit in which a significant portion (i.e., up to 50 percent) includes a nonresidential use such as an office, a hair styling shop, or barbershop or small store. Section 419 of the IBC states that if the nonresidential portion of the building is an office that comprises less than 10 percent of the building area, the unit is not considered a live/work unit and does not need to be made to comply with the provisions of Section 419 of the IBC. Section 419 of the IBC also includes requirements for maximum size, means of egress, loading, accessibility, ventilation and plumbing.

Exception 2 allows small bed and breakfasts to be constructed according to the code. A definition of “lodging house” is included in Chapter 2 to generally encompass rental lodging for five or fewer guests within a single-family home, distinct from hotels and boarding houses.

Exceptions 3, 4 and 5 allow the following types of sprinklered care facilities for five persons or fewer to be constructed according to the code, respectively:

- Facilities that provide custodial care in a dwelling unit.
- Facilities that provide medical care in a dwelling unit.
- Facilities that provide custodial or medical care in a single-family dwelling.

The Fair Housing Act does not allow for families to be determined by blood or marriage; that is considered discriminatory. Most states start licensure laws for care facilities at six or more residents. These exceptions are intended to allow for small care facilities to be constructed under the code, thus allowing for persons, including a friend, family member or foster children, to be cared for in a single-family home.

R101.3 Intent. The purpose of this code is to establish minimum requirements to safeguard the public safety, health and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment, and to provide safety to fire fighters and emergency responders during emergency operations.

- The code is intended to establish regulations providing for the safety, health and general welfare of building occupants, as well as for fire fighters and emergency responders during building emergencies. The intent becomes important in the application of such sections as Sections R102, R104.11 and R113, as well as any enforcement-oriented interpretive action or judgment. Like any code, the written text is subject to interpretation. Interpretations should not be affected by economics or the potential impact on any party. The only considerations should be the safety, health and welfare of occupants and emergency responder safety.

SECTION R102
APPLICABILITY

R102.1 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

- In cases where the code establishes a specific requirement for a certain condition, that requirement is applicable even if it is less restrictive than a general requirement elsewhere in the code.

The following example illustrates the principle: Section R311.7 applies to all stairway types within the purview of the code. Section R311.7.5.1 limits the maximum height of risers to 7 1/2 inches (196 mm), thus providing a general requirement for stairway riser height. Section R311.7.10.1 allows risers within a spiral stairway to a maximum height of 9 1/2 inches (241 mm). This provision is specific to spiral stairways. In this case, the specific requirements of Section R311.7.10.1 take precedence over the general requirements of Section R311.7.5.1 in those applications specific to spiral stairways.