



Washington State Building Code Council

Improving the built environment by promoting health, safety and welfare

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STATE BUILDING CODE OPINION NO. 22-03

- CODE:** 2018 International Building Code
2018 International Fire Code
- SECTION:** 104, Duties and Powers of the Building/Fire Code Official
- QUESTION:** Can an authority having jurisdiction use Section 104 of the 2018 International Building Code and the 2018 International Fire Code for guidance to evaluate proposed modifications and alternate methods for Institutional Group I Occupancies having more than five but not more than 16 persons, excluding staff, to meet the requirements as a 2018 International Building Code Section 310.5 Residential Group R-4 Occupancy?
- BACKGROUND:** In 1993, the R-4 occupancy designation was replaced with Licensed Care Occupancies in the adopted Washington State Uniform Codes. In the 2006 International version of the Codes, Washington removed Licensed Care Occupancies and distributed those facilities to the appropriate I and R occupancies classifications, while continuing to strike the not needed R-4 occupancy classification. The ICC model codes have evolved to include an enhanced building science model for the R-4 designation that includes mitigations for both active and passive fire and life safety systems.
- ANSWER:** **Yes, Section 104 of the 2018 International Building Code and Fire Code, allows the Building Official or Fire Code Official to evaluate for the use of proposed modifications or alternative methods for Institutional Group I occupancies to be constructed as a Residential Group R-4 occupancies.**
- The Building Official or Fire Code Official is permitted to grant approval of the proposal only when Building Official or Fire Code Official determines, the modification is in compliance with the intent and purpose of the Code and does not lessen the health, accessibility, life and fire safety or structural requirements, and/or the alternative method meets all the criteria outline in Section 104.11 of the International Building Code.**
- SUPERSEDES:** None
- REQUESTED BY:** Department of Health, Construction Review Services