

Code Question: Expert Staff Opinions

International Building Code
Chapter 3—Use and Occupancy Classification

SECTION 310.1
IBC Interpretation No. 50-07
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Q: In accordance with the provisions of Section 310.1 of the *International Building Code*, is a use Group R-4 residential care/assisted living facility that is constructed in compliance with the provisions of the *International Residential Code* subject to the technical provisions of the *International Building Code*?

A: No. A Group R-4 residential care/assisted living facility, as defined in the *International Building Code*, is permitted to comply with the construction requirements of the *International Residential Code*. When a detached single-family residential care/assisted living facility is regulated by the *International Residential Code* in accordance with Section 101.2 of the *International Building Code*, the *International Residential Code* shall govern. The requirements of the *International Building Code* and the *International Residential Code* are not permitted to be mixed and co-applied to the construction of a single facility. Either one or the other, but not both, shall be used. However, the technical provisions of any *International Code* are applicable to the extent referenced in the *International Residential Code*.

310.1 Residential Group R. Residential Group R includes, among others, the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an Institutional Group I or when not regulated by the *International Residential Code* in accordance with Section 101.2. Residential occupancies shall include the following:

R-1 Residential occupancies containing sleeping units where the occupants are primarily transient in nature, including:

- Boarding houses (transient)
- Hotels (transient)
- Motels (transient)

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

- Apartment houses
- Boarding houses (not transient)
- Convents
- Dormitories
- Fraternities and sororities
- Hotels (nontransient)
- Monasteries
- Motels (nontransient)
- Vacation timeshare properties

Congregate living facilities with 16 or fewer occupants are permitted to comply with the construction requirements for Group R-3.

R-3 Residential 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.

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*.