

STATE BUILDING CODE INTERPRETATION NO. I-28-08

April 24, 2009

The following is offered in response to your letter received by this office on November 21, 2008 in which you seek a formal interpretation as to how it pertains to the 2003 International Residential Code (IRC) and the 2003 International Existing Building Code (IEBC) portion of the 2005 State Building Code.

Question 1:

"Does the change from single family to two family require full conformance with IRC Section R317 separation or can the IEBC be invoked to negotiate these requirements?"

Answer 1:

The International Residential Code or the International Existing Building Code can be utilized by the permit applicant. Section 101.2, Scoping provisions of the 2003 International Residential Code, specifically permits the use of either code.

Question 2:

"Assuming a side-by-side unit configuration, would the fire separation assembly be required in a basement?"

Answer 2:

The 2003 International Residential Code, Section R317, requires fireresistant wall assemblies for two family dwelling units in a side-by-side configuration and fireresistant floor/ceiling assemblies for dwelling units vertically stacked. The 2003 International Existing Building Code requires wall and floor/ceiling assemblies to comply with fire separation requirements unless they comply with code permitted exemptions for two family dwelling units in a side-by-side configuration or vertically stacked.

Both codes require that the fireresistant rated assemblies be provided from the basement to the underside of the dwellings roof sheathing.

Question 3:

"Assuming an over/under unit configuration and a common basement, would the basement ceiling/floor assembly need to be rated? Would the ceiling/floor assembly between units need to be rated?"

Answer 3:

See response answer to Question #2 above.

Question 4:

"Assuming some common area between units such as a utility room or hallway, would those areas need separations to be rated?"

Answer 4:

Two family dwelling units require a fire separation between each unit.

Question 5:

"If the IEBC can be utilized, what minimum requirement would apply? Per IEBC, Section 703.2.1, no hourly rating is required if the separation walls are built of materials consistent with the existing wall, under what conditions would "... the requirements for new structures ..." (a 1-hour rating) apply or is this optional?"

Answer 5:

The International Existing Building Code can be utilized for the repair, alteration, change of occupancy, addition and relocation of existing buildings. Different code provisions are applicable, when using the IEBC, depending on the various levels of alterations and the scope of work being done. The IEBC has different code compliance levels depending which level of alteration code chapter is applicable.