

STATE BUILDING CODE INTERPRETATION NO: I-11-10

August 9, 2010

The following is offered in response to your letter dated July 13, 2010 in which you seek a formal interpretation. The question would apply to Section 403.6, of the 2003 International Plumbing Code portion of the 2005 State Building Code.

Scenario:

"The tenant space was remodeled for a food establishment. The application and plans indicated 14 seats inside. One unisex accessible toilet room was provided which met the intent of the 2003 International Plumbing Code, Section 403.2, Separate Facilities, Exception 3, which states "separate facilities shall not be required in structure or tenant spaces with a total occupant load including both employee and customers of 15 or less. The certificate of occupancy has been issued. The tenant has now placed 3 tables and 6 chairs on the sidewalk outside as of June 28, 2010."

Question:

"Does this add to the occupant load for the fixture count which would be 14 seats inside and 6 outside for a total of 20 seats?"

Answer:

The plumbing fixture count is based on occupant load. The occupant load includes the interior seating and the exterior seating totaling twenty seats. Section 403.1, of the 2003 International Plumbing Code portion of the 2005 State Building Code, requires the number of plumbing fixtures to be based on the occupant load as determined by the 2003 International Building Code. Section 403.6, of the above code, supports this by stating in part that customers, patrons and visitors shall be provided with public toilet facilities.