



January 29, 2018

Mr. Timothy E. Baldwin, Fire Chief
Southbury Training School Fire Department
CT Department of Developmental Services
P.O. Box 872
Southbury, CT 06488

Dear Chief Baldwin:

RE: I-01-18 - BC sections 308.3.1 and 308.4.1

In your request dated January 23, 2018 you ask for a formal interpretation regarding the definitions involving the provision of care found in the 2012 International Residential Code portion of the 2016 Connecticut State Building Code that may impact the operation of some living arrangements under the oversight of the Department of Developmental Services.

Question

IBC sections 308.3.1 and 308.4.1 allow certain care facilities with three or fewer persons receiving care to be regulated by the IRC. The IRC includes definitions for one-family dwelling and two-family dwelling as buildings where "care is not provided". This appears to be a conflict between the two codes.

Answer:

In the 2012 International Building Code portion of the 2016 Connecticut State Building Code (IBC), section 308.3.1 refers to I-1 occupancies where custodial care is provided and states:

308.3.1 Three or fewer persons receiving care. A facility such as above with three or fewer persons receiving such care shall be classified as Group R-3 or shall comply with the *International Residential Code*.

Similarly, section 308.4.1 refers to I-2 occupancies where medical care is provided and states:

308.4.1 Three or fewer persons receiving care. A facility such as the above with three or fewer persons receiving such care shall be classified as Group R-3 or shall comply with the *International Residential Code*.

In the 2012 International Residential Code portion of the 2016 Connecticut State Building Code (IRC), section 202 Definitions contains the following definitions:

ONE-FAMILY DWELLING. A building containing one dwelling unit with not more than six lodgers or boarders where care is not provided. Also known as a single-family dwelling.

TWO-FAMILY DWELLING. A building containing two dwelling units with not more than six lodgers or boarders per dwelling unit where care is not provided.

It is clear in the IBC that the intent of the code is to allow these small care units to be regulated under the IRC if they occupy a one or two family home or a townhouse. This does conflict with the definitions found in the IRC for one and two family dwellings.

It is my interpretation that the provisions of the IBC, allowing such uses to be regulated under the IRC, is the intent of the code and take precedence over the noted definitions found in the IRC.

Sincerely,

Joseph V. Cassidy, P.E.
State Building Inspector

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