

## CHAPTER 3 USE AND OCCUPANCY CLASSIFICATION

### SECTION 310.1 IBC Interpretation No. 50-07 2006 Edition Issued: 12-10-2007 BU\_06\_50\_07

**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*.



**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*.