

STATE BUILDING CODE INTERPRETATION NO. I-15-06

June 15, 2006

The following is offered in response to your June 14, 2006 request for an official interpretation of the provisions of Section 1107.6.2.1.1 of the 2003 International Building Code portion of the 2005 State Building Code.

Question: When determining the required number of Type A dwelling units in a Group R-2 apartment complex of non-elevator buildings, does one calculate 10% of all new units in the complex or 10% of only the new street level units in the complex?

Answer: The number of required Type A units is determined by calculating 10% of all new units in the complex that are not impacted by design flood elevation. The confusion regarding the answer to your query is created by Exception 1 to Section 1107.6.2.1.1, which sends the code user to Section 1107.7 for exceptions to Type A requirements. Section 1107.7.1 deals with buildings without elevator service but in effect, only provides exceptions for Type B units and sends the user back to 1107.6.2.1.1 for Type A unit requirements in a seemingly endless loop. Consultation with the ICC indicates that the applicable exception for Type A units in 1107.7 is Section 1107.7.5, which deals with design flood elevation. Thus, the controlling language in 1107.6.2.1.1 is "All units on the site, within the building or within the complex (other than existing buildings on the site per exception 2) shall be considered to determine the total number of units and the required number of Type A Units." One can therefore not deduct the number of units on floors not served by an elevator when calculating the total number of Type A units required. One can, however, deduct the number of units impacted by design flood elevation per Section 1107.7.5.