

4101:1-3-01 Occupancy classification and use.

Chapter 3 of the International Building Code, 2021 edition, as incorporated by reference and modified in Section 101.1.1 of this code, is further modified as follows:

(A) Modify section 303.3 as follows:

Change the word “kitchens” to “food service establishments”

(B) Modify section 304.1 as follows:

Change the word “kitchens” to “food service establishments”

(C) Replace section 305 in its entirety with the following:**SECTION 305 EDUCATIONAL GROUP E**

305.1 Educational Group E. Educational Group E occupancy includes, among others, the use of a building or structure, or a portion thereof, by six or more persons at any one time for educational purposes through the 12th grade.

305.1.1 Accessory to places of religious worship. Religious educational rooms and religious auditoriums, which are accessory to *places of religious worship* in accordance with Section 303.1.4 and have *occupant loads* of less than 100 per room or space, are to be classified as Group A-3 occupancies.

305.2 Group E, day care facilities – more than 2 ½ years of age. Except for a Type A or Type B Family Daycare facilities, this group includes buildings and structures or portions thereof occupied by more than five children older than 2½ years of age who receive educational, supervision or *personal care services* for fewer than 24 hours per day.

305.2.1 Within places of religious worship. Rooms and spaces within places of religious worship providing such day care during religious functions are to be classified as part of the primary occupancy.

305.2.2 Five or fewer children. Except for a Type A or Type B Family Daycare facilities, a facility having five or fewer children receiving such day care are to be classified as part of the primary occupancy.

305.2.3 Five or fewer children in a dwelling unit. Except for a Type A or Type B Family Daycare facilities, a facility such as the above within a *dwelling unit* and having five or fewer children receiving such day care are to be classified as a Group R-3. The facility may comply with the construction requirements of the “Residential Code of Ohio for One-, Two-, or Three- Family Dwellings.”

305.3 Group E, day care facilities - 2 ½ years or less of age. A day care facility that provides care for more than five but no more than 100

children 2 ½ years or less of age and the day care facilities are at the level of exit discharge, and where every room where care is provided has no fewer than one exterior exit door for which the exit access and exit discharge do not require the traversing of stairs.

305.4 Storm shelters in Group E occupancies. When provided, *storm shelters* for Group E occupancies are to comply with ICC 500.

(D) Modify section 306.2 as follows:

Change the word “kitchen” to “food service establishment”

(E) Modify section 307.1.1, item #3 to read:

3. Closed piping system containing *flammable or combustible liquids or gases* utilized for the operation of machinery, building service equipment, or process equipment.

(F) Modify table 307.1(1) as follows:

In the row titled “Explosives”, Class Division 1.4G, add superscript “s” to the Group “H-3”, change the value of maximum allowed quantity of stored solid pounds from “125” pounds to “0” pounds, add superscript “r” to the “0”, and add footnotes “r” and “s” that read:

r. See the “Consumer fireworks” row in the Ohio Fire Code Table 5003.1.1(1).

s. See the “Consumer fireworks” row in the Ohio Fire Code Table 5003.1.1(1) for requirements relating to fountain devices.

(G) Modify footnote i to table 307.1(1) to read:

i. The maximum allowable quantity does not apply to fuel oil or diesel oil storage complying with Chapter 13 or Section 915 of the mechanical code.

(H) Replace footnote l from table 307.1(1) to read:

l. Deleted.

(I) Replace section 308 with the following:

SECTION 308 INSTITUTIONAL GROUP I

308.1 Institutional Group I. Institutional Group I occupancy includes, among others, the use of a building or structure, or a portion thereof, in which care (personal, custodial, or medical) or supervision is provided to persons who are or are *incapable of self-preservation* without physical assistance or in which persons are detained for penal or correctional

purposes or in which the liberty of the occupants is restricted. Institutional occupancies are classified as Group I-1, I-2, I-3 or I-4.

Exception: Ambulatory care facilities and outpatient clinics are classified as Group B.

308.2 Institutional Group I-1. Except as provided in Sections 308.3.2 and 308.3.3, Institutional Group I-1 occupancy includes buildings, structures or portions thereof for more than 16 persons, excluding staff, who reside in a supervised environment and receive care and are capable of self-preservation. This group includes, but not be limited to, the following:

Alcohol and drug centers

Assisted living facilities

Congregate care facilities

Group homes

Halfway houses

Residential board and care facilities

Social rehabilitation facilities

308.2.1 Occupancy conditions. Buildings of Group I-1 are classified as one of the occupancy conditions specified in Section 308.2.1.1 or 308.2.1.2.

308.2.1.1 Condition 1. This occupancy condition includes buildings in which all persons receiving care who, without any assistance, are capable of responding to an emergency situation to complete building evacuation.

308.2.1.2 Condition 2. This occupancy condition includes buildings in which there are any persons receiving care who require limited verbal or physical assistance while responding to an emergency situation to complete building evacuation.

308.2.2 Six to 16 persons receiving care. A care facility housing not fewer than six and not more than 16 persons receiving care are classified as Group R-4.

308.2.3 Five or fewer persons receiving care. A care facility with five or fewer persons receiving care are classified as Group R as provided in Section 310.

308.3 Institutional Group I-2. Except as provided in Section 308.4.2, Institutional Group I-2 occupancy includes buildings and structures used for care for more than five persons who are *incapable of self-preservation* for more than 24 hours. This group includes, but not be limited to, the following:

Foster care facilities

Detoxification facilities

Hospitals

Nursing homes

Psychiatric hospitals

308.3.1 Occupancy conditions. Buildings of Group I-2 are classified as one of the occupancy conditions specified in Section 308.3.1.1 or 308.3.1.2.

308.3.1.1 Condition 1. This occupancy condition includes facilities that provide nursing and *medical care* but do not provide emergency care, surgery, obstetrics or in-patient stabilization units for psychiatric or detoxification, including but not limited to *nursing homes* and *foster care facilities*.

308.3.1.2 Condition 2. This occupancy condition includes facilities that provide nursing and *medical care* and could provide emergency care, surgery, obstetrics or in-patient stabilization units for psychiatric or detoxification, including but not limited to *hospitals*.

308.3.2 Five or fewer persons receiving medical care. A care facility with five or fewer persons incapable of self-preservation receiving care is classified as Group R as provided in Section 310.

308.4 Institutional Group I-3. Except as provided in Section 308.5.2, Institutional Group I-3 occupancy includes buildings and structures that are inhabited by more than five persons who are under restraint or security. A Group I-3 facility is occupied by persons who are generally *incapable of self-preservation* due to security measures not under the occupants' control. This group includes, but not be limited to, the following:

Correctional centers

Detention centers

Jails

Prerelease centers

Prisons

Reformatories

308.4.1 Occupancy conditions. Buildings of Group I-3 are classified as one of the occupancy conditions specified in Sections 308.4.1.1 through 308.4.1.5.

308.4.1.1 Condition 1. This occupancy condition includes buildings in which free movement is allowed from sleeping areas, and other spaces where access or occupancy is permitted, to the exterior via *means of egress* without restraint. A Condition 1 facility is permitted to be constructed as Group R.

308.4.1.2 Condition 2. This occupancy condition includes buildings in which free movement is allowed from sleeping areas and any

other occupied *smoke compartment* to one or more other *smoke compartments*. Egress to the exterior is impeded by locked exits.

308.4.1.3 Condition 3. This occupancy condition includes buildings in which free movement is allowed within individual *smoke compartments*, such as within a residential unit composed of individual sleeping units and group activity spaces, where egress is impeded by remote-controlled release of *means of egress* from such a *smoke compartment* to another *smoke compartment*.

308.4.1.4 Condition 4. This occupancy condition includes buildings in which free movement is restricted from an occupied space. Remote-controlled release is provided to permit movement from *sleeping units*, activity spaces and other occupied areas within the *smoke compartment* to other *smoke compartments*.

308.4.1.5 Condition 5. This occupancy condition includes buildings in which free movement is restricted from an occupied space. Staff-controlled manual release is provided to permit movement from *sleeping units*, activity spaces and other occupied areas within the *smoke compartment* to other *smoke compartments*.

308.4.2 Five or fewer persons secured or restrained. Buildings containing five or fewer persons who are being secured or restrained are included in the primary occupancy classification.

308.5 Institutional Group I-4, day care facilities. Except for Type A or Type B Family Daycare facilities and except as provided in Sections 308.5.1 through 308.5.4, Institutional Group I-4 occupancy includes buildings and structures occupied by more than five persons of any age who are capable of self-preservation with limited physical assistance or *incapable of self-preservation*, who receive *custodial care* for fewer than 24 hours per day by persons other than parents or guardians; relatives by blood, marriage or adoption; and in a place other than the home of the person cared for. This group includes, but not be limited to, the following:

Adult day care

Child day care

308.5.1 Classification as Group E. A *care facility* that provides care for more than five but not more than 100 children 2^{1/2} years or less of age, and the day care facilities are at the *level of exit discharge* and where every room where care is provided has no fewer than one exterior *exit* door for which the exit access and exit discharge do not require the traversing of stairs, is classified as Group E.

308.5.2 Within a place of religious worship. Rooms and spaces *within places of religious worship* providing such care during religious functions is classified as part of the primary occupancy.

308.5.3 Five or fewer persons receiving care. Except as provided in Section 308.5.4, a *care facility* having five or fewer persons receiving care is classified as part of the primary occupancy.

308.5.4 Five or fewer persons receiving care in a dwelling unit. Except for a Type B Family Daycare facility, a *care facility* within a *dwelling unit* and having five or fewer persons receiving care is classified as Group R as provided in Section 310.

(J) Replace section 310 with the following:

SECTION 310 RESIDENTIAL GROUP R

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 within the scope of the “Residential Code of Ohio for One-, Two-, or Three-Family Dwellings.”

310.1.1 Detached One-, Two-, or Three- Family Dwellings. The “Residential Code of Ohio for One-, Two-, or Three- Family Dwellings” applies to structures comprised exclusively of one-, two-, or three-family *dwellings* (having independent exits) and their accessory structures. If no residential department is certified in a jurisdiction, construction documents for structures comprised exclusively of one-, two-, or three-family *dwellings* are not required to be submitted for approval.

310.1.1.1 Five or fewer persons receiving care in a single family dwelling. A single family *dwelling* with five or fewer persons, excluding staff, who reside in a supervised environment, receive care, and are capable of self-preservation with or without limited verbal or physical assistance is not classified as Group R and is within the scope of the “Residential Code of Ohio for One-, Two-, or Three-Family Dwellings.”

310.1.2 Group R with both shared exits and independent exits. A building with both shared exits and independent exits is classified as Group R-2, unless the shared exit is not a required exit, in which case, the building is classified as Group R-3.

310.2 Residential Group R-1. Except as provided in Section 310.3.3, Residential Group R-1 occupancies include buildings with *sleeping units* where the occupants are primarily *transient* in nature, including:

Boarding houses (transient) with more than 10 occupants

Congregate living facilities (transient) with more than 10 occupants

Hotels (transient)

Motels (transient)

SRO (Single room occupancy) facility (transient)

Transient lodging structures

310.2.1 Units not used primarily as permanent residences. R-1 occupancies typically will include *sleeping units* but may also include *dwelling units* when those units are not used primarily as permanent residences.

310.2.2 Transient lodging structures. Except as provided in Sections 310.3.2.1 or 310.3.2.2, a Group R-1 structure composed exclusively of a single *dwelling unit* with no more than twenty transient occupants may comply with the construction requirements of the “Residential Code of Ohio for One-, Two-, and Three- Family Dwellings” in lieu of the requirements of this code under the following conditions:

1. The structure is located to maintain a minimum *fire separation distance* of thirty feet; and
2. There are no more than two *stories above grade plane*, not including mezzanines/lofts that meet the area limitations of Section 505 of this code; and
3. The maximum travel distance to an exit directly to the exterior at the level of exit discharge is 75 feet; and
4. Egress from all habitable levels is by stair, ramp or an exit directly to the exterior in compliance with the Residential Code of Ohio; and
5. For a structure with eleven to twenty occupants, at least two exits are provided from all habitable levels; and
6. Portable fire extinguishers are installed in accordance with Section 906 of this code; and
7. Artificial light is provided that is adequate to provide an average illumination of 1 foot-candle over the area of the room at a height of thirty inches above the floor level; and
8. Accessibility requirements of Chapter 11 of this code apply.

Exception: If the owner provides documentation that the structure is not a place of public accommodation as defined in 28 C.F.R. 36.104;

Hotel licensure requirements of Chapter 3731 of the Revised Code may apply to the occupancy of a transient lodging structure but are outside the scope of this code.

310.2.2.1 Semi-primitive transient lodging structures no greater than 400 sq. ft. in area. A Group R-1 structure that provides permanent provisions for sleeping only or sleeping with either

sanitation or kitchen facilities, but not both, may comply with the applicable construction requirements of the “Residential Code of Ohio for One-, Two-, and Three- Family Dwellings” in lieu of the requirements of this code under the following conditions:

1. The structure is located to maintain a minimum *fire separation distance* of thirty feet; and
2. There is no more than one story, no basement, and no habitable loft; and
3. There is no more than 400 sq. ft. in area in total; and
4. There are no more than five occupants; and
5. There is at least one means of egress complying with Section 311 of the Residential Code of Ohio; and
6. Portable fire extinguishers are installed in accordance with Section 906 of this code; and
7. Accessibility requirements of Chapter 11 of this code apply.

Exception: If the owner provides documentation that the structure is not a place of public accommodation as defined in 28 C.F.R. 36.104;

Exceptions: *Semi-primitive transient lodging structures* are not required to comply with the following provisions of the Residential Code of Ohio:

1. Chapter 11 if the semi-primitive structure does not contain conditioned space or has a peak design rate of energy usage of less than 3.4 BTU/h·ft² or 1.0 watt/ft² as described in the International Energy Conservation Code.
2. Section 303.6 for exterior stairway illumination if no commercial power is available

310.2.2.2 Primitive or semi-primitive transient lodging structures greater than 400 sq. ft. in area. A Group R-1 structure, for not more than twenty transient occupants, that is greater than 400 sq. ft. in area, provides permanent provisions for sleeping only or sleeping with either sanitation or kitchen facilities, but not both, may comply with the applicable construction requirements of the “Residential Code of Ohio for One-, Two-, and Three-Family Dwellings” in lieu of the requirements of this code under the following conditions:

1. The structure is located to maintain a minimum *fire separation distance* of thirty feet; and
2. There are no more than two *stories above grade plane*, not including mezzanines/lofts that meet the area limitations of Section 505 of this code; and
3. The maximum travel distance to an exit directly to the

- exterior at the level of exit discharge is 75 feet; and
4. Egress from all habitable levels is by stair, ramp or an exit directly to the exterior in compliance with the Residential Code of Ohio; and
 5. For a structure with eleven to twenty occupants, at least two exits are provided from all habitable levels; and
 6. Portable fire extinguishers are installed in accordance with Section 906 of this code; and
 7. Accessibility requirements of Chapter 11 of this code apply.
Exception: If the owner provides documentation that the structure is not a place of public accommodation as defined in 28 C.F.R. 36.104;

Exceptions: *Primitive or semi-primitive transient lodging structures greater than 400 sq. ft. in area are not required to comply with the following provisions of the Residential Code of Ohio:*

1. Chapter 11 if the semi-primitive structure does not contain conditioned space or has a peak design rate of energy usage of less than 3.4 BTU/h·ft² or 1.0 watt/ft² as described in the International Energy Conservation Code.
2. Section 303.6 for exterior stairway illumination if no commercial power is available and the structure is a single story with no basement or habitable loft.

310.2.3 Ten or fewer persons in a boarding house or congregate living.

A boarding house or congregate living building intended for transient occupancy for ten or fewer persons, is classified as Group R-2 or Group R-3 occupancies depending on exiting arrangements.

310.3 Residential Group R-2. Except as provided in Sections 310.3.1 through 310.3.4, Residential Group R-2 occupancies containing *sleeping units* or more than three *dwelling units* where the occupants are primarily permanent in nature and where the units share an exit, including:

Apartment houses

Congregate living facilities (nontransient) with more than 16 occupants where occupants share an exit

Boarding houses (nontransient)

Convents

Dormitories

Fraternalities and sororities

Monasteries

Hotels (nontransient)

Live/work units

Motels (nontransient)

SRO (Single room occupancy) facility (nontransient)

Vacation timeshare properties

310.3.1 Five or fewer persons receiving care. A care facility with shared exit for five or fewer persons receiving care is classified as Group R-2.

310.3.2 Dwelling units in mixed occupancy buildings. This group includes residential occupancies in buildings or structures of mixed use containing one or more dwelling units where the occupants are primarily permanent in nature in structures with shared exits.

310.3.3 Dwelling units with a shared exit. This group includes buildings or structures containing two or three dwelling units where the occupants are primarily permanent in nature and when the dwelling units share an exit.

310.3.4 Sixteen or fewer persons in a boarding house or congregate living. A boarding house or congregate living in a dwelling unit with an independent exit for sixteen or fewer persons is classified as Group R-3.

310.4 Residential Group R-3. Except as provided herein, Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, and where each dwelling unit has an independent exit including:

Care facilities that provide accommodations for five or fewer persons receiving care

Congregate living facilities (nontransient) with 16 or fewer occupants per dwelling unit

Boarding houses (nontransient)

Convents

Dormitories

Fraternities and sororities

Monasteries

Congregate living facilities (transient) with 10 or fewer occupants

Boarding houses (transient)

Lodging houses (transient) with five or fewer guest rooms and 10 or fewer occupants

Vacation timeshare properties

310.4.1 Five or fewer persons receiving care not in a dwelling. A care facility with an independent exit for five or fewer persons receiving care is classified as Group R-3.

310.4.2 Five or fewer persons receiving care within a dwelling. A Group R-3 two- or three-family dwelling used exclusively as care facilities for an aggregate of five or fewer persons receiving care but are

capable of self-preservation is permitted to comply with the construction requirements of the “Residential Code of Ohio for One-, Two-, or Three-Family Dwellings.”

A Group R-3 one-, two- or three-family dwelling used exclusively as care facilities for an aggregate of five or fewer persons receiving care and are *incapable of self-preservation* is permitted to comply with the construction requirements of the “Residential Code of Ohio for One-, Two-, or Three- Family Dwellings” provided an automatic sprinkler system is installed in all of the *dwelling units* in accordance with Sections 903.3.1.1, 903.3.1.2, 903.3.1.3 or Section 2904 of the “Residential Code of Ohio for One-, Two-, or Three- Family Dwellings.”

310.4.3 Dwelling units in mixed occupancy buildings. This group includes residential occupancies in buildings or structures of mixed use containing one or more *dwelling units* where the occupants are primarily permanent in nature and where each *dwelling unit* has an independent exit.

310.4.4 Lodging houses. A Group R-3 owner-occupied *lodging house* with five or fewer *guest rooms* and 10 or fewer total occupants may comply with the construction requirements of the “Residential Code of Ohio for One-, Two-, or Three- Family Dwellings”.

310.4.5 Group R-3 Alternative compliance options. The following are alternative compliance options for Group R-3 buildings within the scope of this code.

310.4.5.1 Multi-family alternative A. A Group R-3 building may use Chapters 2 to 11 of the “Residential Code of Ohio for One-, Two-, and Three-Family Dwellings” (RCO) in place of the requirements of this code under the following conditions and limitations:

1. Chapter 1 of the OBC is applicable for code administration purposes; and
2. The building is comprised exclusively of *dwelling units*; and
3. The building is not used as a *care facility*; and
4. The building is not more than three *stories above grade plane in height*; and
5. Each *dwelling unit* in the building has an independent exit; and
6. No more than one *dwelling unit* is allowed to be located above another *dwelling unit*; and
7. Fire separation between units within a grouping of two units, including a unit located partially or totally above another unit, is to be designed and installed in accordance with the RCO section 302.2. Fire separation between any grouping of two

- units and other adjacent units is to be designed and installed in accordance with RCO sections 302.2 and 302.2.3 through 302.2.6; and
8. The Ohio Home Builder Association (OHBA) Alternative Energy Code Options is not permitted to be used to demonstrate compliance with energy efficiency requirements of the RCO; and
 9. Except as provided by this paragraph, the editions of codes and standards listed in Chapter 35 of this code are to be used. For codes and standards not listed in Chapter 35 or for those referenced in RCO Chapter 11, RCO Chapter 44 applies.

310.4.5.2 Multi-family alternative B. A Group R-3 building may use the “Residential Code of Ohio for One-, Two-, and Three-Family Dwellings” (RCO) in place of the requirements of this code under the following conditions and limitations:

1. Chapter 1 of the OBC is applicable for code administration purposes; and
2. The building is comprised exclusively of *dwelling units*; and
3. The building is not used as a *care facility*; and
4. The building is not more than three *stories above grade plane* in height; and
5. Each *dwelling unit* in the building has an independent exit; and
6. Each *dwelling unit* extends from the foundation to the roof and has a yard or public way on not less than two sides; and
7. Fire separation between *dwelling units* is comprised of two one-hour fire-resistance-rated wall assemblies or one common wall with a two-hour fire-resistance-rated assembly rated for exposure from both sides. Fire separation between *dwelling units* is to be designed and installed in accordance with RCO sections 302.2.3 through 302.2.6;
 - 7.1 If fire sprinklers are provided in accordance with NFPA 13D or RCO section 2904, the fire-resistance rating of the common wall may be reduced to one-hour;
 - 7.2 The common wall shared between *dwelling units* is to be constructed without plumbing or mechanical equipment, ducts or vents, other than water-filled fire sprinkler piping in the cavity of the common wall; and

8. Each individual *dwelling unit* is served by independent building services, including but not limited to, equipment, piping; wiring, and ductwork; and
9. The Ohio Home Builder Association (OHBA) Alternative Energy Code Option is permitted to be used to demonstrate compliance with the energy efficiency requirements of the RCO provided that the applicable minimum appliance efficiencies meet or exceed those in Table 310.4.5.2.

TABLE 310.4.5.2 Appliance efficiency

<u>Type of appliance</u>	<u>Minimum Efficiency</u>
<u>Gas forced-air central furnace</u>	<u>96% AFUE</u>
<u>Electric central air conditioner</u>	<u>14 SEER</u>
<u>Electric heat pump (air-source, heating mode)</u>	<u>8.8 HSPF</u>
<u>Electric heat pump (air-source, cooling mode)</u>	<u>14 SEER</u>
<u>Gas-fired storage water heater</u>	<u>0.57 EF</u>
<u>Electric storage water heater</u>	<u>0.95 EF</u>

310.4.6 More than sixteen occupants in a Boarding House or Congregate Living. A boarding house or congregate living building for more than sixteen persons is classified as Group R-2.

310.5 Residential Group R-4. Residential Group R-4 occupancy includes buildings, structures or portions thereof for more than five but not more than 16 persons, excluding staff, who reside in a supervised residential environment and receive care. This group includes, but is not limited to, the following:

- Alcohol and drug centers
- Assisted living facilities
- Congregate care facilities
- Group homes
- Halfway houses
- Residential board and care facilities
- Social rehabilitation facilities

Where Group R-4 design criteria is not provided in this code, the construction requirements for Group R-3 apply.

310.5.1 Occupancy conditions. Buildings of Group R-4 are classified as one of the occupancy conditions specified in Section 310.5.1.1 or 310.5.1.2.

310.5.1.1 Condition 1. This occupancy condition includes buildings in which all persons receiving *custodial care*, without any assistance, are capable of responding to an emergency situation to complete building evacuation.

310.5.1.2 Condition 2. This occupancy condition includes buildings in which there are any persons receiving *custodial care* who require limited verbal or physical assistance while responding to an emergency situation to complete building evacuation.

(K) Modify section 312.1 to read:

312.1 General. Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy are to be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy. Group U includes, but is not limited to, the following:

*Agricultural buildings**

Barns*

Carports

Communication equipment structures with a *gross floor area* of less than 1,500 square feet (139 m²)

Fences more than 7 feet (2.134 m) in height

Grain silos, accessory to a residential occupancy*

Livestock shelters*

Private garages

Retaining walls (see exceptions in Section 101.2)

Sheds*

Stables*

Tanks associated with building services equipment

Towers (see exceptions in Section 101.2)

* Not used for agricultural purposes as defined in section 3781.06 of the Revised Code.

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CERTIFIED ELECTRONICALLY

Certification

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